



SALEYARDS ADVISORY COMMITTEE MEETING

MINUTES

SECTION 5.9(2)(a) LGA 1995

Committee Brief

- *Make recommendations to the Council regarding the strategic direction of the Saleyards;*
- *Make recommendations to the Council regarding the Environmental Action Plan for the Saleyards;*
- *Bring to the attention of the Chief Executive Officer, industry matters regarding the cattle industry that may not be readily available to persons external to that industry;*
- *Make recommendations to the Council regarding development works on the site;*
- *Make recommendations to the Council regarding the Saleyards Annual Budget; and*
- *Monitor the performance of the Saleyards and report back to the Council.*

A meeting of the
Saleyards Advisory Committee was held in the Canteen
Mount Barker Regional Saleyards, Mount Barker WA 6324
9.00am Tuesday 8 December 2020.

A handwritten signature in black ink, appearing to read "P. Sheedy".

Paul Sheedy
ACTING CHIEF EXECUTIVE OFFICER

Committee Members

Cr J Moir, Cr L Handasyde, Cr M O'Dea, Cr J Oldfield, Mr M Skinner – Industry Representative – 210/19, 252/19

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Membership

Cr J Moir (Presiding Member)

Cr L Handasyde

Cr M O'Dea

Cr J Oldfield

Mr M Skinner

Cr S Etherington (Deputy for any member)

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

9.00am The Presiding Member declared the meeting open.

2 RECORD OF ATTENDANCE / APOLOGIESMembers Present

Cr J Moir – Presiding Member
Cr L Handasyde – Deputy Presiding Member
Cr M O'Dea
Cr J Oldfield
Mr M Skinner

Staff

Mr P Sheedy, Acting Chief Executive Officer
Mr J Fathers, Deputy Chief Executive Officer
Mrs E Henderson, Assistant Saleyards Manager

3 CONFIRMATION OF MINUTES

Moved Cr L Handasyde, seconded Cr J Oldfield

That the Minutes of the Ordinary meeting of the Saleyards Advisory Committee, held on 20 October 2020 as circulated, be taken as read and adopted as a correct record.

CARRIED

4 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr J Moir

Type: Financial/Indirect Financial Interest (Section 5.60 (A) and 5.61 LGA)
Nature: Cattle Farmer and Employee of Elders
Extent: Sell cattle through the Mount Barker Saleyards on average six times per year. Average number of cattle held is 80 head.
Part time employee of Elders in a non-managerial position.

Mr M Skinner

Type: Financial/Indirect Financial Interest (Section 5.60 (A) and 5.61 LGA)
Nature: Hold equity in a farming enterprise of which my son owns/farms approximately 400 head of cattle.
Extent: Son sells cattle through the Mount Barker Regional Saleyards approximately 8 times per year.

Authority to participate pursuant to Section 5.69 (3) (a) and (b) of the Local Government Act 1995

Approval has been received from the Department of Local Government, Sport and Cultural Industries via a letter dated 4 December 2020, giving permission for Cr J Moir and Mr M Skinner to participate in the discussion and limited decision making at the Saleyards Advisory Committee on matters relating to the Mount Barker Regional Saleyards for the meeting held on 8 December 2020.

Mr J Fathers read aloud the letter, a copy of which is attached to these minutes.

5 REPORTS OF COMMITTEE MEMBERS AND OFFICERS**5.1 MANAGER'S REPORT – OCTOBER TO NOVEMBER 2020****Cattle Sales**

Recent cattle sales have been well supported with high numbers and excellent quality resulting in some exceptional prices being paid. Eastern states buyers are still operating and offering healthy competition to local buyers. Double sales will commence on 3 December 2020 with a weaner sale followed by a trade sale on the 4th. Agent special sales have been booked for 1/12/2020, 15/12/2020, 5/1/2021, 12/1/2021 with others to be confirmed.

