



Council Agenda

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Shire of Pingelly Ordinary Council Meeting 11 December 2019

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Pingelly during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Pingelly. The Shire of Pingelly warns that anyone who has an application lodged with the Shire of Pingelly must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Pingelly in respect of the application.

MISSION STATEMENT

To enhance the quality of life for the people of Pingelly through the provision of leadership, services and infrastructure.



Shire of Pingelly

Notice of Meeting

Notice is given that a meeting of the Council will be held in the Council Chambers, 17 Queen Street, Pingelly on 11 December 2019, commencing at 2.00pm.

Your attendance is respectfully requested.

Disclaimer

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations. The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

A handwritten signature in black ink, appearing to read 'Julie Burton', written over a horizontal line.

Julie Burton
Chief Executive Officer

PUBLIC QUESTION TIME INFORMATION

The Shire of Pingelly welcomes community participation during public question time. This document is to be read in conjunction with the *Shire of Pingelly Standing Orders Local Law 2017* and the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

1. A member of the public who raises a question during question time must:
 - a. be in attendance at the meeting;
 - b. first state their name and address;
 - c. direct the question to the Presiding Member;
 - d. ask the question briefly and concisely;
 - e. limit any preamble to matters directly relevant to the question; and
 - f. ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question.
2. Each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions.
3. Where a member of the public seeks a written response to their questions to be tabled at a meeting, the member of the public must submit their questions to Council by no later than 12 noon on the day prior to the meeting date of which the response is to be tabled.
4. Where a member of the public submits their questions after 12 noon on the day prior to the meeting date of which the response is to be tabled, a written response may be provided at the discretion of the presiding member.
5. Where a member of the public submits a written question after 12 noon the day prior to the meeting at which they are to be tabled, a verbal response may be provided at the meeting.
6. A member of the public may ask questions without notice at a meeting, provided they present a written copy of their questions to Council prior to the commencement of the meeting.

Questions may be submitted by e-mail to admin@pingelly.wa.gov.au.

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman to declare the meeting open.

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people past and present.

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER

3.1 Council Agenda Reports

Please note that all elected members have been provided with the relevant information pertaining to each Officers reports within today's Agenda and the Officer Recommendations are based on Council Policy and or State Acts and Legislation.

4. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

At the Ordinary Council Meeting held on 16 October 2019 the following leave was granted:

**12759 Moved: Cr Walton-Hassell Seconded: Cr Freebairn
That Cr Wood be granted leave from the 10th to 11th December 2019 inclusive.**

Carried 8:0

At the Ordinary Council Meeting held on 20 November 2019 the following leave was granted:

**12767 Moved: Cr Hastings Seconded: Cr McBurney
That Cr Hotham be granted leave from the 6th to 17th December 2019 inclusive.**

Carried 7:0

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. DISCLOSURES OF INTEREST

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Meeting – 20 November 2019

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

Recommendation:

That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 20 November 2019 be confirmed.

Moved: _____ Seconded: _____

10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

11. REPORTS OF COMMITTEES OF COUNCIL

- Audit Committee Full Council
- Pingelly Recreation & Cultural Committee Member – Shire President
Deputy – Deputy President
- Bushfire Advisory Committee Member – Cr Freebairn
Deputy – Cr Hotham
- Chief Executive Officer Performance Review Committee Member – Shire President
Member – Deputy President
Member – Cr Hastings

12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES

- Central Country Zone of WALGA Delegate – Shire President
Delegate – Deputy President
Deputy – Cr Wood
- Hotham-Dale Regional Road Sub-Group Delegate – Shire President
Deputy – Cr Oliveri
- Development Assessment Panel Delegate – Shire President
Delegate – Cr Wood
Deputy – Cr McBurney
Deputy – Cr Hotham
- Pingelly Tourism Group Delegate – Cr Hotham
Deputy – Cr Oliveri
- Regional Waste Group Delegate – Cr Mulroney
Deputy – Cr Wood
- Shires of Pingelly and Wandering Joint Local Emergency Management Committee Delegate – Shire President
Deputy – Cr Freebairn
- Youth Focus Group Delegate – Cr Hastings
Deputy – Cr McBurney
- Pingelly Somerset Alliance Delegate – Shire President
Deputy – Cr McBurney
- Pingelly Early Years Network Delegate – Cr Hastings
- Pingelly Community Wellbeing Group Delegate – Cr McBurney
Deputy – Cr Hastings

13. REPORTS FROM COUNCILLORS

Cr William Mulronev (President)

Meetings attended November

19th Meeting with Bowling Club regarding the replacement of surface in the future
25th Exit meeting for the Office of Auditor General department regarding the Audit of the Shire of Pingelly for 2018/19 financial year
25th Radio Interview FM 101.3 re Council activities
27th Special Council Meeting to receive the Auditors Report and recommendations
29th CCZ Meeting Cuballing

Meetings attended December

3rd Meeting with PRACC Representatives, CEO & DTS re alterations to existing Car Park at PRACC and future developments
5th Presidents and CEO Meeting re Council agenda
11th Monthly Council meeting
11th Annual electors meeting and presentation of Annual Reports

14 OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1 Trial of Overnight Recreational Vehicle Stay Area

File Reference:	ADM0051
Location:	Not Applicable
Applicant:	Not Applicable
Author:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Nil
Previous Reference:	Nil

Summary

Council is requested to endorse community consultation commencing on the potential of a free overnight stay area for fully self contained recreational vehicles within close proximity to the Pingelly town centre.

Background

The Shire of Pingelly's Corporate Business Plan details the importance of diversifying economic opportunities to enable population growth over the medium to long term. Tourism is one such strategy that is an opportunity for Pingelly. In order for tourism to be successful, adequate supporting infrastructure such as short term accommodation is required.

