



ORDINARY AGENDA

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

DATE: Tuesday, 22 November 2022

TIME: 5.00pm

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

Cameron Woods
CHIEF EXECUTIVE OFFICER

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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:

Cr B Bell was granted Leave of Absence for the period 28 October to 20 November 2022 inclusive.

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1.1 PRESENTATION – RODNEY HOVELL – ROCKY GULLY PROGRESS ASSOCIATION (RGPA)

Mr Hovell addressed the Council in relation to signage, power and toilets in Rocky Gully. Mr Hovell proposed the following:

That:

- 1. A new sign (design attached) be installed to replace the old Plantagenet sign on Muir Highway.*
- 2. Power be intersected to redirect a power supply to the oval/toilets(tank), including the installation of power points, with the cost to be borne by the RGPA.*
- 3. The Shire provides the materials (paint, toilets, seals and consumables) for a facelift to the public toilets, with the RGPA provides the labour.*

The Shire President thanked Mr Hovell for his suggestions and advised that the Shire would take the questions on notice and respond accordingly.

David Lynch (EMWS) and Delma Baesjou (MDS) are following up with enquiries to other parties. Some initial progress has been made and officers have been in regular contact with Mr Hovell over these and other matters raised.

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 25 OCTOBER 2022

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 25 October 2022.

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 25 October 2022 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 DEVELOPMENT SERVICES REPORTS

Nil

9.2 WORKS AND SERVICES REPORTS

9.2.1 PLANTAGENET BUSHFIRE MITIGATION WORKS 2021/2022 - REVIEW

File Ref:	N59608
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Victoria Holloway Bushfire Risk Mitigation Coordinator
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to provide an annual review of progress of the Shire of Plantagenet Bushfire Mitigation Works 2021/2022.

BACKGROUND

At its Ordinary Meeting held on 22 June 2021, the Council resolved to endorse the Shire of Plantagenet Bushfire Risk Management Plan (BRMP) 2021 – 2026 Version One. The BRMP was previously endorsed by the Office of Bushfire Risk Management (OBRM) on 29 April 2021.

The Department of Fire and Emergency Services (DFES) Mitigation Activity Funding (MAF) 2021-22 Round 1 approved sixty-five (65) treatments with total funding of \$365,960.00.

Contract CO1-2122 Plantagenet Bushfire Mitigation Works was awarded to Down South Timber Co (MC Civil Contractors) at a fixed price of \$326,820.00 (ex GST) and works commenced in early 2022.

All works relating to Contract CO1-2122 were completed by 9 August 2022. The total cost of works completed was \$339,050.25 which included a \$2,255.25 fuel variation and a \$6,975.00 approved treatment variation.

Four additional chemical spraying treatments were completed by a local contractor and invoiced for \$2,600.00

As of 2 November 2022, total funds to be acquitted from the DFES MAF 2021-22 Round 1 are \$338,150.25.

An application for DFES MAF 2022-23 Round 2 funding was signed by the Chief Executive Officer on 19 September 2022 and submitted for approval. The MAF 2022-23 Round 2 funding includes fifty-two (52) treatments with a total funding request of \$297,000.00.

EXTERNAL CONSULTATION

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

STATUTORY ENVIRONMENT

Bush Fires Act 1954

Local Government Act 1995, Section 3.57 – ‘Tenders for providing goods or services’

POLICY IMPLICATIONS

It is the opinion of the author that development of Council Policy F/FM/17 Purchasing to include the creation and operation of a Panel of Prequalified Suppliers be considered.

It is intended that this policy will be reviewed in December 2022 to incorporate the detail necessary to implement Panels of Pre-qualified Suppliers, in accordance with Part 4, Division 3 of the Local Government (Functions and General) Regulations 1996.

FINANCIAL IMPLICATIONS

As of 1 November 2022, total funds to be acquitted from DFES MAF 2021-22 Round 1 are \$338,150.25 of the \$365,960.00 originally allocated.

Fire access gates have been ordered for the Ingoldby Reserve with the remaining funding.

BUDGET IMPLICATIONS

The allocation in the Council's 2021/22 budget for Fire Prevention/Burning/Control was \$365,390.00.

The proposed allocation in the Council's 2022/23 budget for Fire Prevention/Burning/Control is \$297,000.00.

LEGAL IMPLICATIONS

The Shire's Bushfire Risk Management Plan, which was endorsed by the Council on 22 June 2021, complies with the *State Hazard Plan – Fire* (Formerly Wesplan fire) (OEM 2017) and aligns with the Emergency Management Act 2005 and Emergency Management Regulations 2006.

The Shire's Bushfire Risk Management Plan is a requirement for MAF funding.

ASSET MANAGEMENT IMPLICATIONS

The treatment locations were identified as part of a risk analysis of Shire assets and the impact a bushfire event could have on the community.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet's Corporate Business Plan 2022/2023 to 2025/2028 provides:

At *Outcome 1.5 A Safe Plantagenet* the following

Strategy 1.5.1

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

And further at Action 1.5.1.2

‘Resource bushfire mitigation.’

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

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Environment Disruption of disturbance of habitats, and/or introduction of Dieback	<i>Unlikely</i>	<i>Moderate</i>	<i>Moderate (6)</i>	<i>Environmental analysis and approval of treatment locations are sought before works commence. All contractors are required to understand and respond to environmental issues.</i>
Financial Costs may exceed budgeted amount.	<i>Unlikely</i>	<i>Minor</i>	<i>Low (4)</i>	<i>Variations to works must be accepted before additional funding is allocated</i>
Opportunity: <i>To improve the overall fire safety of Shire communities, assets and townsites.</i>				

STRATEGIC RISK IMPLICATIONS

Failure to participate in the program and to seek funding increases the risk of public and private loss of assets in a fire emergency.

REGIONAL IMPLICATIONS

There are no regional implications relevant to this request.

OFFICER COMMENT

Since November 2021, 67 bushfire mitigation treatments have been completed at a total cost of \$338,150.25.

The chemical works were not awarded in Contract CO1-2122, instead were assigned by written quote on 2 August 2022.

Additional mechanical works were carried out at Tower Hill to ensure access on fire access tracks between the reserve and residences and also at Ingoldby Reserve to reduce risk from trees overhanging fence lines.

Treatments at the rear of the Mount Barker Caravan Park were removed from the MAF program due to issues with access and will be completed in the 2022/2023 program instead.

The following table details the amount spent and location of mitigation activities in 2022/2023:

Location of Works	Total \$
Mount Barker	115,960.00
Kendenup	101,290.00
Rocky Gully	33,860.00
Porongurup	37,660.00
Narrikup	14,700.00
Other - mechanical works	23,350.00
Other - variations to Contract CO1-2122	9,230.25
Other - chemical works	2,600.00
Total (exc GST)	338,150.25

The remaining funding from the MAF 2021-22 Round 1 allocation is to be spent in the purchase and installation of fire gates and bollards to inhibit unauthorised access through Ingoldby Reserve.

Confirmation of the MAF 2022/2023 Round 2 funding which includes fifty-two (52) treatments with a total funding request of \$297,000.00 is expected to be finalised in late November 2022.

