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- NOTE:**
- a) **The Council Committee Minutes Item numbers may be out of sequence. Please refer to Section 10 of the Agenda – Information Report - Committee Decisions Under Delegated Authority for these items.**

 - b) **Declaration of Councillors and Officers Interest is made at the time the item is discussed.**

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
6 PATERSON STREET, MUNDIJONG ON TUESDAY, 1ST SEPTEMBER 2009. THE
PRESIDING MEMBER DECLARED THE MEETING OPEN AT 5:00PM AND WELCOMED
COUNCILLORS, STAFF AND MEMBERS OF THE GALLERY.

1. ATTENDANCE & APOLOGIES:

IN ATTENDANCE:

COUNCILLORS: DL Needham Presiding Member
M Harris
WJ Kirkpatrick
K Murphy
JE Price
C Randall
S Twine
E Brown
M Geurds

OFFICERS: Ms J Abbiss Chief Executive Officer
Mr A Hart Director Corporate Services
Mr R Gorbunow Director Engineering
Ms C Garner Minute Secretary

APOLOGIES: Mr B Gleeson Director Development Services
Mrs S van Aswegen Director Strategic Community Planning
Cr C Buttfeld

GALLERY: 2

2. PUBLIC QUESTION TIME:

Nil

2.1 Response To Previous Public Questions Taken On Notice

Nil

3. PUBLIC STATEMENT TIME:

Nil

4. PETITIONS & DEPUTATIONS:

Nil

5. PRESIDENT'S REPORT:

Nil

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

Nil

**7. RECEIPTS OF MINUTES OR REPORTS AND CONSIDERATION FOR
RECOMMENDATIONS:**

Nil

8. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

SCM005/09/09		OVERSIZE VEHICLE APPLICATION – LIGHTBODY ROAD, MARDELLA (R0038)
Proponent:	Livestock Shipping Services & Ausvision Rural Services	In Brief An application has been made by Livestock Shipping Services and Ausvision Rural Services seeking Council approval to access the feedlots on Lightbody Road using multi-combination vehicles up to 27.5 metres in length. It is recommended that the application be approved.
Owner:	Not Applicable	
Officer:	Richard Gorbunow – Director Engineering	
Senior Officer:	Joanne Abbiss – Chief Executive Officer	
Date of Report	27 August 2009	
Previously	CGAM068/01/07	
Disclosure of Interest	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the Local Government Act	
Delegation	Council	

Background

At the Corporate Governance and Asset Management Committee meeting of 16 January 2007 the following was resolved:

“CGAM068/01/07 Committee/Officer Recommended Resolution:

Moved Cr Price Seconded Cr Wigg

That:

- (1) *Council endorses the use of oversize vehicles (up to 27.5 metres in length) by the Livestock Transporters and Country Bulk Carriers Association of WA (Inc) to access the Baldvis Feedlots on Lightbody Road Mardella, subject to compliance with the following conditions:*
 - (a) *Oversized vehicles are only permitted to utilise the northern bitumen sealed section of Lightbody Road located approximately 350 metres in length from the intersection with Mundijong Road;*
 - (b) *The unsealed section of Lightbody Road from Lowlands Road to the access to the Baldvis Feedlots is not permissible for usage as this section of Lightbody Road is currently load limited to 12 tonnes;*
 - (c) *No haulage by oversized vehicles (up to 27.5 metres in length) is permissible during school bus times;*
 - (d) *Speed being limited to 60 km/hr on unsealed roads and 80 km/hr on sealed roads without pavement markings or less where either appropriate for safety reasons or posted at a lesser speed;*
 - (e) *Improvements to sight distance at the intersection of Lightbody Road and access to the Baldvis Feedlots being undertaken at the applicant’s expense and to the satisfaction of Council;*
 - (f) *Appropriate warning signage being installed within Lightbody Road and at the access road to the Baldvis Feedlots to advise haulage operators and the users of Lightbody Road of heavy haulage vehicles entering and leaving the site of the feedlots;*
 - (g) *All owner/operators adhering to the Motor Vehicle Act and Regulations and to any road closure as prescribed in Section 3.50 of the Local Government Act 1995;*
 - (h) *Use of Lightbody Road by oversized vehicles (up to 27.5 metres in length) being restricted to livestock carriers only;*
 - (i) *Any damage to the road pavement and bitumen seal at the confluence of Lightbody Road and access to the Baldvis Feedlots being reported to the Shire within 24*

hours of the damage occurring and rectified by and at the expense of the applicant and/or the proprietors of the Baldvis Feedlots where such damage is caused as a direct result of heavy haulage operations;

- (j) *Council reserves the right to revoke its support if any of the above conditions are not adhered to, or road conditions and user safety is compromised.*
- (2) *Main Roads Western Australia being advised in writing of the Council's decision in relation to the use of oversize vehicles (up to 27.5 metres in length) by the Livestock Transporters and Country Bulk Carriers Association of WA (Inc) to access the Baldvis Feedlots on Lightbody Road Mardella. In addition, Main Roads Western Australia are requested to undertake the necessary site inspections to ascertain whether the northern bitumen sealed section of Lightbody Road located approximately 350 metres in length from the intersection with Mundijong Road meets the requirements for inclusion on the Notice Network.*

CARRIED 5/2"

The resolution meant that the use of vehicles up to 27.5 metres in length are only permitted to utilise the northern bitumen sealed section of Lightbody Road approximately 350 metres in length from the Mundijong Road intersection subject to conditions, and specifically mentioning that the use of Lightbody Road by oversized vehicles was restricted to livestock carriers only.