Within the short term accommodation space, there is a trend for self-contained travellers to look for free camping options to enable travel at cheaper rates and for longer. This is a growing market, and while there are existing free camping areas outside of the Pingelly townsite, this does not specifically focus on attracting additional tourism and subsequent economic benefits to Pingelly.

Self-contained recreational vehicles (RVs) are generally described as those that can contain within the vehicle, fixed shower and toilet, sullage (grey) and black water waste (sewerage) storage, and have capacity for carrying multiple days' worth of drinking water.

The introduction of a free RV overnight stay area is being explored due to the likelihood to lead to increased visitation, longer stays, and potentially result in repeat visits. It will present opportunities to boost the local economy and bring opportunities for business growth and employment.

Comment

There are several items to consider prior to making a determination on whether to proceed with a trial.

- There is no commitment to maintaining the full term of the trial period. A review can be undertaken at any time if complaints or other concerns arise.
- It is highly likely that Pingelly is overlooked from a 'free accommodation' perspective, which excludes the town from recognition on many forms of media and by word of mouth.
- The businesses within town are likely to benefit from increased patronage.
- There is no additional cost to maintain the site. The grounds are currently maintained by the Shire of Pingelly, and this would continue.
- There is the potential for refuse to be left at the site. This would be monitored by staff. Generally, visitors are respectful of the terms and conditions of free camping sites.
- Compliance with the maximum length of stay will be in general self regulating, and as a minimum, this will be monitored by the Shire ranger service on a weekly basis.
- There is a potential loss of revenue to the caravan park which is owned by the Shire. If this occurred, the Pingelly Community Craft Centre would be slightly impacted as well as the Shire. This is unlikely to be significant (if at all) due to the free RV area attracting a different market than caravan parks.

- Noise disturbance is possible, however unlikely to be an issue as the typical patrons using these sites are generally long term travellers.
- Misuse of the caravan park facilities may occur. This is somewhat controlled by the restricted access to the toilet and shower facilities.

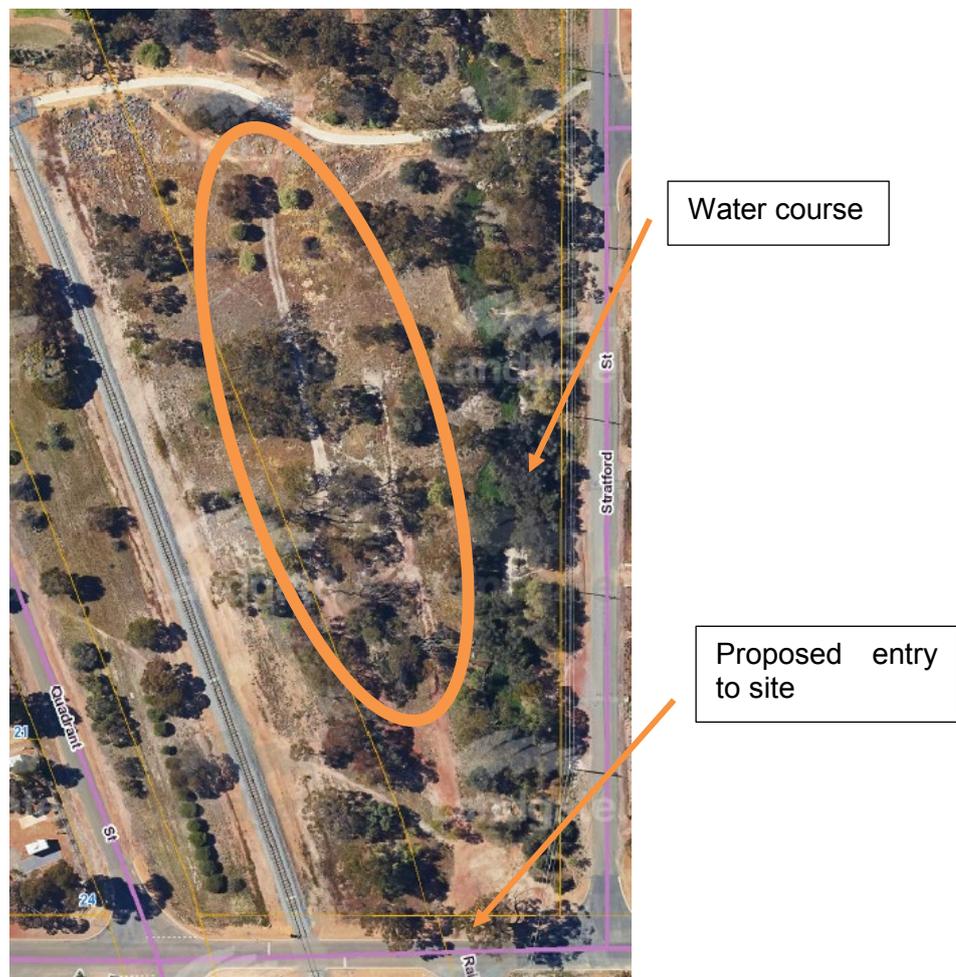
The opportunities for the town appear to significantly outweigh any potential risks. The trial proposes allowing fully self-contained recreational vehicles to stay for up to 72 hours. Tents and vehicles that are not fully self-contained will not be permitted to use the location. These visitors will be required to make use of the existing caravan park.

An important aspect of the trial is the ability to educate visitors and the community about the overnight rest area so that misuse of the areas does not occur. The Shire will use its website and electronic media platforms to promote the location online. Signage will be used at the overnight stay areas to notify visitors of where camping is permitted and all relevant requirements.

2 locations have been reviewed as potentially suitable for a free camping area. Each location has been assessed against criteria that included potential environmental constraints, emergency management factors, how marketable the sites were, proximity to residential areas, and whether they would contribute to promoting Pingelly in a positive way.