Truckwash

New truck wash screens are currently being fabricated by one of the local steel fabrication workshops and should be ready for installation in the very near future. Two quotes were submitted for this job. This job has been given out to Mount Barker steel fabrications at a cost of price of \$ 4,191.00 (inc GST).

Weeping Wall

General discussion around this area suggests that we don't change too much structurally, rather at this point and we work with what we have. A scheduled shutdown is proposed for on or around 22/12/2020 to carry out some repairs and maintenance to the weeping wall structure, being essentially to replace the existing timber boards and general maintenance to the area.

Weighbridges

Mettler Toledo has calibrated both weighbridges with no faults found or repairs required. Calibrations were carried out as per government requirements and the weighbridge is again operating as expected.

Agent Policy

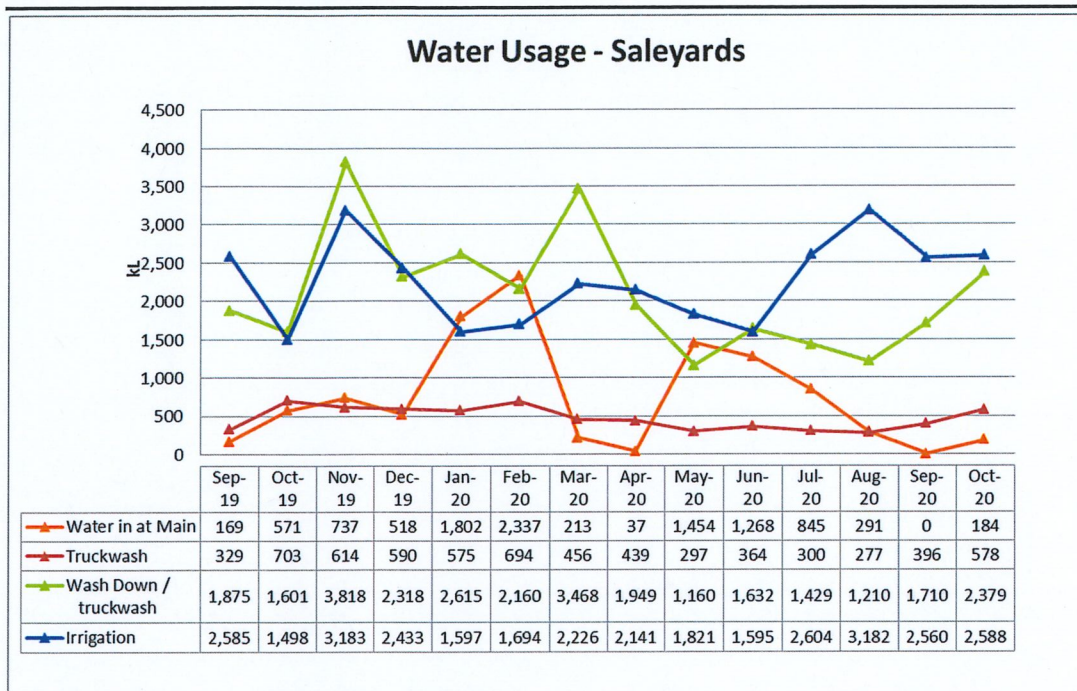
Recently myself, Erika Henderson and John Fathers met to discuss and formulate a policy to be put in place to address the future applications of Stock Agents to operate their business out of the saleyards (See Item 6.3).

Bulk Manure Sales

Interest has been expressed by a local producer who is looking for a bulk manure source. They have indicated that they can remove substantial amounts of manure on a regular basis if the cost is right. I have included a copy of an email that was sent to me from DP & A HENDERSON, Kanana Park Enterprises, which outlines some terms and price indication of what they can pay. My recommendation would be to accept this offer. If agreeable, the Committee would need to make a recommendation to the Council accordingly.

Water Usage

The latest water usage graph is shown below.



VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION / COMMITTEE DECISION

Moved Cr J Oldfield, seconded Mr M Skinner

That the report of the Saleyards Manager, relating to current activities at the Mount Barker Regional Saleyards, be received.

CARRIED

COMMITTEE DECISION

Moved Cr L Handasyde, seconded Cr M O'Dea

That expressions of interest be called for the bulk disposal of manure.

CARRIED

5.2 SALEYARDS FINANCIAL REPORT – 31 OCTOBER 2020

File No:	CA/126/1
Responsible Officer:	Paul Sheedy Acting Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	8 December 2020

PURPOSE

The purpose of this report is to review the financial position of the Mount Barker Regional Saleyards for the period ending 31 October 2020.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

This report identifies the current operating position of the Saleyards.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

A spreadsheet showing the 31 October 2020 position of operating and capital budget items is attached for information. Overall operating expenditure is \$289,994.00, which is \$48,053.00 below the YTD budget. The cash total is currently \$50,067.00 below the YTD budget.

There is no expenditure on capital budget items at this stage.

Operating income is \$159,086.00, which is \$9,806.00 above YTD budget.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION / COMMITTEE DECISION

Moved Cr L Handasyde, seconded Cr J Oldfield

That the report of the Deputy Chief Executive Officer, relating to the current financial position of the Mount Barker Regional Saleyards, be received.

CARRIED

During discussion at the meeting held on 8 December 2020, in regard to the provision of a new wash down water tank, members had no objection to proceeding with the biggest capacity water tank available for the budget sum of \$25,000.00. It was agreed to liaise in particular with Cr Handasyde on the details and notify members of the outcome.

5.3 AWN LIVESTOCK & PROPERTY – REQUEST TO OPERATE AT SALEYARDS

File Ref: N53632
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 8 December 2020

PURPOSE

The purpose of this report is to consider a request from AWN Livestock & Property for operation at the Mount Barker Regional Saleyards.

BACKGROUND

The Shire has received a request from AWN Livestock & Property for access to and use of the Mount Barker Regional Saleyards facility for auction sales.

The Shire has a procedure for such requests, which has been developed based on legal advice. This procedure requires advice to be sought from all current agents in regard to operational and capacity constraints, operating hours and safety issues. Issues of market share, previous contributions and other commercial factors should not be considered.

STATUTORY ENVIRONMENT

Section 46(1) of the Commonwealth Competition and Consumer Act 2010 currently prohibits firms with a substantial degree of market power from engaging in conduct having the purpose, effect or likely effect of substantially lessening competition in that market or any other market in which the corporation (or related corporation) supplies or acquires goods or services.

EXTERNAL CONSULTATION

Discussions and correspondence has also been entered into with other agents operating at the facility.

FINANCIAL IMPLICATIONS

If approved, an annual entry fee of \$4,000.00, together with a licence fee of \$1.00 per head of livestock throughput will apply (in addition to other saleyards fees passed onto vendors).

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

Policy implications do not apply for this report. Policy development has been included elsewhere in the agenda.

LEGAL IMPLICATIONS

Consultation took place with the Shire's legal representative in drafting the current agreement template.

Further, the Council received legal advice in 2012 on the (now amended) provisions of Section 46(1) of the Commonwealth Competition and Consumer Act 2010. That section prohibited a corporation that has '*a substantial degree of power in a market from taking advantage of that power in that or any other market for the purpose of:*

- (a) eliminating or substantially damaging a competitor of the corporation or of a body corporate that is related to the corporation in that or any other market;*
- (b) preventing the entry of the person into that or any other market; or*
- (c) deterring or preventing a person from engaging in competitive conduct in that or any other market.'*

Section 46(1) now states as follows:

- '(1) A corporation that has a substantial degree of power in a market must not engage in conduct that has the purpose, or has or is likely to have the effect, of substantially lessening competition in:*
- (a) that market; or*
 - (b) any other market in which that corporation, or a body corporate that is related to that corporation:*
 - (i) supplies goods or services, or is likely to supply goods or services; or*
 - (ii) supplies goods or services, or is likely to supply goods or services, indirectly through one or more other persons; or*
 - (c) any other market in which that corporation, or a body corporate that is related to that corporation:*
 - (i) acquires goods or services, or is likely to acquire goods or services; or*
 - (ii) acquires goods or services, or is likely to acquire goods or services, indirectly through one or more other persons.'*

While there has been some 'watering down' of the legislation, the procedure based on the legal advice is still considered to be appropriate.

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 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

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

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

STRATEGIC RISK IMPLICATIONS

Declining the application may result in legal action being taken against the Council. However, this risk will be mitigated by the process being followed.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

Correspondence from Existing Agents

Nutrien Ag Solutions

In Nutrien's view, the facilities at the Saleyards are already at maximum capacity for the Thursday livestock sales. If the Incoming Agent was to also sell at the Saleyards on this day, it would put unmanageable pressure on the facilities and would result in:

- a) inefficient stock loading and unloading areas;
- b) inappropriate pen densities due to increased livestock numbers; and
- c) additional stress to livestock.

It is concerned that the Saleyards, while currently fit for purpose, are not adequately resourced to appropriately manage the addition of the incoming Agent's business and significant upgrades to the facilities, and changes to the operational procedures, are required before access is granted to the Incoming Agent. It considers that the Incoming Agent should be responsible for such costs.

Of most concern to Nutrien Ag Solutions, is in trying to understand how the Shire intends to deal with the increased occupational health and safety risk posed by the addition of the Incoming Agent at the Thursday livestock sales.

If the Shire does decide to allow the Incoming Agent to sell livestock at the Thursday livestock sales (which we believe will severely pose a risk to the occupational health and safety standards currently deployed), then we would appreciate if the Shire can please demonstrate in writing to us, that it has devised safe operating policies to adequately address the increased pressure on the facilities as a result of the Incoming Agent.

For the avoidance of doubt, Nutrien Ag Solutions does not object to the Incoming Agent selling livestock at the Saleyards, however for the reasons set out above, it does not believe that the Incoming Agent should be permitted to engage in the Thursday livestock sales.

Elders

Whilst Elders does not have an issue with market competition, it does have concerns to the proposed entry of AWN. Its primary concern is around the safety of staff, agents and the general public. Its understanding as communicated by the Department of Agriculture recently is that pen selling densities will soon be reduced by around 30% which raises safety concerns with a fourth agent as the capacity of the yards will be reduced. This also presents potential animal welfare issues.

Westcoast Livestock

West Coast livestock believes an additional agent into the yards would pose some problems regarding sharing of ramps, weighbridge, laneways and actual space etc within the yards.

However if reasonable debate can take place ensuring these issues and others can be alleviated and discussed maturely then it shouldn't attempt to block it from happening.

As a relatively new Agent in the yards it appreciated the opportunity and support given us, and have committed not to make it difficult for the Shire or the Agent with the application or possible entry to the yards.

Operating Constraints

As stated above, agents were asked to comment on operational and capacity constraints, operating hours and safety issues. In response to the legal advice previously obtained, the Shire should not consider issues of market share, previous contributions and other commercial factors.

Given the experience with the entry of West Coast Livestock, Shire staff can advise more confidently about the operational constraints of allowing entry of a fourth agent. Saleyards staff have some serious concerns about occupational health and safety (OHS) if any additional agents are allowed to operate in the facility. As it stands at the moment, officially there are three agents, although staffing wise, there are still as many of the former Landmark and Primaries personnel working cattle. Allowing even more people into the environment is not recommended.