The transport industry thought they had a permit to use that section of the road on the advice they received in writing from Council. The issue is that Main Roads WA has not been advised and when contacted, Main Roads confirmed that no record of this had been received from Council.

Council records show that the applicant had been advised however Main Roads had not. Technically speaking there is no permit. Recently heavy haulage officers infringed a road train operator using Lightbody Road and this caused restricted business for the feedlot operator.

This application requests approval from Council to access the feedlots situated approximately 350 metres from the intersection with Mundijong Road.

The applicant seeks Council approval to use multi-combination vehicles up to 27.5 metres to cart stock, grain, hay and general freight delivering goods that are related to the export business.

Please note that the section of Lightbody Road (from Mundijong Road to the feedlots) was bituminised for road train access.

The applicant advises that every six to eight weeks they will transport live cattle from the feedlot to the Fremantle wharf.

Watkins Road and Mundijong Road are part of the route used by livestock trucks and are identified on the 'Notice Roads Network'. Any application to use oversize vehicles on Lightbody Road would require Council consent to obtain a permit issued by Main Roads WA.

A copy of the application is with the attachments marked SCM005.1/09/09.

Sustainability Statement

Effect on Environment: The use of larger combination vehicles reduces the number of truck movements on a road resulting in reduced congestion and reduced fuel use per unit of transported material.

Resource Implications: The use of truck combinations reduces the burning of fossil fuels by increasing the efficiency of material haulage per unit of material.

Social – Quality of Life: The use of larger combination vehicles reduces the total number of trucks on the road, reducing congestion, truck noise and thereby reducing the frequency aspect of ‘truck conflict risk’.

Statutory Environment:

The operation of permit vehicles is controlled by Main Roads Western Australia (MRWA) on the basis of recommendations provided by Council. Road Traffic Act WA, Road Traffic Act Vehicle Standards regulations, MRWA – Concessional Loading Scheme requirements.

Policy/Work Procedure Implications:

Policy ENG06 (B-Double and Long Vehicle Permits) is to be revised.

Financial Implications:

The increased gross combination mass of road trains will result in an increase in road maintenance requirements.

Strategic Implications:

This proposal relates to the following Key Sustainability Result Areas:-

1. People and Community

Objective 1: Good quality of life for all residents

Strategies:

6. Ensure a safe and secure community.

Council's Strategic Objective is to provide and maintain a safe road network and facilitate effective movement of traffic, cyclists, and pedestrian road users on Shire roads.

2. Environment

Objective 1: Protect and repair natural resources and processes throughout the Shire

Strategies:

5. Reduce green house gas emissions.

3. Economic

Objective 1: A vibrant local community

Strategies:

1. Attract and facilitate appropriate industries, commercial activities and employment.

Objective 2: Well developed and maintained infrastructure to support economic growth

Strategies:

1. Improved freight, private and public transport networks.

4. Governance

Objective 3: Compliance to necessary legislation

Strategies:

1. Ensure development and use of infrastructure and land complies with required standards.

Community Consultation:

There has been no community consultation for this proposal.

Comment:

The use of the road by articulated trucks is an alternative transportation option. It will result in additional traffic movements and using combination vehicles has the potential to cause further damage to road surfaces, including verges, especially where there are horizontal

curves along the road. The proposed route was inspected by the Director Engineering and does meet the road train criteria. All applications for multi-combination vehicle use must be submitted to Council for consideration and the officer making the recommendation to Council must undertake a road audit. Due to the applicant's request that the above road be added to the Permit Road Network, the Director Engineering consulted with Main Roads on this application.

Voting Requirements: Simple Majority

SCM005/09/09 COUNCIL DECISION/Officer Recommended Resolution:

Moved Cr Kirkpatrick, seconded Cr Harris

- 1. Council endorses the use of all types of oversize vehicles (up to 27.5 metres in length) to access the feedlots on Lightbody Road.**
- 2. The route approval is for Lightbody Road approximately 0.3km south of Mundijong Road, Mundijong Road to King Road and King Road to Thomas Road.**
- 3. Main Roads WA and the applicant be advised in writing of Council's decision.**

CARRIED 8/1

Cr Price voted against the motion.

9. URGENT BUSINESS:
Nil

10. COUNCILLOR QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN:
Nil

11. CLOSURE:
There being no further business, the meeting closed at 5:09pm.

I certify that these minutes were confirmed at the
Ordinary Council Meeting held on 29 September 2009.

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Presiding Member

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Date