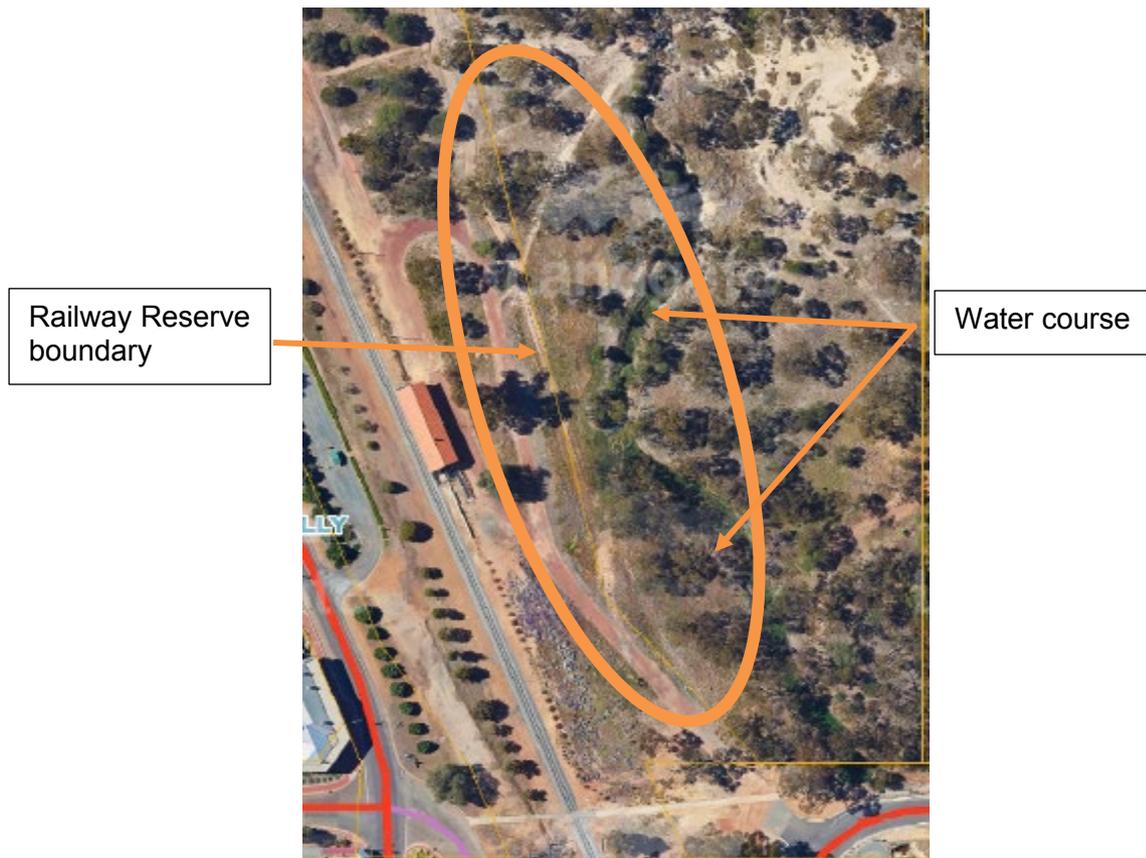
Option 1 – Reserve 34570 Linear Park

Item	Consideration / Analysis
General	Close to dump point. Central location for access to services. Site under the management of the Shire. There is a possibility the vesting order may need to be amended to reflect a change in purpose of the reserve.
Design	Self-contained recreational vehicles would self-manage their specific location in the park, within the designated area. This negates the need for any additional specific management of the site.
Contamination	No known contamination of the site
Environmental	No known constraints
Access	Access to the site is via an unsealed road and is considered sufficient for the purpose of the site.
Impact to nearby residents and businesses	This site is well located within the Pingelly CBD, and is in close proximity to restaurant/café/hotels. Buffer to residential area to minimise impact.
Emergency Management	There is no known bushfire attack level or risk to the area, however, the area is likely to be flood prone for a 1:100 year flood event.
Marketable location	The location is attractive and close to Pioneer Park which has existing barbeques and picnic tables. Convenient access to pathways leading both to the town centre and to the Pingelly Recreation and Cultural Centre will exist.



Option 2 – Reserve 34570 – Adjacent to Railway Station

Item	Consideration / Analysis
Proximity to services	Relatively close to dump point. Central location for access to services. Site under the management of the Shire. There is a possibility the vesting order may need to be amended to reflect a change in purpose of the reserve.
Design	Self-contained recreational vehicles would self-manage their specific location in the park, within the designated area. This negates the need for any additional specific management of the site.
Contamination	No known contamination of the site
Environmental	No known constraints
Access	Difficult to access due to water course running through the central area. Good access to the rail reserve, however this is not under the control of the Shire and will take significant time to move forward.
Impact to nearby residents and businesses	This site located adjacent to the Pingelly CBD, and is in close proximity to restaurant/café/hotels. Buffer to residential area to minimise impact.
Emergency Management	There is no known bushfire attack level or risk to the area, however, the area is likely to be flood prone for a 1:100 year flood event.
Marketable location	The location is attractive and close to Pioneer Park which has existing barbecues and picnic tables. Convenient access to pathways leading both to the town centre and to the Pingelly Recreation and Cultural Centre will exist. The most suitable areas within this site are within the rail reserve.



Both sites are relatively suitable for a free RV parking area. Option 1, south of Pioneer Park is considered to be the most suitable due to the Shire of Pingelly controlling the portion of the land where parking is most likely to occur. Option 2 is more difficult due to the water course running through the centre of the Shire controlled land, and the need to consult with Public Transport Authority if the site adjacent to the railway reserve is the preferred option.

