



Ordinary Meeting of Council

MINUTES

14 December 2018

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SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Ordinary Meeting of Council of the Shire of Broomehill - Tambellup held in the Tambellup Council Chambers on Friday 14 December 2018 commencing at 3.06pm.

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:	Cr SJF Thompson	President
	Cr MC Paganoni	Deputy President
	Cr GM Sheridan	
	Cr ME White	
	Cr MC Nazzari	
	Cr KJ Holzknrecht	
	Cr CJ Letter	
	KB Williams	Chief Executive Officer (CEO)
	P Vlahov	Manager of Works
	KP O’Neill	Manager Finance and Assets
	PA Hull	Strategic Support & Projects Officer

Apologies: Nil

Leave of Absence: Nil

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.1 The President welcomed Councillors and Staff and declared the meeting open at 3.06pm.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FOR LEAVE OF ABSENCE

Nil

6. DECLARATION OF INTEREST

Item 11.04: Planning Application Amendment – Lot 2 Nardlah Road, Broomehill

Cr Thompson, Cr Paganoni, Cr Sheridan, Cr White, Cr Holzknacht, Cr Nazzari and Cr Letter have declared in writing, a Financial Interest in Item 11.04.

Cr Thompson has a Proximity Interest as well as a Financial Interest, and will therefore vacate the chair for the decision.

An application has been made to the Minister for Local Government for approval for all seven members to participate in the discussion and decision of Item 11.04.

Approval was granted on 12 December 2018 for Crs Paganoni, Sheridan, Nazzari, White and Letter to participate in the discussion and decision making process for Item 11.04 subject to the following conditions:

- 1. The approval is only valid for the abovementioned item, when it is considered at the Ordinary Council Meeting to be held on 14 December 2018;*
- 2. Councillors Mark Paganoni, Garry Sheridan, Monica Nazzari, White and Carl Letter declare the nature of their interests at the Ordinary Council Meeting of 14 December 2018 when the abovementioned item is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department of Local Government, Sport and Cultural Industries letter advising of the approval to Councillors Mark Paganoni, Garry Sheridan, Monica Nazzari, Michael White and Carl Letter; and*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the Ordinary Council Meeting of 14 December 2018; and*
- 5. The CEO is to provide a copy of the confirmed minutes of the Ordinary Council Meeting of 14 December 2018 to the Department of Local Government, Sport and Cultural Industries to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The above approval relates only to the interests declared by the Councillors on their Declaration Forms provided with the application. Should any other interests be relevant, these will not be covered by the participation approval and the financial interest provisions of the Act would apply.*

Approval was not granted for Cr Scott Thompson and Cr Kelly Holzknacht to participate.

Cr White declared a Financial Interest in Item 11.07

Cr White declared a Financial Interest in Item 11.13

Cr Sheridan declared an Impartiality Interest in Item 11.07

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 15 NOVEMBER 2018

Council Decision: *181201*

Moved Cr Paganoni, seconded Cr Sheridan

“That the Ordinary Meeting of Council Minutes of 15 November 2018 be accepted.”

CARRIED 7/0

9. RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING

Nil

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11. MATTERS FOR DECISION

11.01 FINANCIAL STATEMENTS FOR NOVEMBER 2018

Program:	Other Property and Services	
Attachment:	Monthly Financial Statements for November 2018	
File Ref:	Nil	
Author:	KP O'Neill	Manager Finance and Administration
Date:	7 December 2018	
Disclosure of Interest:	Nil	

Summary: Council to consider the monthly financial report for the period ending 30 November 2018.

Background: The *Local Government (Financial Management) Regulations 1996* require a statement of financial activity to be prepared each month and prescribe the contents of that report and accompanying documents. The report is to be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the report relates.

Each financial year, Council is required to adopt a percentage or value to be used in the statement of financial activity for reporting material variances.

As part of the 2018/19 budget process, Council adopted 10% or \$10,000 as the material variance for reporting purposes for the year.

Comment: Note 2 in the financial statements provides commentary on the material variances shown in the statement of financial activity by reporting program, which is a requirement of the *Local Government (Financial Management) Regulations 1996*.

Receivables - which includes outstanding rates, emergency services levy, pensioner rebates and other 'sundry' debtors - is reported at Note 6. At the end of November approximately 86.17% in rates and charges had been collected.

Note 8 tracks capital grants and contributions, the unspent balance of which is reported as 'Restricted Cash' throughout the financial report.

Capital revenue and expenditure is detailed in Note 12, which includes plant replacement, road construction, building improvements, reserve transfers and loan transactions.

Consultation: Nil

Statutory Environment: *Local Government (Financial Management) Regulations 1996*

34. Financial activity statement report

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

- (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 subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: There are no implications for the Asset Management Plan.

Financial Implications: The report represents the financial position of the Council at the end of the previous month.

Workforce Plan Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Decision: *181202*

Moved Cr Letter, seconded Cr Paganoni

“That the Financial Statement for the period ending 30 November 2018 be adopted.”

CARRIED 7/0

Reason For Change to Recommendation:

11.02	CREDITORS ACCOUNTS PAID NOVEMBER 2018	
Program:	Other Property and Services	
Attachment:	List of Payments for November 2018	
File Ref:	Nil	
Author:	KP O’Neill	Manager Finance and Administration
Date:	7 December 2018	
Disclosure of Interest:	Nil	

Summary: Council to consider the list of payments made from the Municipal and Trust Funds during November 2018.