The possible changes to allocation of ramps and pens has been dealt with as a separate report. Whatever arrangement is determined, existing stakeholders / operating agents will have to sacrifice ramp/draft pens/lairage pens and stacking pens from their allocation, as was the case when WCL commenced selling at the facility. We are still having regular conflict and problems with other agent's attitude to WCL. A smooth transition of a fourth agent entering the saleyards would be extremely difficult and highly dependent on co-ordination and respect between agents.

Already there are problems with this sharing as all three agents are moving cattle in the same alleys between ramps and stacking pens. At any one time there is up to 30 agents and casuall workers working between the seven ramps and two weighbridges. Cattle are moved quickly and efficiently but congestion still often occurs. Because of the volume of cattle coming in at vealer time, animals are moved around the saleyards and sorted everywhere as pens are filled.

All cattle coming into the facility must then go through one common shared laneway before being penned before weighing. This has already, and still does present a much greater risk from an OHS perspective as all three agents can only move cattle this way.

OHS issues will result from greater congestion of cattle and personnel in a common (shared) lane. At the best of times, this requires co-operation and a clear run, with gates open through that run. Having additional agents increases the risk of congestion, cattle turning back on personnel, gates being left open and cattle being mixed together.

After several months of the four agents working within the same complex, Saleyards staff are of the view that having four agents working in the facility has proven to be inefficient and dangerous.

Thankfully, Landmark had commenced its takeover of Primaries which has now resulted in an absorption of that fourth agent (into the combined Nutrien Ag Solutions), bringing us back to three agents.

General Comments

While the position of the Saleyards Advisory Committee has been that the addition of competition into this area can be welcomed, there will likely be no actual increase to cattle numbers coming to the yards; it will be a wider spread among agents.

We have discussed the possibility of opening up another sale day to accommodate more agents but this would be unworkable in the busy season. We already have three sales per weeks in November to January. There isn't another free day on the sale calendar which wouldn't clash with the buyers who attend Muchea, Boyanup, Manjimup and Katanning sales with both sheep and cattle.

Saleyards staff are of the view that without major infrastructure additions or improvements, the facility is not designed or capable of servicing more than three selling agents. In order to safely and efficiently open up the selling roster to more than three agents then the yard capacity would need to be increased with items listed below:

- Additional office (for each agent that applies).
- Extra Weighbridge and 44 extra stack pens (to take the place of the current 'C' Pens).
- Extra selling lane (with the corresponding 24 pens). Mitchell's yards would need to be shifted to the west to accommodate this.
- Extra lairage pens.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That it be a recommendation to the Council:

That the request from AWN Livestock & Property to conduct livestock sales at the Mount Barker Regional Saleyards, be declined on the basis of unacceptable operational constraints and occupational health and safety risks arising from an additional agent and its personnel within the current saleyards configuration.

MOTION TO ADJOURN THE ITEM

Moved Cr L Handasyde, seconded Cr J Oldfield:

That the item be adjourned to enable a policy position to be determined on shared infrastructure and staffing to mitigate occupational health and safety and other operating issues.

CARRIED

6 GENERAL BUSINESS

6.1 WASTE WATER TREATMENT SYSTEM

At the meeting held on 20 October 2020, a working group comprising Cr L Handasyde, Cr J Oldfield and the Saleyards Manager was formed to investigate and report to the Saleyards Advisory Committee on options for improvements to the Saleyards waste water treatment system.

The Chief Executive Officer was also requested to prepare a proposal for university student research into options for improvements to the Saleyards waste water treatment system.

As mentioned recently, I've taken the opportunity of approaching UWA to see if there is any interest. I have a contact from environmental engineers involved in research in improving performance of waste stabilisation pond systems, and they indicate they always strive to find solutions that are the most cost effective for the situation.

I subsequently had a teleconference with Prof Anas Ghadouani and Dr Liah Coggins, environmental engineers from the UWA Faculty of Engineering and Mathematical Sciences, Civil, Environmental and Mining Engineering. I made the following notes:

We are not alone. They have a lot of experience assisting the Water Corporation in WA, similar organisations interstate with waste water issues. They have prior experience with the Water Corp sewerage ponds in Mount Barker as well as the Shire of Morawa.