Consultation

It is proposed that consultation be undertaken with the wider community prior to resolving to endorse a free RV Friendly designated area in the proposed location.

Statutory Environment

The Shire of Pingelly Property Local Law allows the camping or occupying of a facility without a permit, where the facility is operated by the local government.

The Caravan Park and Camping Grounds Act 1995 relates only if the intended usage is greater than 72 hours. Landowner permission (that of the local government in this case) is permissible if the usage is no longer than 72 hours.

Policy Implications

Nil

Financial Implications

To commence the trial, approximately \$1,500 is required to erect specially designed signage to define the rules and type of vehicle permitted. Provision of free access to the dump point and potable water supply are already in place. Promotion of the sites would be free of charge via social media and website information, and thereafter 'word of mouth'.

There is expected to be negligible, if any, lost revenue from the Caravan Park, as those utilising free camping self-contained sites typically utilise free camp spots outside of townsites. Encouraging them to stay within the town will at least provide some economic opportunity for businesses to capitalise on.

Should the proposal proceed following no substantive negative public opposition, the costs can be accommodated in within the Traffic Signage budget allocation. Any additional costs will be measured throughout the trial so that the Shire can understand the real impact. To ensure a balanced approach to understanding the financial impacts to the Shire are identified, measurement of the economic benefits brought to Pingelly will also be sought from this market segment.

Strategic Implications

Goal 1 Economy

Outcome 1.3 The right resources and infrastructure are in place to support business development, including an increase in visitors and visitor spend in the Shire.

Strategy 1.3.3 Support local tourism infrastructure development.

Risk Implications

Risk	Various risks are outlined in the body of this report.
Risk Rating (Prior to Treatment or Control)	Medium (9)
Principal Risk Theme	Reputational
Risk Action Plan (Controls or Treatment Proposed)	Community consultation and further exploration of the requirements of the development will identify any additional risks that require mitigation.

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Voting Requirements

Simple majority

Recommendation

That Council advertises for a minimum period of 30 days, inviting public comment on the proposal to allow fully self-contained recreational vehicles to park for free, for up to 72 hours on the portion of Reserve 34570, directly south of Pioneer Park as identified within this report.

Moved: _____ Seconded: _____

CONFIDENTIAL ITEMS

Recommendation

THAT pursuant to Section 5.23 of the Local Government Act 1995 these items be dealt with, with the public excluded as the items deal with 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.

Moved: _____ Seconded: _____

14.2 Confidential Item - Australia Day Awards 2020

Summary

Council to consider Awards for the 2019-20 Community Service and 2019-20 Sportsperson of the Year from nominations received as per the item and recommendation provided under confidential cover.

14.3 Confidential Item – Tender 03/2019-20 Provision of Medical Services

Summary

Council to consider appointing a suitable service provider for the provision of medical services to the Shire of Pingelly for a period of seven years, ending 30 April 2028, as per the item and recommendation provided under confidential cover.

14.4 Confidential Item Request for Quotation Kerbside Waste and Recyclables Collection

Summary

Council is requested to select a Kerbside Waste Collection and Recycling Collection Services provider for a three-year period from 1 March 2020 to 28^t February 2023, as per the item and recommendation provided under confidential cover.

Recommendation:

That the meeting be re-opened to the public.

Moved: _____ Seconded: _____

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity – November 2019

File Reference:	ADM0075
Location:	Not Applicable
Applicant:	Not Applicable
Author:	Director Corporate & Community Services
Disclosure of Interest:	Nil
Attachments:	Monthly Statements of Financial Activity for the period 1 July 2019 to 30 November 2019 (Attachment 1 following red sheet in separate attachments booklet)
Previous Reference:	Nil

Summary

In Accordance with the *Local Government Act 1995* Section 5.25 (1) and *Local Government (Financial Management) Regulations 1996*, Monthly Financial Statements are required to be presented to Council, in order to ensure that income and expenditure is in keeping with budget forecasts.

The Monthly Statements of Financial Activity for the month of November 2019 are attached for Council consideration and adoption. This report now incorporates new Australian Accounting Standards Board (AASB) requirements effective from 1 July 2019. AASB 15 Revenue from Contracts with Customers (IFRS 15), AASB 1058 Income for Not-for Profit Entities, AASB 16 Lease replaces AASB 117 (IFRS 16).

Background

In order to prepare the monthly statements, the following reconciliations have been completed and verified:

- Reconciliation of assets, payroll and taxation services
- Reconciliation of all shire's bank accounts, including term deposits
- Reconciliation of Rates, including outstanding debtors
- Reconciliation of Sundry Creditors and Debtors

Consultation

Nil

Statutory Environment

Local Government Act 1995;

Local Government (Financial Management) Regulations 1996

Section 34: Financial Reports to be Prepared

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

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing -
- (a) An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) An explanation of each of the material variances referred to in sub regulation (1) (d); and
 - (c) Such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) According to nature and type classification;
 - (b) By program; or
 - (c) By business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), is to be -
- (a) Presented to the council -
 - (i) At the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

Policy Implications

There are no policy implications.

Financial Implications

There are no significant trends or issues to be reported. The report and officer recommendation is consistent with Council's adopted Budget 2019/2020.

Strategic Implications

There are no known significant strategic implications.

Risk Implications

Risk	Failure to monitor the Shire's ongoing financial performance would increase the risk of a negative impact on the Shire's financial position. As the monthly report is a legislative requirement, non-compliance may result in a qualified audit.
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Reputational / Legislative
Risk Action Plan (Controls or Treatment Proposed)	Nil

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Voting Requirements
Simple Majority

Recommendation
That with respect to the Monthly Statements of Financial Activity for the month ending 30 November 2019 be accepted and material variances be noted.