Due to the amount of funding a tender will need to be advertised for the works.

The treatments in the MAF 2022/2023 Round 2 works program include weeding, slashing, minor road works, chemical works and clearing and as such will require multiple contractors to complete the tasks.

The previous tender had only two respondents and mobilisation costs were a major expense. Therefore, it is recommended that local contractors are encouraged to apply for Round 2 funding with the intent the tasks be awarded to as many as possible. The program will be managed by the Shire's Bushfire Risk Mitigation Coordinator.

The MAF program is expected to run for at least three more years with the option of applying for funding every six months. Currently, the time between the application process and the tender process means it can be six to eight months before any works can commence. As the Shire is not permitted to apply for more MAF funds until the previous round is acquitted, this strongly inhibits the Shire's ability to apply for funding each round.

Given that individual MAF works are extremely repetitive and relatively minor in cost (<\$20,000), it is the recommendation of this officer that the Shire should consider running a tender to establish a panel of pre-qualified suppliers. Once established, the panel would be monitored and assessed by the Shire's Bushfire Risk Mitigation Coordinator. This process would bring the Shire into line with DFES and other local

governments and will allow for panel suppliers to directly quote on treatments and be approved to commence works in a more streamlined manner.

As mentioned previously in this report, the Shire may need to consider update its purchasing policy to allow the formation of a panel of pre-qualified suppliers for fire mitigation purposes.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Plantagenet Bushfire Mitigation Works 2021/2022 Report be noted and a further review be provided in November 2023, noting progress on Round 2 of the Department of Fire and Emergency Services Mitigation Activity Funding 2022/2023.

Advice Note

Council Policy F/FM/17 Purchasing will be reviewed in December 2022 to incorporate the detail necessary to implement Panels of Pre-qualified Suppliers, in accordance with Part 4, Division 3 of the Local Government (Functions and General) Regulations.

9.2.2 DRIVER REVIVER PROGRAM - REVIEW

File Ref:	N59579
Attachment:	<u>Attachment One – Driver Reviver Statistics</u> <u>Attachment Two – Map showing crashes in GS Region</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Amy Chadbourne Senior Administration Officer, Works and Services
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to review the need and effectiveness of the current Driver Reviver (DR) program before committing to further DRs.

BACKGROUND

Driver Revivers (organised by the Plantagenet RoadWise Committee) commenced in 2013, following the receipt of funding in 2011 from the Road Safety Community Grants Program for the 'Targeting Fatigued and Distracted Drivers in the Great Southern' project.

The project's objectives were to:

1. Increase the number of vehicles using headlights in daylight hours.
2. Increase community awareness of fatigue.
3. Decrease the number of people using mobile phones whilst driving.

The \$8,100.00 funding included the production and installation of three signs on Albany Highway between Tunney Roadhouse and Settlement Road. A number of resources were developed and used during the project, including a bi-annual Driver Reviver (DR) and various promotional activities. Also, some items were purchased to use at DRs.

The inaugural DR organised by the RoadWise Committee in 2013, was held at the Tunney pull-in bay on Albany Highway over two days from Friday afternoon to 12 noon Saturday. After a couple of DRs, the time frame was reduced from two days to one taking place on the Friday afternoon/evening of a long weekend. In the last five years, the event has started earlier in the day in response to travel behaviour.

Over the years, site locations have been at various pull-in bays on Albany Highway. These have included Tunney, the Sturdee Road intersection, north of the Cranbrook/Frankland Road intersection and most recently at the Tenterden Store (shuts at midday so available for use). It should be noted, that during the last seven years all sites have been located within the Shire of Cranbrook as it was felt locations within Plantagenet were too close to the destinations of Albany and Denmark and motorists would not stop as they were 'nearly there'.

Shire Works and Services staff organise the event and the recruitment of volunteers is currently carried out by a RoadWise Committee Member. The preparation and advertising of the event is organised by administration staff whilst depot staff help prepare and install specific DR signage, traffic management signage and collect any equipment required. On the week of the DR, the depot staff pick up and return items used at the event. Administration staff can spend up to 23 hours pre and post preparation whilst depot staff anywhere between 10 and 15 hours.

Assistance is usually received from Shire of Cranbrook staff who loan and then deliver Variable Message Boards (VMB) to the site. The VMBs have been deemed to be necessary as part of advance advertising to motorists of the site – the message highlights free tea/coffee and a toilet as well as forming part of the Traffic Management Plan (TMP). Additional signage is placed on the road verge to highlight free coffee.

Traffic management has evolved over time to now include an approved TMP. The TMP is necessary due to the location of the DR site and the volunteer presence. Only qualified operators are permitted to install TM signs which means only Shire staff can put the signs out. The TMP directs motorists to slow down in a specified area around the DR site in the hope that drivers will pull in and stop for a break. Additional DR icon signage (cups of coffee) highlight what is available in conjunction with the flashing message on the VMBs.

Initially, the DR site was maintained by RoadWise Committee members made up of representatives from the Shire, Main Roads, Department of Transport staff, Mount Barker Community College students and community volunteers. In the last couple of years, site volunteers have evolved into predominantly individuals from the Plantagenet St John Ambulance and Mount Barker Volunteer Fire Service, as well as some Shire Councillors. Shire staff set up the site (with help from volunteers) and then return to work. If their schedule permits, local police may drop in to show support.

Volunteers maintain the site, communicate and serve tea/coffee to motorists and pack away equipment at the end of the night. Packing away involves collecting the TM signs from the road, towing items (VMBs, toilet, light tower and Shire trailer) to the Shires of Cranbrook Depot/location in Plantagenet and most recently, leaving all items stored behind the Tenterden Store ready for Shire staff to pick up the following week.

Prior to a RoadWise Committee Member taking on the task of recruiting volunteers, requests were sent out to Plantagenet community groups for volunteers, as well as advertising the event to members of the public. After minimal interest was shown from local groups and the public, and to reduce the workload for Shire staff, it was decided that a RoadWise Committee Member would carry out this recruitment.

The table at Attachment One shows the use of DRs by motorists. Statistics are broken up into the number of vehicles stopping, people taking tea/coffee and use of the hired toilet.

The two DRs scheduled for 2022 were both cancelled; the March event due to the large cases of COVID-19 in Western Australia; and the September event because of the day of mourning for Queen Elizabeth's death. This spread the tourism traffic over a two-day period so reducing traffic congestion.

At the Plantagenet RoadWise Committee Meeting held on 13 October 2022, it was resolved:

'That in order to continue to run Driver Reviver, it be a recommendation to the Council that the Plantagenet RoadWise Committee review the current Driver Reviver program with a focus on the following:

- 1. Shire and volunteer task allocation;*
- 2. Possibility of alternative locations both within and outside the Shire of Plantagenet; and/or*
- 3. Consider joining with the Cranbrook RoadWise Committee to share the preparation and set up costs of Driver Reviver events.*

EXTERNAL CONSULTATION

Consultation has taken place with staff members from the Shires of Cranbrook, Williams and Katanning, the WALGA Regional Road Safety Advisor and volunteers.