They have the expertise to assist in a number of ways. They have access to technology such as miniature boats with sonar capability to measure pond depths and sludge mass. They can measure and advise on water balance, loadings and how to make water flow more efficient, including best design for anaerobic ponds (probably need to be deeper than what it is now).

Could be done via student research, semesters 1 and 2 typically run from February to October. It is envisaged that two engineering students would be involved.

At the end of that a business case could be prepared for future consideration and funding.

Quite a bit of information has been given to UWA and they intend to come back to the Shire with a proposal. Some costs would be applicable, but some would be *pro bono*. These types of projects are often funded partly by the Australian Government or big industry players.

If this doesn't suit the Shire, at a minimum UWA can provide scientific advice and assistance.

Further correspondence has now been received which has been distributed separately. A teleconference has been arranged for 10.00am on 8 December 2020.

At a recent meeting of the Working Group, the following points were made that should be taken into consideration for ongoing investigations:

- The waste water treatment system should be improved to facilitate removal of some of the solids, acknowledging that ponds would need to be cleaned out every so often. There are benefits in removing solids to irrigation loadings and sludge removal costs.
- The Shire should further engage with UWA for opportunities for students to undertake research during 2021.

- In the short term, the truck wash screens should be repaired and the bunker needs to be adjusted to make the weeping wall more effective.
- In the longer term, the goal is to re-use waste water for wash down, subject to mitigation of health risks.

A teleconference was held with Dr Liah Coggins during this item to discuss the aims of the proposal. It was agreed that Dr Coggins would provide a formal proposal for submission to the Council, which would include approximate costings.

6.2 CANTEEN AND ABLUTION BLOCK

During discussion at the meeting held on 20 October 2020, committee members indicated that the preferred concept option for a staff canteen / block was appropriate and noted that comparisons (and costs) for a modular option would be sought.

At this stage, contact has been made with ATCO, Modus Australia and Rebus Restrooms in regard to whether they are willing and able to quote on the preferred option, or whether they only build standard set of restroom structures. Rebus has not responded.

Modus have prepared a quote (supply, delivery and installation), based on the Shire's plan, with slightly wider shower room and UAT. Modus recently built the Shire of Cranbrook transport hub. The building comes in panel form and the option is there for the Shire to put the structure together or contract that out. The cost of supply and delivery is \$119,820.00 (ex GST).

ATCO could supply a building similar to the design specified at a cost of around \$80-90k + GST (supply only). If we choose something more standard like a 6m x 3m crib and a 6m x 3m toilet/shower, the cost would be \$68k + GST (supply only – see attached quote).

The other option is to formalise the plans for the preferred design and seek quotations for the construction (subject to funding).

Moved Cr L Handasyde, seconded Mr M Skinner:

That:

1. **A further quotation be sought from Modus to fully install the building as shown in its proposal.**
2. **The CEO be requested to finalise design drawings of the endorsed building concept so that quotations can be sought for further consideration and funding.**

CARRIED

6.3 REQUEST FOR POSSIBLE POLICY POSITION – SHARED INFRASTRUCTURE BY STOCK AGENTS

At the meeting held on 20 October 2020, the Chief Executive Officer was requested to prepare a draft policy position with regard to shared infrastructure and other relevant factors to mitigate occupational health and safety and other operating issues resulting from additional stock agents operating at the Mount Barker Regional Saleyards.

Selling Positions and Annual Rotation

The saleyards has been divided into three sections for loading and selling of cattle (one per agent). When the saleyards first opened, it was agreed that every 12

months (On 10 March each year, the anniversary of the opening of the facility) the two major agents (now Elders and Nutrien) would swap from the eastern side to the western side and vice versa. This was for reasons of equity in the use of the facilities. There are benefits in showing animals in the eastern pens as this is the access and congregation area for buyers.