Moved: _____ Seconded: _____

15.2 Accounts Paid by Authority – November 2019

File Reference:	ADM0066
Location:	Not Applicable
Applicant:	Not Applicable
Author:	Senior Finance Officer
Disclosure of Interest:	Nil
Attachments:	List of Accounts (Attachment 2 following orange sheet in separate attachments booklet)
Previous Reference:	Nil

Summary

Council endorsement is required for accounts made by authority for the month of November 2019.

Comment

Unless otherwise identified, all payments have been made in accordance with Council's adopted 2019/20 Budget.

Consultation

Nil

Statutory Environment

Regulation 12 of the *Local Government (Financial Management) Regulations* provides that:

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the *Local Government (Financial Management) Regulations* provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Policy Implications

There are no policy implications arising from this amendment.

Financial Implications

There are no known financial implications upon either the Council’s current budget or long term financial plan.

Strategic Implications

There are no known significant strategic implications relating to the report.

Risk Implications

Risk	Failure to present a detailed listing of payments in the prescribed form would result in non-compliance with the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit.
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Reputational / Legislative
Risk Action Plan (Controls or Treatment Proposed)	Nil

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Voting Requirements

Simple Majority

Recommendation

That Council endorse the Accounts for Payments for November 2019 as presented:

NOVEMBER 2019	
MUNI - 117984856	
EFT 6475 - 6555	\$120,107.18
CHEQUE 24720 - 24730	\$29,186.84
TRUST ACCOUNTS	
DEPT OF TRANSPORT – DD10927.1 – DD10981.1	\$25,639.95
TRUST FUND – 1963 - 1970	\$985.95
DIRECT DEBIT -	
DD10925.1 – DD10961.5 & EFT6494 – EFT6557 – Pay and Super	\$18,338.66
CREDIT CARDS	
DD10943.1 – DD10943.1	\$1,166.25
GRAND TOTAL	\$195,424.83
Notification	Explanation
Trust Cheque Number 1963 Cancelled	Trust Refund Raised in Error

Moved: _____ Seconded: _____

16. DIRECTORATE OF TECHNICAL SERVICES

16.1 Proposed Telstra Telecommunications Facility

File Reference: A820/ADM0299
Location: Lot J27 – 3724 North Wandering Road
Applicant: Visionstream Australia Pty Ltd
Author: Administration Officer Technical
Disclosure of Interest: Nil
Attachments: Planning Assessment Report (Attachment 3 following yellow sheet in separate attachments booklet)
Previous Reference: Nil

Summary

Council to consider an application for planning approval for a new Telstra Communications Facility.

Background

An application has been received from Visionstream Australia Pty Ltd for planning approval for the construction and operation of a Telstra Telecommunications Facility.

Visionstream Australia Pty Ltd have submitted the application on behalf of Telstra Corporation Ltd. This application involves the installation of a 60m lattice tower and associated ancillary equipment at Lot J27 – 3724 North Wandering Road, West Pingelly.

Telstra has applied the Precautionary Approach in the selection and design of the proposed site in accordance with Sections 4.12 and 4.2 of the Telecommunications Code.

Comment

This application is part of Telstra's commitment to regional Australia in bringing high-speed mobile internet to even more communities around the country as part of the Federal Government's Mobile Black Spot Program.

The proposed location of the facility is Lot J27 – 3724 North Wandering Pingelly Road, West Pingelly. The property is owned by Tim & Jenny Watts who have co-signed the application along with the applicant.

Under the *Shire of Pingelly's Local Planning Scheme No.3*, Lot J27 is zoned "General Agriculture" and under the zoning table the land use for a telecommunications infrastructure in the "General Agriculture Zone" is a Discretionary ('D') use.

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

The proposal complies with the objectives and general requirements of the General Agricultural Zone, encouraging process and value adding industries and further intensive agriculture through providing a mobile network to connect and support industries and future growth. It ensures the protection of rural landscapes and the natural environment and maintaining an appropriate distance from any sensitive uses. As the proposal is located within an area not designated as an agricultural use, and by request of the landowner only taking up a small amount of space, there is no adverse impacts to the existing agricultural use of the land or surrounding uses.

The proposed scope of works for the proposal includes the following:

- Installation of one (1) 60m high lattice (overall height 62.4m to top of antennae);
- Installation of one (1) triangular headframe;
- Installation of six (6) new panel antennas;
- Installation of one (1) equipment shelter at the base of the lattice tower;
- Installation associated ancillary cabling and equipment on the tower and within the equipment shelter; and
- Clearing vegetation for the purposes of the above.

Telstra commences the site selection process with a search of potential sites that meet the network's technical requirements, with a view to also having the least possible impact on the amenity of the surrounding locality. Telstra applies and evaluates a range of criteria as part of the selection process. The technical viability of potential sights is assessed through the use of computer modelling tools that produce predictions of the coverage that may be expected from these sites, as well as from the experience and knowledge of the radio engineers.

There are a number of other important criteria used to assess options and select sites that may be suitable for a proposed new facility. These take into account factors other than the technical performance of the site, and include:

- The potential to co-locate on an existing telecommunications facility.
- The potential to locate on an existing building or structure.
- Proximity to community sensitive locations and areas of environmental heritage.
- The potential to obtain tenure at the site.
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