It should be noted that both Katanning and Williams do not have a Council RoadWise Committee.

Also, WALGA RoadWise state the DR program is a *'community initiative operated nationally by volunteers.'*

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 5.6 'Establishment of committees'

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

It is estimated that currently the cost to the Shire to organise, set up and pack away a DR can be anywhere between \$2,500.00 to \$3,500.00. This amount includes Shire Depot and administration staff time, plant use and hire of equipment.

Costs to run the event can differ each time depending on the location and the availability of equipment. The costs to run the most recent DR in September 2021, which was held at the Tenterden Store, were higher than usual. Shire staff had to source, collect and return a Variable Message Board (VMB) from Albany as Cranbrook's two VMBs were declared unavailable at the last minute. At this event, the spare tyre of the hired VMB was stolen which the Shire had to replace at a cost of \$200.00.

The most recently scheduled DR for Friday 23 September 2022 potentially had the extra task of collecting a light tower from Albany, delivering it to the Tenterden site and then returning it. In previous Driver Revivers, Main Roads has supplied a light tower and delivered and collected this item from the site (and provide instruction on how to use). For the September event, Main Roads was unable to supply a light tower but were happy to cover the cost of the hire. Unfortunately, this DR was cancelled due to lack of available Shire staff and Queen Elizabeth's day of mourning public holiday.

Normally, a public toilet is hired from a local supplier and is usually delivered to the site by a volunteer. If a volunteer is unavailable to collect the toilet, delivery is required and so the cost would increase.

Another direct cost to run the site is the preparation of a TMP which can range in cost from \$350.00 to \$600.00.

BUDGET IMPLICATIONS

The Council's 2022/2023 budget has no funding for Roadwise activities.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

No assets are being managed.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At *Outcome 1.4 Support for community groups and volunteers* the following:

Strategy 1.4.1

'Encourage and support the retention and attraction of volunteers.'

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

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational <i>Cease an activity without consultation with volunteers.</i>	<i>Likely</i>	<i>Minor</i>	<i>Low</i>	<i>Engagement with volunteers prior to next schedule DR.</i>
<i>Threat to small business operators within the townsite who provide refreshments / rest areas.</i>	<i>Likely</i>	<i>Minor</i>	<i>Low</i>	<i>Not have the DR in the townsite.</i>
Opportunity: <i>Support the efforts of the Shire of Cranbrook.</i>				

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

Collaboration with the Cranbrook RoadWise Committee to run a DR would indicate a good cooperative relationship.

OFFICER COMMENT

Discussion took place at the Plantagenet RoadWise Committee Meeting held on 13 October 2022, following a report on the Agenda highlighting the financial (and time) costs to the Shire and the need for a review.

Committee members felt the DR was good publicity for the Shire and that the event was an opportunity to demonstrate care and concern for road safety. The volunteer coordinator, Mrs Elsa Drage, felt that there was a core group of volunteers (drawn from the Mount Barker St John Ambulance and the Mount Barker Volunteer Fire and Rescue Service) willing to operate the site and if volunteers were lost, it would be hard to get them back again. Committee members suggested involvement with the Cranbrook RoadWise Committee to run DRs together.

It was suggested that the section of Albany Highway between Cranbrook and Mount Barker was a 'hot zone' for accidents. The attached map showing crashes in the Great Southern between 2017 and 2021 does not support this (see Attachment Two).

As part of research into other local governments and DR operation, discussion occurred with staff from the Shires of Williams, Katanning and Cranbrook who host or intend to host DRs and the following commonalities were noted:

1. The site is within or located close to the relevant townsite

- Williams holds DRs at the playground (Lions Park) on the west side of Albany Highway in the middle of town.
- The DR site in Katanning is at the recently upgraded 'huge' playground.
- The newly re-formed Cranbrook RoadWise Committee plan to hold their first DR at the truck pull-in bay on the corner of Albany Highway and Great Southern Highway about 2km from town. Shire staff confirmed they would be happy to run a DR together, however, they would not consider any other site.

2. The site has facilities

- In Williams, the site is sealed, has a playground, seating, BBQs, lighting and public toilets. The Shire of Williams were successful with two grants which resulted in some support of the running of the DR. A grant was obtained for a VMB which is used to advertise the DR and a second Federal grant was successful in having the overflow car park sealed using the premise that it was a DR site.

The Great Southern's Regional Road Safety Advisor has discussed the availability of grants with WALGA and the Road Safety Commission and the advice is that similar grants for equipment and DR sites are not currently available.

- The Katanning site is similar to Williams.

- In Cranbrook the truck bay has all the above (except playground) as well as showers.

3. Traffic control is not required

As the sites mentioned are within townsites in the three Shires the environment is low speed. A TMP is not required which significantly reduces the set up and pack up costs to the Shire as staff are not needed to prepare and install the TM signs.

4. Volunteers run the event

- In Katanning the Rotary Club operates the event.
- In Williams, the Shire coordinates the event and volunteers place their names on a roster to operate the site. If there are no volunteers, there is no event.
- Cranbrook intends to run the DR with the RoadWise Committee and the Cranbrook Town Volunteer Bush Fire Brigade.

5. A caravan/trailer is supplied by the Shire

- Katanning has a newly purpose built van (funded) which can be used for DRs as well as by food vendors. The group running the DR collect and return the caravan from the Shire Depot where it is stored.
- Williams has a dedicated caravan which is delivered to the site by the Shire and collected the following week.
- Cranbrook is the exception and does not have a van.

Following further discussion with the volunteer coordinator and as a way of reducing Shire costs and continuing the DRs, it is proposed that a site be trialled in the townsite of Mount Barker at the pull-in bay opposite the caravan park. The following reasons make it a good option:

- The DR program can continue. If proven over time to be a suitable site, consideration could perhaps be given to establishing this site as a permanent DR location.
- Shire involvement is reduced. MR has confirmed a TMP is not required at this site as it is within a low speed environment and the pull-in bay is sufficient in size. Shire staff would not be required to travel a significant distance or to prepare and install TM signs.
- The site is sealed and has marked car bays. Public toilets are not available; however, one could be hired from the local supplier who could deliver and collect.
- Motorists already pull into this site.
- The presence of the new mural may encourage visitors to stop and use the DR facility.

- Volunteers can contribute more to the operation of the event including preparation, site set up and pack away of equipment. Items could be collected from the Shire Depot by the volunteers and returned to a suitable location after.
- Two street lights are positioned at the site which provide some light. The equipment purchased under the original grant includes two high strength portable lights as well as some smaller 'guide' type lights.
- The number of local volunteers may increase as the site is very local.

If after a couple of dates this site is not successful, then a second option to be trialled could be the pull-in bay at the Visitors Centre. This site has the added benefit of having a public toilet, however, would require discussion with Visitors Centre staff before being considered.

Consideration should also be given to Plantagenet RoadWise Committee members working with the Cranbrook RoadWise Committee and organising a DR together. Cranbrook was very firm, however, on holding a DR only at the truck bay on the corner of Albany and Great Southern Highways and weren't open to other locations.