The physical constraints of the saleyards are not conducive to three or more agents rotating. The 'middle' position should continue to be occupied by the agent(s) with the lowest average throughput. This is due to the location of the weighbridges to the selling pens and the logistics of moving cattle from dirt pens to the stacking pens and then to the weighbridges and interference with the other users coming off the opposing weighbridge.

In addition to this, the agents rotate selling positions each week (ie: which agent sells 1st, 2nd and 3rd.) For example, in week 1, the order will be Elders, Nutrien and West Coast Livestock. Week 2 will be Nutrien, West Coast Livestock and Elders. Week 3 will be West Coast Livestock, Elders and Nutrien.

This was introduced for reasons of fairness among agents as there is a benefit to selling earlier rather than later. In the event of a 4th agent, this same approach should apply. All of these things could be formalised in a policy position.

Office Space

There is a need for agents to have an office. The agents are responsible for the following, which requires a networked PC with access to the Shire's version of the LE Saleyards software (LESY):

Day before sale day:

- Agents enter in the NVDs onto LESY.
- Agents do online PIC check and Livestock Protection Assurance (LPA) check.
- Agents to provide NVD's to saleyards staff to scan them into the system.

Sale Day:

- Agents put in pen no's and mark no's into LESY and print penning sheets.
- Agents take buyers bids and enter into LESY.
- Agents liaise with saleyards staff to co-ordinate buyers and transporters among agents.
- Agents liaise with saleyards staff to confirm sale details in LESY are correct (saleyards staff then process the sale).

It is considered unlikely that agents will want to share office space and computers, due to potential access to each other's commercially sensitive information.

The policy position should be that, if office space is not available in the current building, prospective agents will seek approval to provide suitable accommodation with networked PC and access to the Shire's version of the LE Saleyards software, at their cost.

Allocation of receival ramps and pens

The allocation of receiving ramps and lairage/dirt pens are worked out on a throughput basis with figures based on the previous year's throughput (to 9 March), excluding breeder and special sales. Based on last year's figures:

- Nutrien has approximately 65% of the yarding they are allocated 4.5 receival ramps and one complete weighbridge with all stacking pens on that weighbridge.
- Elders with 32% have two receival ramps and share the other weighbridge with:
- WCL who have 3% of the throughput for the last changeover year and have half a receival ramp.

With their low throughput WCL, would be theoretically entitled to less than half a ramp (based on throughput share) but they are provided half at the moment as they need somewhere to unload their cattle. The lack of co-operation between agents has made this difficult and unworkable. From a policy perspective, it is considered that the market share allocation of ramps is appropriate, but that receival ramps (and adjoining drafting pens) not be shared; that is the allocation be rounded down.

Further, it is considered that all agents should have an allocation of a minimum of five lairage/dirt pens. While this gives smaller agents more pens in proportion to their cattle numbers, a minimum number of pens are required due to the variability of cattle sold.

Allocation of selling pens would be based on nominations, as is done currently.

As indicated in the report relating to the AWN application, permitting a fourth agent to operate at the saleyards is not supported by Saleyards staff without significant additional infrastructure.

Nevertheless, the following draft policy points are suggested if the Committee is inclined to recommend approval. It should be noted that the list is minimal as much of the decision making is operational and highly variable depending on particular circumstances. Further, some of the policy points are already well entrenched procedures.

If agreeable, the Committee could make a recommendation to the Council along the following lines.