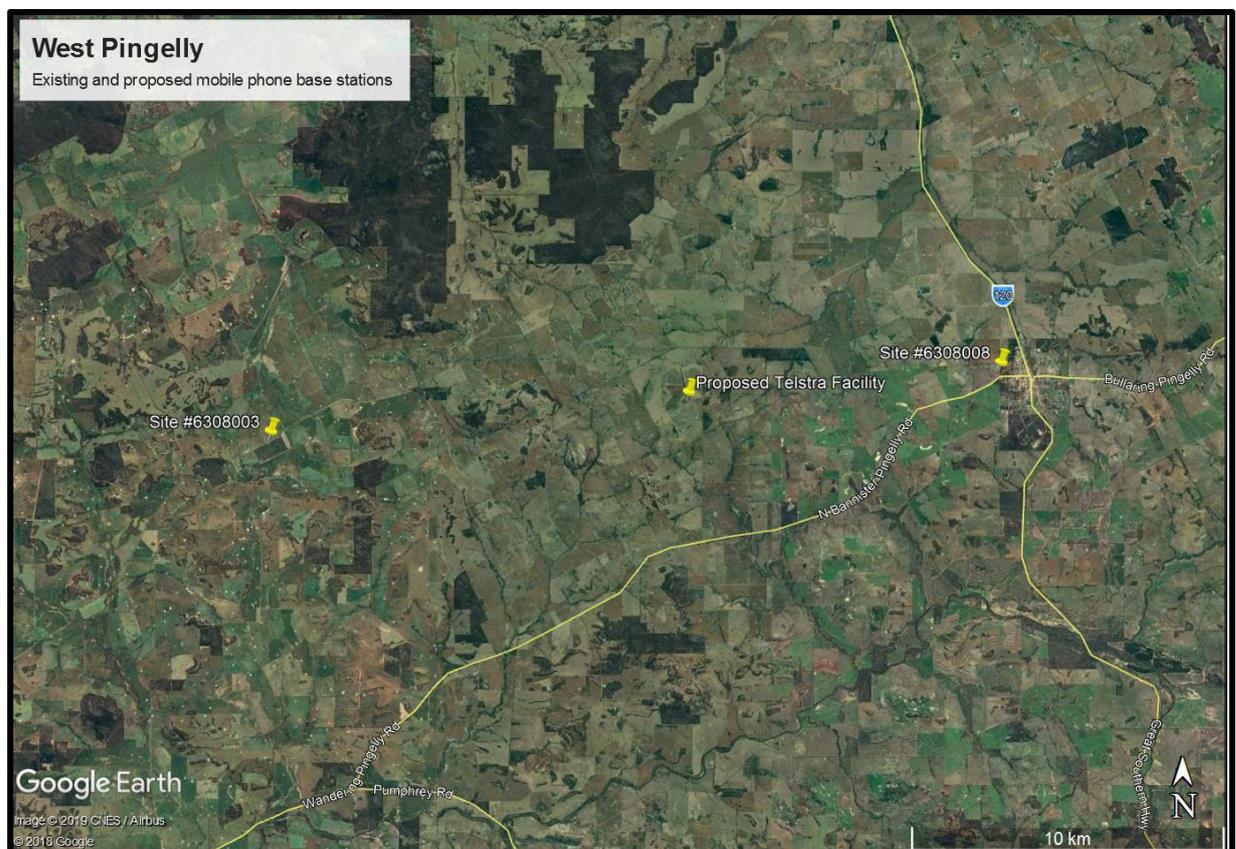


Figure 1: Location of nearby existing and proposed telecommunications facilities.

The map shows two (2) nearby sites 10km east and 13.38km west from the proposed location (Figure 1).

Table 1: Summary of co-location opportunities within West Pingelly area

Site No.	Site Address	Structure Type	Is site constructed?	Suitable for co-location	Comments
6308008	2 North Bannister Pingelly Road, West Pingelly	81m guyed Mast	Yes	No	Distance to nominal location is too far.
6308003	North Wandering Road, Kubbine	Unknown	Yes	No	Distance to nominal location is too far

As evidenced in Table 1, the nearby mobile phone base stations are inappropriate for co-location due to not being within an appropriate distance to service the Black Spot West Pingelly area.

The site selected is deemed to be the most optimal location to achieve the required coverage for the identified Black spot and requires the installation of a new mobile base station. Alternative candidates were considered in locating on the selected site. This is further outlined in Table 2 along with the balance of alternative candidates considered as part of the site selection process. Figure 2 provides a map of the non-colocation candidates considered for the proposed facility.

Candidate	Location	Proposal	Zoning	Description
Candidate A	143 Ivanhoe Road, West Pingelly WA 6308	New 60m tower	Rural/Agriculture	Could not obtain tenure.
Candidate B	143 Ivanhoe Road, West Pingelly WA 6308	New 60m tower	Rural/Agriculture	Could not obtain tenure.
Candidate C	Lot 6203 on deposited plan 255492	New 60m tower	Rural/Agriculture	Landowner advised different lot closer to power which is the proposed location.
Candidate D	202 Ivanhoe Road, West Pingelly WA 6308	New 60m tower	Rural/Agriculture	Could not obtain tenure.
Candidate E	3724 North Wandering Road, West Pingelly WA 6308	New 60m tower	Rural/Agriculture	Candidate selected as proposed location. Moved slightly to the south.



Figure 2: Location of non-colocation candidates

A preferred nominated candidate was selected for the proposed facility based on the radiofrequency objectives, property tenure, planning and environmental issues, potential community sensitive uses and engineering criteria as noted above. For this project, co-location on an existing telecommunications facility is not possible and a new macro tower is considered suitable given:

- The site is technically feasible and can achieve Telstra’s coverage and capacity objectives by installing the new mobile base station;
- The site will provide improved coverage to the West Pingelly area, which provides an important first response tool in emergency situations;
- The proposed location is situated on freehold land;
- The proposed facility maintains what is considered to be appropriate separation from sensitive land uses;
- The facility will not alter the land use;
- The landowner is supportive of the Telstra proposal;
- The site is not located within a culturally significant area;
- The site is appropriately serviced and has a readily available access to the electricity supply network and existing transport network;
- The proposed facility will not prejudice the existing or anticipated future use of the site; and
- The costs associated with delivering the site and constructing the facility are considered by Telstra.