An alternate proposal is for the Plantagenet Roadwise Committee to work in partnership with the Cranbrook Roadwise Committee and host alternating events which would reduce the costs and volunteer requirements by half.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Plantagenet Driver Reviver Program continue to be run with the following conditions:

- 1. The site of the pull-in bay opposite the Mount Barker Caravan Park, located in the townsite of Mount Barker, be trialled for one year.**
- 2. Shire administration staff coordinate the event, including advertising.**
- 3. Volunteers are responsible for the operation of the event, including collection of equipment, set up and pack away of the site and return of equipment and would need to undertake any required safety directions.**
- 4. A further review of the Driver Reviver program be provided to the Council in December 2023.**

9.2.3 O'NEILL ROAD – PROPOSED OBSTRUCTION TO VEHICULAR MOVEMENT

File Ref:	N59605
Attachment:	<u>Location Map</u>
Responsible Officer:	Cameron Lynch Chief Executive Officer
Author:	David Lynch Executive Manager Works and Services
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to consider submissions received in relation to the advertising of the proposal to close movement to motorised vehicles on the unconstructed section of O'Neill Road, Mount Barker for a period of five years.

BACKGROUND

At the Council Meeting held on 23 August 2022 it was resolved:

'That:

- 1. Pursuant to Section 3.50 of the Local Government Act, local public notice be given of the proposal to close the unconstructed portion of O'Neill Road to all vehicles except emergency vehicles, infrastructure maintenance vehicles and E-bikes for a period of five (5) years and that each person who is prescribed for the purposes of Section 3.50 be given written notice of the proposal and that submissions be invited for a period of 28 days.*
- 2. That an exemption be given to the owners of Lot 5716 and 5708 on Plan 206374 to be able to cross stock across the closed portion of O'Neill Road reserve, at a single nominated point, whilst the lots remain in common ownership for the purpose of farm management, subject to the application to the Shire for a permit to do so.*
- 3. A further report be prepared for Council's consideration at the conclusion of advertising.'*

STATUTORY ENVIRONMENT

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

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

Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008, Part 4 – 'Obstructing Animals, Vehicles or Shopping Trolleys'

EXTERNAL CONSULTATION

As required by Section 3.50 of the Local Government Act 1995, public notice of the proposal was placed in the Albany Advertiser on 13 September 2022 and the

Plantagenet News on 14 September 2022. Information was also placed on the Shire of Plantagenet website, the Shire Facebook page and the public notice board within the Shire Administration Office.

Written notice of the proposal inviting submissions to be forwarded to the Shire in writing by 12 October 2022 was provided to various parties as detailed in Section 4 of the Local Government (Functions and General) Regulations 1996.

FINANCIAL IMPLICATIONS

The approved Local Roads and Community Infrastructure Program's (LRCIP-3) funding for this project is \$35,100.00. The third round of funding has been made available by the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC).

BUDGET IMPLICATIONS

The Council's 2022/23 budget has item O'Neill Road Trail – Stage 1A for \$35,100.00.

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

Once the trail preparation work has been completed, it is anticipated that an annual maintenance programme will be required to maintain the track.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2022/23 - 2032/33 contains the following Strategic Priority:

'Maintain and further develop Shire roads, drainage and pathways at appropriate standards.'

And further:

'Tourism that capitalises on our natural assets without exploiting them.'

The Shire of Plantagenet Corporate Business Plan 2022/2023 to 2025/2028 lists 'Footpaths, trails and cycleways' as one of the community's top five priorities:

'Provide a network of hiking and cycling trails to encourage recreation and tourism in the Shire.'

Also, the O'Neill Road trail is listed as one of the major projects to be progressed in the next two years.

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

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational <i>By halting an approved project during its delivery phase.</i>	<i>Possible</i>	<i>Minor</i>	<i>Low</i>	<i>Approve the temporary road closure</i>
Opportunity: <i>To improve the range of active recreational experiences within the Shire.</i>				

STRATEGIC RISK IMPLICATIONS

The Shire's Strategic Risk Register provides a review of Asset Sustainability Practices with failure or reduction in service of infrastructure assets, plant, equipment or machinery.

Controls to manage this include an asset management plan and routine maintenance on roads, bridges, drainage and footpaths.

REGIONAL IMPLICATIONS

It is proposed the O'Neill Road Trail will be included in the Porongurup Trails Master Plan – a document being developed by the Department of Biodiversity Conservation and Attractions (DBCA) that outlines trails within the Porongurup National Park. The document is still in the review process.

OFFICER COMMENT

Detailed objections were received to the proposal from three parties as follows.

- Friends of the Porongurup Range;
- Lisa Braun on behalf of the Mira Flores Owners Committee; and
- Lorraine and Ken Stevens, property owners at Mira Flores.

The Shire's Chief Executive Officer and Asset Management/Strategic Planning Officer met with two representatives from the Friends of the Porongurup Range on 17 October 2022. Discussion with the two members of the group addressed the issues raised below.

The submissions received were very detailed. They primarily expressed concern that the trail would aid in the spread of dieback (*Phytophthora cinnamoni*) and noxious weeds (already evident and mapped) – both along the trail and on both sides (Porongurup and Mount Barker). Whilst these concerns are valid, the intended low impact use of the trail reduces these risks compared to the current and potential use of the road reserve by motorised vehicles.

The submissions highlighted concerns that potential trail users would not stop at the end of the O'Neill Road trail and continue via Wansbrough Walk (constructed Shire Road) to Waddy's Hut (a historical site located at the northern end of Wansbrough Walk within the Porongurup National Park) and then into the Porongurup National Park. The section of the O'Neill Road trail outlined in this report does not intend for these actions to occur as trail riding in the Porongurup Range and access for mountain bikes is controlled through the Porongurup National Park Trail Master Plan 2022 – 2027.

Additionally, the submissions expressed concern for the potential for mountain bike users to illegally use trails within the Porongurup National Park using access through long established road reserves. No additional risk is foreseen by the designation of the O'Neill Road trail.

On a similar note, the correspondents expressed concern about horses being a vector for the spread of weeds and dieback. Whilst this is certainly true, the risk of increased exposure is seen as limited at this time. The trail is being put forward primarily for walking and biking, not as a riding experience. Section 3.50 of the Act only allows for the Council to close thoroughfares to vehicles. A horse is not regarded as a vehicle. If closure to horses was required in the future, it would likely require inclusion in a Local Law.

The Activities in Thoroughfares and Public Places and Trading Local Law 2008 makes no such restrictions in any other place provided that the animal is "... led, ridden or driven."

One submission correctly pointed out that the use of the term 'E-bike' is ambiguous as the legal definition is a *power assisted pedal cycle*. Although their suggestion is that because this class of vehicle is included in the definition of 'bicycle' in the Road Traffic Code the term E-bike could be removed from the closure. For the sake of clarity, the full wording has been included in the Officer Recommendation.

Also of concern, was the potential of extra 'traffic' on Wansbrough Walk. The Mira Flores resident suggested that additional use of the road may result in additional corrugations and potholes and as a result may require additional maintenance from the Shire.