That it be a recommendation to the Council that the following policy position be adopted with regard to saleyards operations and shared infrastructure to mitigate occupational health and safety and other operating issues resulting from additional stock agents operating at the Mount Barker Regional Saleyards:

1. The saleyards is currently divided into three sections for loading and selling of cattle; Eastern, western and middle. On 10 March each year, the anniversary of the opening of the facility, the two major agents will swap from the eastern side to the western side and vice versa. The middle position will be occupied by the agent(s) with the lowest average throughput.
2. The stock agents will rotate selling positions each week (that is, which agent sells 1st, 2nd and 3rd etc). Whichever agent sells first one week, will sell second in the following week, with other agents moving up the order.
3. The allocation of receiving ramps and lairage/dirt pens will be determined on a throughput basis with figures based on the previous year's throughput (to 9 March), excluding breeder and special sales. Receival ramps (and adjoining drafting pens) will not be shared; the allocation to be rounded down to the nearest single ramp.
4. Any agent participating in a sale will have a minimum allocation of five lairage/dirt pens.

5. If office space is not available in the current building, prospective agents will seek approval to provide suitable accommodation with networked PC and access to the Shire's version of the LE Saleyards software, at their cost.

During discussion at the meeting held on 8 December 2020, members requested that this item be brought back to the Committee at its next meeting, with the following amendments:

Item 1 – The middle sentence be amended to read:

'On 10 March each year, the anniversary of the opening of the facility, and for the following 12 months, the agent with the highest throughput will operate from the eastern side and the agent with the second highest throughput will operate from the western side.'

Item 5 – In this instance, the policy note that the annual entry fee would not apply.

6.4 MEETING WITH AGENTS

During discussion at the meeting held on 8 December 2020, it was agreed to hold meetings with agents in March 2021.

6.5 PROPOSALS FOR FURTHER CONSIDERATION

7 NEXT MEETING

Wednesday 27 January 2021 – 11.00am

8 MEETING CLOSURE

11.06am The Presiding Member declared the meeting closed.

CONFIRMED: PRESIDING MEMBER_____ **DATE:**___/___/___



Department of
**Local Government, Sport
and Cultural Industries**

Our ref PL1-7#04; E2054639
Enquiries Alex Botar
Phone (08) 6552 1405
Email Legislation@dlgsc.wa.gov.au

Mr John Fathers
Deputy Chief Executive Officer
Shire of Plantagenet
PO Box 48
MOUNT BARKER WA 6324

Dear Mr Fathers

I advise that I have approved your request to allow Cr Jeff Moir and Mr Michael Skinner to fully participate in the discussion and decision making on matters relating to the Mount Barker Regional Saleyards at the meeting of the Saleyards Advisory Committee (Committee) of 8 December 2020.

My decision to approve your request is made on the basis that the Committee is not afforded any decision making ability (apart from procedural related decisions) and that all matters for decisions relating to the Mount Barker Regional Saleyards are referred to Ordinary and Special Meetings of the Council.

This approval is subject to the following conditions:

1. The approval is only valid for the Committee meeting of 8 December 2020;
2. The approval is not valid for any matter of the Committee that may lead to expenditure from general revenue in excess of that advertised in the Annual Budget. However, if Council considers that Cr Moir or Mr Skinner should be allowed to participate in Committee discussions that may lead to expenditures in excess of those indicated in the Annual Budget, then Council should seek a further approval and provide reasons for the request;
3. Cr Moir and Mr Skinner must declare the nature and extent of their interests at the Committee meeting when the matter is considered, together with the approval provided;
4. The CEO is to provide a copy of this letter of approval to Cr Moir and Mr Skinner;
5. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of each Committee meeting, when the relevant matters are considered; and
6. The approval granted is based solely on the interests disclosed by Cr Moir and Mr Skinner made in accordance with the application dated 2 December 2020. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

Please note that this approval does not extend to Cr Moir's participation in matters relating to the Mount Barker Regional Saleyards considered at Council meetings. This would be subject to a further request for approval under the Act.

Should you require any further information in relation to this matter, please contact Alex Botar, Legislation Officer via the details provided above.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Gordon MacMile', written over a faint circular stamp.

Gordon MacMile

EXECUTIVE DIRECTOR LOCAL GOVERNMENT

4 December 2020