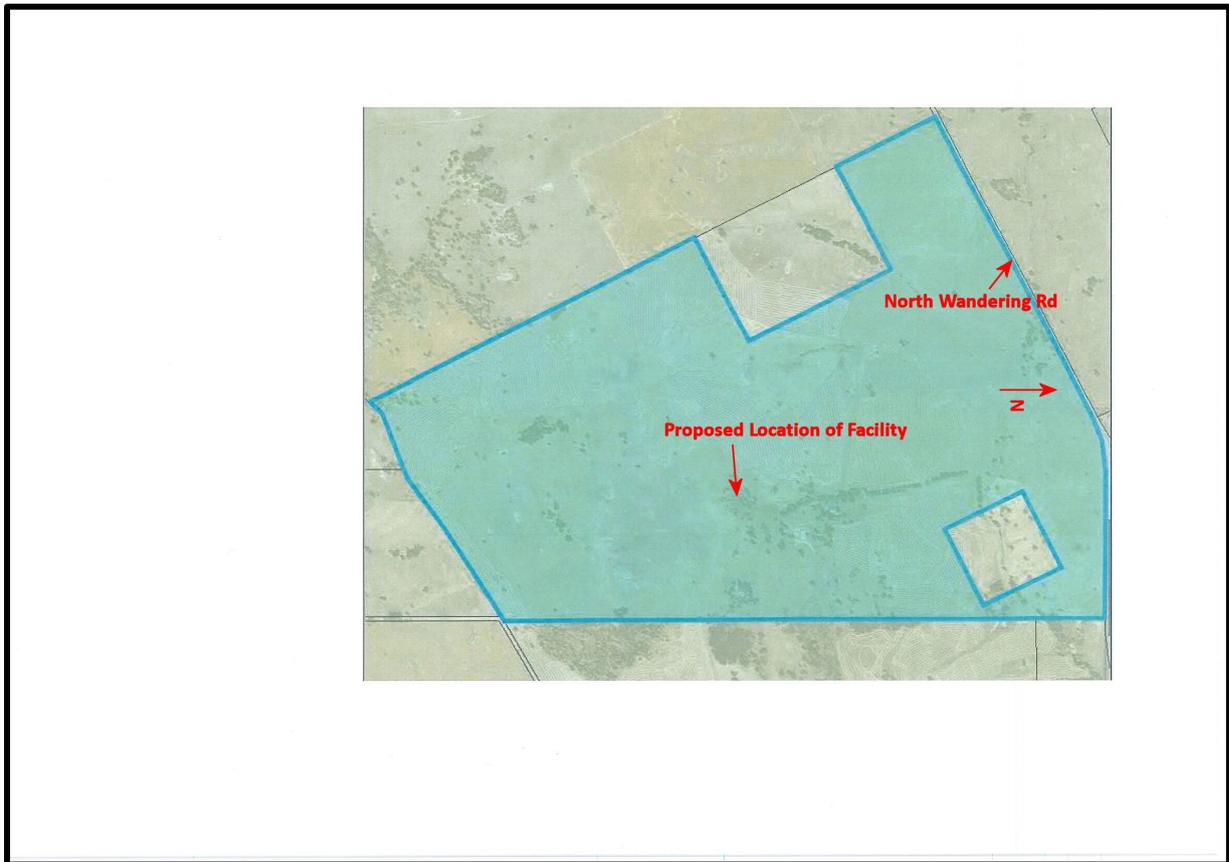
Subject site and surrounds:

Site Details	
Site Address	3724 North Wandering Road, West Pingelly
Real Property Description	Lot J27 Diagram 356
Coordinates	-32.54032, 116.96689
Site Area	486.4491ha
Registered Owner	Jenny & Timothy Watts
Existing Land Use	Rural Residential/Agriculture
Vegetation	The site location is within an area of vegetation, the removal of seven (7) trees is required for the construction of the proposed facility.
Topography	The proposal area is relatively flat.
Services	The site is serviced by power and will not require any connected water or sewerage.

The proposed facility is on privately owned land located within the West Pingelly area, approximately 10kms west of the Pingelly Townsite. The subject property is situated off North Wandering Road. Entrance to the property is taken directly from the existing access off North Wandering Road. The surrounding properties in the area are predominantly large partially vegetated rural and agricultural uses, and the closest residence is located approximately 2.3km to the east.

The northern edge of the property borders North Wandering Road.
 The eastern edge of the property borders general agricultural land.
 The southern edge of the property borders general agricultural land.
 The western edge of the property borders general agriculture land.





Visual Impact

The site has been identified as being located within land that is zoned general agriculture. The subject lot is predominantly cleared with clustered areas of mature vegetation. The site and the proposed works have been located and designed to take into consideration the aims of the *Shire of Pingelly Local Planning Scheme No.3*.

Telstra has selected a site and location that appropriately minimises any perceived negative impacts on the visual amenity of the area. An assessment of the area has shown that residences in the area are relatively few comprising:

- One residence 2.5km to the north
- One residence 3.9km to the south
- One residence 2.29km to the east
- One residence 2.9km to the west

Views of the existing facility from these residences is significantly obstructed by the existing mature vegetation surrounding, and further lessened by the large distance between the proposal and each residence.



The site selection carefully considered environmental and visual constraints, existing and future land use characteristics, the orderly planning of the area and the design of the facility. On balance, it is considered that the location and height of the facility ensure optimal service provision to the area whilst minimising any perceived visual impact. Moreover, as previously mentioned the site will also provide other carriers with the opportunity to co-locate their infrastructure in the future.

Heritage

In order to determine any possible natural or cultural values of state or national significance associated with the site a search was conducted through the relevant Heritage Registers. No Aboriginal or other heritage sites of significance were identified within the subject land holding or within proximity.