In a response from the Department of Planning, Lands and Heritage (DPLH), the option of reverting the road reserve to a reserve for the purposes of conservation or similar was suggested. It is not recommended this option be considered.

Given the low numbers of objections received, and that those objections can be managed during construction and maintenance the recommendation is that Council proceeds with the road closure (for five years) and trail development. If issues do arise then suitable mitigation will be considered.

As the road is unconstructed over the area of exclusion and therefore it cannot be expressed accurately using the straight-line kilometre measurement (SLK) the best description is as follows:

- Commence at the eastern end of the unconstructed section of O'Neill Road (approximately SLK 6.48) 34.6745 deg. S, 117.7443 deg. E (WGS84), 568187.147E 6162800.704N (GDA2020);
- Eastwards to the intersection with Watermans Road reserve crossing at Watermans Road SLK 8.659;
- Eastwards from the Watermans Road intersection crossing to 34.6942 deg S, 117.8198 E (WGS84), 575086.258E 6160562.368N (GDA2020) or approximately 1.16km west of the Woodlands/O'Neill Road intersection to ensure access is available to Lot 3607 on DP 80738.

A map showing the proposed portion of road reserve to be closed is shown at Attachment One.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That:

1. Pursuant to Section 3.50 of the Local Government Act, the unconstructed portion of O'Neill Road (map shown at Attachment One) be closed to all vehicles except emergency vehicles, infrastructure maintenance vehicles and power assisted pedal cycles for a period of five (5) years.
2. Local public notice of the order referred to in (1) above be given.
3. All prescribed persons relating to the proposal pursuant to Section 3.50 of the Local Government Act 1995 be notified of the order.

9.3 CORPORATE SERVICES REPORTS

9.3.1 FINANCIAL STATEMENTS – OCTOBER 2022

File Ref:	N59515
Attachment:	<u>Financial Statements – October 2022</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 October 2022.

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.
- 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.

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational</i> That Council does not receive the financial activity statements as required by S6.4 of the LG Act 1995	<i>Rare</i>	<i>Insignificant</i>	<i>Low</i>	<i>That Council receives the financial activity statements as required by legislation.</i>

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Financial Statements for the period ending 31 October 2022 be received.

9.3.2 LIST OF ACCOUNTS – OCTOBER 2022

File Ref:	N59598
Attachment:	<u>List of Accounts – October 2022</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Faye Smith Finance Officer
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of October 2022.

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

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 (28 June 2022). 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.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

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

There are no strategic implications for this report.

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational</i> That Council does not receive the list of payments	<i>Rare</i>	<i>Insignificant</i>	<i>Low</i>	<i>That Council receives the list of payments as required by legislation.</i>

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional 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 October 2022 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$926,336.53; and
2. Municipal Cheques 47236 to 47237 totalling \$1,171.65

9.3.3 POLICY REVIEW - CREDIT CARD

File Ref:	N59589
Attachments:	<u>Policy with amendments</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to review Council Policy F/FM/14 - Credit Card.

BACKGROUND

This policy was last reviewed by the Council on 27 January 2021.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996.

The use of Corporate Credit Cards is not specifically mentioned in the Local Government Act 1995. However, the impacts of the use and control of corporate credit cards are related to the following sections of the Local Government Act 1995:

1. Section 2.7(2)(a) and (b) requires the Council to oversee the allocation of the local government's finances and resources and determine the local government policies.
2. Section 6.5(a) requires the CEO to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government.

Local Government (Financial Management) Regulation 11(1)(a) requires local governments to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained.

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 outside of the normal policy review cycle, due to an identified need to change the policy.

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

There are no strategic implications for this report.

STRATEGIC RISK IMPLICATIONS

The Strategic Risk Register (Misconduct by Staff) incorporates a key control on allocation and use of credit cards. The control is rated as effective. There are currently only three credit cards in use and procedures are in place for monthly verification and reconciliation.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

Corporate credit cards are a routine aspect of the Council's accounts payable and procurement functions. When used appropriately, credit cards provide benefits in the form of streamlined purchasing processes. Further, some purchases now may only be made by credit card.

However, the use of credit cards involves the potential risk of fraud and misuse. This policy establishes guidelines in order to protect Council funds. The Financial Management Review conducted by the Shire's auditor in April 2018 found that the internal credit card controls are operating effectively.

The last time this policy was reviewed, a further corporate credit card with a credit limit of \$2,000.00 was provided to the Community Emergency Services Manager (CESM) for use during emergency events for costs reimbursable from the Department of Fire and Emergency Services.

The CESM has found this to be a little restrictive in terms of the type of costs that the card can be used for. For example, when attending a CESM forum in 2021, DFES paid for the accommodation, but the hotel did not have any facilities for meals. Those costs were paid for by the CESM and then reimbursed by DFES.

It has been recommended that the policy be changed so that the CESM credit card could be used for any costs reimbursable from the Department of Fire and Emergency Services that cannot be reasonably achieved through the Shire's normal purchasing systems. This would take into account emergency events and situations where it is impractical to seek quotes, issue a purchase order and pay on an invoice.

Otherwise, the policy is appropriate and can be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That amended Credit Card Policy F/FM/14, as follows:

‘OBJECTIVE

To ensure that Council staff have access to efficient and alternative means of payment for approved expenses.

POLICY

1. The provision of a corporate credit card is a facility offered to officers occupying the positions of Chief Executive Officer and Deputy Chief Executive Officer.
2. The maximum credit limit for a corporate credit card shall be \$10,000.00.
3. A further corporate credit card with a credit limit of \$2,000.00 be provided to the Community Emergency Services Manager for costs reimbursable from the Department of Fire and Emergency Services, that cannot be reasonably achieved through the Shire’s normal purchasing systems.
4. Corporate credit cards must only be used for the payment of goods and services associated with Council business, in accordance with the Council’s Purchasing and Tender Guide Policy - F/FM/7.
5. A purchase order and credit card authorisation form is to be completed for every purchase and forwarded with the receipt or other evidence of purchase to the Accounts Officer within five days of the purchase.
6. Corporate Credit Card expenditures are to be reconciled on a monthly basis.
7. All corporate credit card holders are to acknowledge receipt of the corporate card and acknowledge their responsibilities under this policy upon receipt of their card.’

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 GREAT SOUTHERN ROADS COMMITTEE – FUNDING CONTRIBUTION REQUEST

File Ref:	N59635
Attachment:	<u>Great Southern Country Zone Minutes – 28 October 2022</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	David Lynch Executive Manager Works and Services
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to request the Council contribute funding to the WALGA Great Southern Roads Committee (GSRC) in conjunction with other local governments within the Great Southern Zone for seed funding for road data collation and analysis.

BACKGROUND

The WALGA GSRC was formed from local governments in the Great Southern region with the intent of investigating current road infrastructure across the networks as to their suitability from a freight task, road safety and efficiency perspective. Once the data has been established the group will make recommendations to the Great Southern Zone of WALGA in order for them to advocate and seek funding to remedy the shortfalls.

The WALGA Great Southern Country Zone consists of the following local governments; Woodanilling, Katanning, Kojonup, Broomehill-Tambellup, Kent, Gnowangerup, Jerramungup, Albany, Denmark, Cranbrook, Albany and Plantagenet. The Shire of Ravensthorpe may be considered at a later date as they are part of the Regional Road Group but not the WALGA Great Southern Zone.

The GSRC plans to emulate the funding success of the Wheatbelt Secondary Freight Network (WSFN). The Wheatbelt region, consisting of 42 local governments, has obtained in excess of \$500 million towards developing and maintaining the secondary (non-state) freight routes through a collaborative approach across municipal boundaries.

The GSRC provided the following report to the WALGA Great Southern Zone meeting on 28 October 2022:

A meeting of this Committee was held on Friday 21 October in Tambellup. Committee members were on hand with MRWA's, GSDC's and Juliet Grist from Rural and Regional Economics. The following report was presented:

Juliet Grist presented her involvement with the Wheatbelt Secondary Freight Network (WSFN) detailing how data was collected and utilised. Juliet fielded questions after the presentation and indicated that Rural and Regional

Economics could undertake a similar data gathering project to assist GSRC with their project terms of reference

RDA Great Southern was represented by Andrus Budrikis the Chair and he and RGAGS are supportive of this study and are likely to co-fund a portion of it.

The GSDC was represented by Pippa Hepburn who indicated that they could be involved with working with the group to investigate funding pathways going forward.

MRWA's Brad Lenton supported the groups objectives and suggested that the list of roads be narrowed down to focus on routes with freight as importance. He suggested that the construction standards used in the Wheatbelt region be mirrored for consistency across boundaries.

He advised that the majority of roads in the great southern are rated RAV 7, and that there is a potential increase in length of vehicles in this classification to 42m under the PBS.

Priority Roads: It was agreed that this list be reviewed to ensure there are no double ups and that the data collected informs the final list. Mapping will be used also to inform the list.

The following steps to be taken from here –

- Update the list of roads and mapping, the group to agree on the final list*
- Collection of data from Shires, up to 5 years of data if available*
- Determine who to send the data to*
- Request financial contributions/commitment from Shires*

A motion was put and carried by the Great Southern Roads Committee; as under:

'Moved Cr Crosby, seconded Cr Gale that WALGA Great Southern Zone Shires be requested to each make a contribution of \$4,000 to the Great Southern Road Committee as initial seed funding to begin preliminary work for data collation and analysis; and that a formal request be made to Regional Development Australia Great Southern for a contribution of \$10,000.'

At the Great Southern Country Zone meeting held on 28 October 2022 it was resolved:

'That the Great Southern Roads Report be received and the \$4,000 per Zone Local Government funding request be forwarded to all Local Government for their consideration and that a formal request be made to the Great Southern Development Commission as well as RDA Great Southern.'

EXTERNAL CONSULTATION

The GSRC is well represented with Great Southern Zone members and includes a number of staff members who assist with technical enquiries.

The Great Southern Development Commission (GSDC) and Regional Development Australia (RDA) have also provided representatives.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

A contribution of \$4,000.00 is requested from the Shire of Plantagenet for seed funding for road data collation and analysis with the intent of obtaining road funding.

BUDGET IMPLICATIONS

The proposed contribution amount of \$4000.00 can be allocated from the shire's annual contribution to the South Coast Alliance annual subscription. This year's subscription to the Alliance has been reduced by 75%, despite Council adopting a budget with an allocation of \$39,000.00, being 100% of the normal allocation.

This expenditure account only has a known commitment of \$15,000.00 for this year, which will allow \$24,000.00 for other regional economic initiatives

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are currently no asset management implications as there has been no formal funding requests from external sources for construction of maintenance.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet's Corporate Business Plan 2022/2023 to 2025/2028 provides:

At Outcome 2.1 *Roads and Public Spaces* the following

Strategy 2.1.1

'Maintain and further develop Shire roads, drainage and pathways at appropriate standards.'

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

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational Damage Non-participation in a significant regional initiative	<i>Likely</i>	<i>Minor</i>	<i>Medium</i>	<i>Approve the funding contribution request</i>
Opportunity: <i>To improve the structure and condition of strategic Shire of Plantagenet roads in conjunction with other local governments in the region.</i>				

STRATEGIC RISK IMPLICATIONS

Non-participation in this initiative could lead to the exclusion of the Shire of Plantagenet not receiving valuable funding for principal transport routes.

REGIONAL IMPLICATIONS

The GSRC has a strong focus on putting forward strategic freight routes within the Great Southern as a well-defined network which should benefit the region as a whole.

Taking a 'whole of network' approach will benefit all LG's by coordinating link routes into the State network or rail that have the same functionality and construction.

OFFICER COMMENT

At the WALGA Great Southern Zone meeting held in Woodanilling on 28 October 2022, the Chair of the GSRC (Councillor L Handasyde) presented a report that detailed a request from the GSRC for a contribution from all local governments within the Zone.

An excerpt from the meeting minutes is attached to this report for information. The minutes provide good background on the Committee's Terms of Reference with the report tabled by Councillor Handasyde and the motion voted on unanimously at the meeting being self-explanatory as to the reasons for the request.

The funding should be regarded at this stage as seed funding towards the preparation of a further funding request to either Infrastructure WA or Infrastructure Australia or both.

RDA and GSDC have also offered some funding towards this initiative but the final amounts are unknown at this stage.

With all local governments, RDA and GSDC participating a pool approaching \$55,000.00 is expected.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION**That:**

- 1. The Council approve a contribution of \$4,000.00 be made to the WALGA Great Southern Road Committee as part of initial seed funding to begin preliminary work for data collation and analysis with a view towards preparing a funding request document to Infrastructure WA and/or Infrastructure Australia.**
- 2. The Chief Executive Officer be authorised to make the payment once suitable financial hosting arrangements can be made for Great Southern Roads Committee through one of the participating local governments.**

9.4.2 INTERNAL AND EXTERNAL COMMITTEE REVIEW - NOVEMBER 2022.

File Ref: N59624
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: Cameron Woods
Chief Executive Officer
Proposed Meeting Date: 22 November 2022.

PURPOSE

The purpose of this report is to review the current adopted frequency and nominated attendees for Council internal and external committees. The review is necessary given the capacity of the organisation to meet the current adopted frequency and the nominated staff to attend all of the external meeting requirements.

BACKGROUND

Representation on the Council's various internal committees was last considered at a Special Meeting of the Council held on 28 September 2021.

On the 28 September 2021 Council resolved:

- 1. That the proposed Committee Review in table 2 be adopted as the Committee Structure for the Shire of Plantagenet commencing 21 October 2021.**
- 2. The Committee Briefs in attachment 1 be adopted to guide the Committee's purpose commencing 21 October 2021.**

Table 2 below represents the adopted Committee Structure for the Shire of Plantagenet as referenced in Recommendation 1 above.