The site is located within Native Title Applications WC1998/058 and WC2003/006 and Native Title Indigenous Land Use Agreement (ILUA) WI2015/005. Visionstream will, where required under Native Title legislation, notify the relevant corporation during Telstra's notification or as otherwise directed by Council.

Flora and Fauna

In order to determine any possible natural flora and fauna significance associated with the site, a search was conducted through the relevant environmental registers. The Protected Matters Search Tool from the Department of the Environment and Energy which shows matters of national environmental significance or other matters protected by the *Environment Protection and Biodiversity Conservation Act 1999*, found that no significant environmental matter was identified.

Traffic

Mobile phone base stations are not a significant generator of pedestrian or vehicular traffic. The site will be visited on a quarterly basis throughout the year for maintenance purposes. During the construction phase various vehicles will be used to deliver equipment and construct the Telstra Mobile Base Station Facility. Any traffic impacts associated with construction and establishment will be of a short-term duration (i.e. approximately five weeks over non-consecutive periods) and are not anticipated to adversely impact on the surrounding road network.

Adequate parking will be available on site for these vehicles and these movements would not impact the local traffic.

Traffic from this construction would only occur from the hours of 7am to 6pm. If a road closure is required for the erection and installation of equipment, the appropriate approvals will be obtained from the Department of Transport (DOT).

The mobile base station facility is unmanned would require maintenance checks approximately 3-4 times per year, but will remain unattended at all other times. Routine maintenance would involve one vehicle per visit and parking would be available close to the proposed site for this purpose.

Access

The proposal will utilise two existing accesses for construction and on-going maintenance. The construction access will be through an existing track off Ivanhoe Road.

The on-going maintenance access will be through the existing access track off North Wandering Road. In this regard, there is no requirement for special access to the site.

Construction

The construction of the mobile base station will take approximately one or two weeks over non-consecutive periods, subject to weather.

Noise and vibration emissions associated with the Telstra Mobile Base Station Facility will be limited to the construction phase will be of short duration and will be in accordance with the standards outlined in the Environmental Protection (Noise) Regulations 1997. Construction works will only occur between the hours of 7am and 6pm.

Conclusion

This application is a direct result of the community's requests for reliable telecommunications to be provided to the West Pingelly area. There is strong State policy support for telecommunications facilities if, when balancing improved telecommunications services with environmental impacts; including for example, visual impact and flood or fire hazard, a particular proposal provides a net community benefit.

The proposed works provide the community with reliable 4G access which in turn supports the various rural, residential and tourist industries in the region and form part of a wider plan to ensure reliable and accessible coverage during emergency situations such as in the event of bush fires.

The proposed telecommunications facility will form an integral component in Telstra's national 4GX network. This 4G service brings higher speeds and extra 4G coverage to a range of communities across the nation. 4GX will include services provided over Telstra's new 700MHz spectrum and deliver higher typical mobile speeds on compatible devices, allowing more Australians to experience more reliable connections and ultra-fast mobile internet.

Telstra has undertaken an assessment of the relevant matters as required by the *Telecommunications Act 1997*, State Legislation and the *Shire of Pingelly Local Planning*

Scheme No. 3. The proposal is considered appropriate in light of the relevant legislative, environmental, technical, radio coverage and public safety requirements.

The proposed development is considered appropriate for the subject site for the following reasons:

- The proposed works are located as part of the Mobile Blackspot Program to provide reliable mobile phone service to the West Pingelly area. It will deliver mobile coverage to regional and remote communities who, for the first time, will be able to access fast mobile voice and data services. The improved coverage is increasing access to new technologies for key regional sectors and communities, which rely on a fast, reliable and affordable mobile network.
- Public views to the existing facility are adequately contained due to the presence of mature vegetation and the undulating topography, and appropriate distances to surrounding residents.
- The proposal is consistent with the relevant provisions of the *Shire of Pingelly Local Planning Scheme No. 3*.
- The proposal will improve Telstra 4GX communications services to the area, including voice calls, video calling and Wireless Broadband – a high speed wireless internet service via the 3G/4G phone network.
- The proposed facility is appropriately located in a rural area, providing good separation from residential properties and roads.
- Emissions from the proposed facility will be significantly below the Australian Radiation Protection and Nuclear Safety Agency standards adopted by the Australian Communications and Media Authority.

The assessment of the proposal demonstrates that the proposal represents sound and proper town planning and it is respectfully requested that consent is granted for this development application.

A detailed planning assessment report is attached.

Consultation:

Chief Executive Officer
 Director Technical Services

Statutory Environment:

Shire of Pingelly Local Planning Scheme No.3

Policy Implications:

There are no known policy implications.

Financial Implications:

There are no known financial implications.

Strategic Implications:

There are no known strategic implications

Risk Implications:

Risk	The key risk around this application is the need to consult with the community. There is no requirement to consult due to the use being a 'discretionary' use under the Local Planning Scheme. On occasions, it is beneficial to consult due to the public being concerned about a development and the need to 'hear' the community. In this circumstance, the risk is considered to be low, as the tower is located on a
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	486Ha block, with the nearest neighbour being in excess of 2 km away. The tower will also be located in a vegetated area, reducing the impact on the surrounding amenity.
Risk Rating (Prior to Treatment or Control)	Low (4)
Principal Risk Theme	Reputational
Risk Action Plan (Controls or Treatment Proposed)	No further action is required to mitigate the risk unless Council considers that there is a need to undertake community consultation.

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Voting Requirements:

Simple Majority

Recommendation:

Council to grant planning approval for the proposed Telstra Telecommunications Tower located at 3724 North Wandering Road, West Pingelly.

Moved: _____ Seconded: _____

17. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

18. NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

19. CLOSURE OF MEETING

The Chairman to declare the meeting closed.