TABLE 2.	
Internal Committees	Proposed Meeting Frequency/Structure
Audit and Risk Management	As required. Biannually/OCM day
Bush Fire Advisory	Biannually. Early May/Oct. Usually 7.30pm on a Weds/Thurs
Heavy Haulage Advisory	As required – OCM day.
Heavy Plant Review	As required – OCM day.
Local Emergency Management	Quarterly – OCM day
Recreation Advisory	Bimonthly on the first Tuesday of the month at 3pm. Develop a calendar excluding Dec and Jan
RoadWise	Tuesdays bimonthly 2nd Tuesday of the month at 3pm
Saleyards Advisory	Bimonthly 2nd Tuesday of the month 9am at saleyards
Tourism and Arts Advisory (new)	Quarterly – 2 nd Tuesday of the month at 3pm – March, June, September and December
External Committees	
Development Assessment Panel	When and if required
Great Southern Recreation Advisory Group	One member and a proxy from the Rec Advisory Committee to accompany an Officer and report back via the Recreation Advisory Committee
Great Southern Treasures	A Cr Member and Proxy from the new Tourism and Arts Advisory Committee be nominated to this Committee. Bimonthly
Regional Road Group	Quarterly. Fits in with WALGA Zone meetings – usually Fridays 1pm
South Coast Alliance Inc	Quarterly - Fridays
Southern Link VROC	Quarterly – Fridays 1pm
WALGA Voting Delegates (Annual Conference and Zone Meeting)	Quarterly – Fridays 10am
Pardelup Community Liaison Group	Shire President / EMWS. Quarterly or as required

Council Community Representative (CCR)	
Mount Barker Community Centre Board	Write to the MBCC Board relinquishing the Ex Officio role and establish a new communication process via the Chairman of the Board with the CEO / Shire President
Mount Barker Community College Council	A Councillor and Proxy
Plantagenet Sporting Club Inc	Council to nominate a member and proxy from the Rec Advisory Committee
War Memorial Warden	As required by RSL

A Council workshop was held on the 25 October 2022 regarding the capacity and capability of the organisation. Capacity issues relate to the volume of work with current resourcing, whilst capability issues relate to the breadth and depth of skills

within the organisation. Both capacity and capability issues have been exacerbated by the direct health impacts of Covid and the indirect impacts such as the housing and labour supply issues. Retaining and attracting staff in key technical roles is proving very difficult in the current environment and this requires the organisation to review its work priorities to ensure it can deliver on the key statutory functions and the capital works program as per the current adopted budget.

The workshop held on 25 October 2022 requested elected members contribute to the reduction in workload through considering a reduction in unnecessary administration resulting from committee meetings, briefings, working groups and council meetings. Good governance should be efficient and effective and if the same outcomes can be achieved with less process, then the organisation should consider such changes.

Council requested the CEO prepare a report which identified the changes to committee frequency and those nominated as attendees to assist with organisational efficiency. Council indicated that elected member representatives on external committees could represent the organisation and feedback information should officers not be able to attend.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 5.11 (2) provides that:

'Where a person is appointed as a member of a committee under Section 5.10(4) or (5), the person's membership of the committee continues until –

- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
- (b) the person resigns from membership of the committee;*
- (c) the committee is disbanded; or*
- (d) the next ordinary elections day.'*

Further, Section 5.8 and Section 5.10 of the Act require that committees be created by Absolute Majority as well as appointments to committees formed pursuant to Section 5.8.

Appointments to external bodies do not require an absolute majority decision.

POLICY IMPLICATIONS

Policy No CE/CS/1 – Elected Member Expenses to be Reimbursed applies.

Policy No. CE/CS/3 – Committee Meetings and Workshops – Attendance by Members of the Public applies.

FINANCIAL IMPLICATIONS

Councillor representatives on committees are entitled to reimbursement for expenses incurred in attending meetings.

BUDGET IMPLICATIONS

There are no budget implications for this report.

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 Corporate Business Plan 2022-2023 – 2025/2026 provides at Outcome 4.1 (Shire Governance) the following Strategy:

Strategy 4.1.4

‘Continuous improvement in service delivery.’

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

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Operational</i> Efficient and effective operations are compromised	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	Adopt the Officers Recommendation and enable all reports to be considered by all elected members at Ordinary Council Meetings.
<i>Opportunity: To rationalise the frequency of meetings and officer capacity</i>				

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

The Shire is a member and provides representation on:

- The Southern Link Voluntary Regional Organisation of Councils.
- South Coast Alliance Inc.
- Great Southern Treasures.
- WALGA Great Southern Zone

OFFICER COMMENT.

The review process identified the frequency of existing committees and the requirement for staff to attend external committee meetings in person. If technology is available to attend meetings electronically then this should be considered, noting the distances travelled throughout the Great Southern zone.

The Revised Committee Schedule in the Officer Recommendation represents the proposed new Committee structures post the Council workshop of 25 October 2022.

The key difference with the proposed new Committee structures is a reduction in the frequency for two non-statutory internal committee meetings to 'as and when required'. This is applicable to the:

- Recreation Advisory Committee
- Tourism and Arts Advisory Committee

The key difference with the external committee attendees is the option for officers' to not attend if elected members are in attendance and to attend via electronic means where possible. This is applicable to the:

- Great Southern Recreation Advisory Group
- Great Southern Treasures

No changes to the Committee Briefs are suggested as part of this review.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the following proposed Revised Committee Schedule be adopted as the Committee Structure for the Shire of Plantagenet commencing December 2022.

REVISED COMMITTEE SCHEDULE		
Internal Committees	Proposed Meeting Frequency/Structure	Change
Audit and Risk Management	As required. Biannually/OCM day	Nil
Bush Fire Advisory	Biannually. Early May/Oct. Usually evenings on a Weds/Thurs	Nil
Heavy Haulage Advisory	As required – OCM day.	Nil
Heavy Plant Review	As required – OCM day.	Nil
Local Emergency Management	Quarterly – OCM day	Nil
Recreation Advisory	As and when required	As and when required
RoadWise	Tuesdays bimonthly 2nd Tuesday of the month	Nil
Saleyards Advisory	Bimonthly	Nil
Tourism and Arts Advisory (new)	As and when required	As and when required
External Committees		
Development Assessment Panel	When and if required	Nil
Great Southern Recreation Advisory Group	One Cr Member and/or Deputy from the Rec Advisory Committee to report back via the Recreation Advisory Committee	No need for officer to attend in person. Use electronic attendance if available.
Great Southern Treasures	One Cr Member and/or Proxy from the Tourism and Arts Advisory Committee to report back via the Tourism and Arts Advisory Committee	No need for officer to attend in person. Use electronic attendance if available.
Regional Road Group	Quarterly. Fits in with WALGA Zone meetings	Nil
South Coast Alliance Inc	Quarterly - Fridays	Nil
Southern Link VROC	Quarterly – Fridays	Nil
WALGA Voting Delegates (Annual Conference and Zone Meeting)	Quarterly – Fridays	Nil
Pardelup Community Liaison Group	Two Cr Members and a Deputy / EMWS. Quarterly or as required	Nil
Council Community Representative (CCR)		
Mount Barker Community Centre Board	A Councillor and Deputy	Nil
Mount Barker Community College Council	A Councillor and Deputy	Nil
Plantagenet Sporting Club Inc	A Councillor and a proxy from the Rec Advisory Committee	Nil
War Memorial Warden	As required by RSL	Nil

9.4.3 PRIORITY BLACK SPOT TELECOMMUNICATION LOCATION

File Ref:	N59639
Attachment:	<u>Memo to Councillors – Telecommunications Survey Results – dated 20 November 2020</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	Cameron Woods Chief Executive Officer
Proposed Meeting Date:	22 November 2022

PURPOSE

The purpose of this report is to seek Council endorsement to nominate the Forest Hill district as the number one black spot telecommunication priority to WALGA so that targeted advocacy can be undertaken to attract funding to resolve the black spot issue.

BACKGROUND

The Council at its meeting held on 6 October 2020 considered the following Notice of Motion:

'That:

- 1. The Council undertake a survey across the entire Shire to ascertain the true level of services provided by mobile telecommunication providers.*
- 2. This survey is done by using our website and that a cross-section of ratepayers be directly contacted by phone to complete the survey.*
- 3. The survey is targeted at signal strength, frequency of dropouts and black spots within our Shire.*
- 4. The results of the survey are passed onto both our state and federal members of Parliament.*
- 5. The results of the survey, if deemed to be sub-standard, be forwarded onto the Regional Manager of Telstra, Mr Boyd Brown and the CEO of Telstra, Mr Andy Penn.'*

The Council resolved (Resolution no: 267/20):

'That the motion be adjourned to allow the CEO to prepare an appropriate report, such report to be presented on or before the Ordinary Council Meeting to be held on 3 November 2020.'

The Council at its meeting held on 3 November 2020 resolved the following:

'That the Council:

1. *Undertake a survey on the Shire website using 'Survey Monkey' requesting responses to seven questions as follows:*
 - a) *Community member location*
 - b) *Current Service Provider*
 - c) *Signal Strength*
 - d) *Drop out frequency*
 - e) *Using a signal booster/Network booster? Y/N*
 - f) *Reception better/worse in certain location in house/property?*
 - g) *Has the issue been reported to Telstra? Y/N Was it resolved?*
2. *Promote the survey on the Shire Facebook page and Plantagenet News with hard survey copies being made available at the Shire Reception and Mount Barker Library.*
3. *Forward the results of the survey to the local Members of Parliament in Rick Wilson and Hon Terry Redman MLA.*
4. *Forward the results of the survey, if deemed to be sub-standard, to the Regional Manager of Telstra, Mr Boyd Brown, the CEO of Telstra, Mr Andy Penn and the Executive Officer South Coast Alliance.'*

The Survey results were reported to Council via a memo dated 30 November 2020 (attached).

The survey results identified the following telecommunication priority areas:

- Perillup
- Forest Hill
- Denbarker
- Woogenellup.

The CEO received additional supporting information via email on the 26 November from Forest Hill Farms highlighting the issues in the Forest Hill area

"Perillup, Mount Barker and Kendenup all have good coverage but with this area right in the middle of those towers and roughly equidistant from each of them (at about 20 kms) it means that we have dropouts frequently. While the fixed lines were diverted to the mobile it was near on impossible to get a call through reliably. This does vary though and sometimes it is quite OK. It can never be fully relied on though for messaging or calls.

We have two commercial repeaters which don't always suffice either and it is more and more frustrating because of it. We do more each year to improve the service and it seems to never get fully reliable.

The Forest Hill exchange has optic fibre and a power supply via Western Power and so is ideally situated to deliver a fill in service to the district at a reasonable cost.

Pardelup Prison of course is a major concern with little coverage there without the repeaters that they have come up with recently.

Emergency services also require better coverage than these continual dropouts that we all experience frequently.

Further: Telstra in its wisdom built a tower in Denbarker off Springs Road at the original Telstra site right alongside the old microwave tower that delivers fixed line services to their district. It evidently does very little servicing covering only the very local area. While it is only 10 kms away our repeaters can't see it at all. It is essentially useless.

Forest Hill should be considered as it is along a freight route, has essential and emergency services involved in the area and a prison complex”

On 28 October 2022 at the WALGA Great Southern Country Zone meeting, the following was resolved:

- 1. That Local Governments identify to the Zone Executive Officer at least one priority digital telecommunications blackspot area within their District, supported by evidence and justification, to enable a targeted advocacy to be undertaken.*
- 2. That the Great Southern Zone advocate to upgrade existing infrastructure (towers).*

EXTERNAL CONSULTATION

The survey responses reported on the 30 November are provided as external consultation.

STATUTORY ENVIRONMENT

Telecommunications Act 1997.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget 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 2022/23 - 2032/33 contains the following Strategic Priority:

'Infrastructure that supports home based business.'

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.1:

'A Shire that listens and considers the needs of each community.'

Strategy 4.1.3:

'A Shire that is open and transparent with its community.'

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

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational</i> Failure to meet Community Expectation	<i>Likely</i>	<i>Moderate</i>	<i>Moderate</i>	<i>Comments</i> Adopt the Officer Recommendation
Opportunity: Prioritising telecommunications improvements				

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

Improving regional telecommunications is a priority of the following regional external organisations of which the Shire of Plantagenet is a member:

1. WALGA Great Southern Country Zone
2. South Coast Alliance
3. Southern Link Voluntary Regional Organisation of Councils

OFFICER COMMENT

Since the original Notice of Motion on the 6 October 2020, Telstra has improved telecommunications in our area. Upgraded installations have been funded for the areas of Narrikup and South Stirlings, and upgrades have occurred in the Denbarker area, albeit with very little effect for the investment undertaken.

A suitable site has been identified in the Forest Hill area. Reserve 13179 is currently under the management order of the Forest Hill Hall Committee and discussions have taken place with the committee and they have agreed in principle to house the infrastructure necessary to resolve the black spot issue.

The site has the required height and has access to fibre optic cable within 400 metres and power within 200 metres from a Shire owned bushfire brigade adjacent to the reserve

If Council supports the nomination of the Forest Hill area as our priority black spot telecommunication area, this additional supporting information will be provided to WALGA so that they can undertake the targeted advocacy.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

- 1. The Council approve the nomination of the Forest Hill area as the Shire's highest immediate priority telecommunication black spot area.**
- 2. The Chief Executive Officer be authorised to provide the relevant information and the identified site on Reserve 13179 to WALGA for targeted advocacy on behalf of the Shire of Plantagenet.**

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

**11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING****12 CONFIDENTIAL****12.1.1 EQUOTE CO6-2223 SPRAY SEALING**

File Ref: N59575
Responsible Officer: David Lynch
Executive Manager Works and Services
Author: David Lynch
Executive Manager Works and Services
Proposed Meeting Date: 22 November 2022

PURPOSE

The purpose of this report is to consider submissions received for the spray sealing services.

OFFICER RECOMMENDATION

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

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

13 CLOSURE OF MEETING