Background: The *Local Government (Financial Management) Regulations 1996* prescribe that a list of accounts paid under delegated authority by the CEO is to be prepared each month, providing sufficient information to identify the transactions.

The list is to be presented to the Council at the next ordinary meeting after the list is prepared and recorded in the minutes of that meeting.

Comment: Summary of payments made for the month:-

Municipal Fund	\$1,106,359.76
Trust Fund	\$250.00
Credit Cards	\$2,700.97
Total	\$1,109,310.73

Consultation: Nil

Statutory Environment: *Local Government (Financial Management) Regulations 1996*

13. Lists of accounts

- (1) If the local government has delegated authority 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.*

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: There are no implications for the Asset Management Plan.

Financial

Implications: Lists the payments made from Municipal and Trust Funds during the previous month.

Workforce Plan

Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Decision: *181203*

Moved Cr Holzknecht, seconded Cr Sheridan

That the list of accounts paid during November 2018, consisting of –

- Municipal Fund cheque, EFT and direct debit payments totalling \$1,106,359.76;*
- Trust Fund cheque payments totalling \$250.00; and*
- Credit Card payments totalling \$2,700.97.*

be endorsed.”

CARRIED 7/0

Reason For Change to Recommendation:

11.03 ELECTION OF COUNCILLOR TO TAMBELLUP BUSINESS CENTRE COMMITTEE

Program:	Governance	
Attachment:	Nil	
File Ref:	ADM0109	
Author:	KB Williams	Chief Executive Officer
Date:	23 November 2018	
Disclosure of Interest:	Nil	

Summary: Council is required to elect members to Advisory and Occasional Committees.

Background: There are a number of Advisory and Occasional Committees that the Council provide one or more delegates to.

Cr Garry Sheridan was nominated the Shire of Broomehill-Tambellup Delegate to the Tambellup Business Centre Committee in October 2017 at a Special Meeting of Council. Cr Monica Nazzari was nominated the Proxy to this Committee.

Cr Sheridan would like to step down from this role and Cr Monica Nazzari is willing to take on the position as Delegate to replace Cr Sheridan.

Comment: For Council decision

Consultation: Nil

Statutory Environment: *Local Government Act 1995 sec 5.8*

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: There are no asset management implications for Council

Financial Implications: There are no financial implications for Council.

Workforce Plan Implications: Nil

Voting Requirements: Simple Majority

Officer

Recommendation: *“That Council nominates Cr Monica Nazzari as the Delegate to the Tambellup Business Centre Committee to replace Cr Garry Sheridan and sends correspondence to the Tambellup Business Centre to communicate this change.”*

Council Decision: **181204**

Moved Cr Paganoni, seconded Cr White

“That Council:

- Nominates Cr Monica Nazzari as the Delegate to the Tambellup Business Centre Committee to replace Cr Garry Sheridan*
- Nominates Cr Carl Letter as Proxy*
- Sends correspondence to the Tambellup Business Centre to communicate this change.”*

CARRIED 7/0

Reason For Change to Recommendation:

To include Council’s nomination of a Proxy as well as a Delegate to the Tambellup Business Centre.

11.04 PLANNING APPLICATION AMENDMENT – LOT 2 NARDLAH ROAD, BROOMEHILL

Program: Planning

Attachment:

- **Site Development Plan**
- **Construction Detail Plan**
- **Extract from Stormwater Management Plan**

File Ref: ADM0284 & A6042

Author: KB Williams Chief Executive Officer

Date: 29 November 2018

Disclosure of Interest: Crs Thompson, Paganoni, Sheridan, Holzkecht, Nazzari, White and Letter have declared a Financial Interest in this matter.

In order to maintain a quorum the declarations have been forwarded to the Minister for Local Government to seek ‘approval to participate’ for each of the Councillors.

Councillor Thompson has a Proximity Interest as well as a Financial Interest, and will not seek consent to participate, and will therefore vacate the chair for the decision.

Ministerial approval was not granted for Cr Thompson and Cr Holzkecht to participate.

Shire President, Cr Thompson, vacated the Chair due to his Interests in this Item and left the meeting at 3.17pm.

Cr Holzkecht left the meeting at 3.17pm due to her Interest in this Item.

Deputy President, Cr Paganoni, assumed the Chair at 3.17pm.

Summary: An application for two open bulkheads for grain storage at Lot 2 Nardlah Road, Broomehill was approved at the November 2018 Ordinary meeting of Council.

Cooperative Bulk Handling (CBH) have submitted an application seeking an amendment to the approved development.

This report recommends that a new approval be granted.

Background: Lot 2 Nardlah Road is located between the Great Southern Highway and Nardlah Road, and is owned by CBH Limited.

Expansion of CBH’s grain storage capacity has occurred through a series of approvals on Lot 2 and Lot 4 Nardlah Road over several years. Six existing bulkhead storage bins have been constructed on Lot 2, along with peripheral machinery such as conveyors and hoppers.

Drainage basins have also been constructed.

Temporary planning consent was granted for two bulkheads that have since been constructed on Lot 4, Nardlah Road, Broomehill. An extension to the approval of the use of Lot 4 for this purpose was granted at the November 2018 meeting of Council.

At this meeting approval was also granted for the use and development of Lot 2 Nardlah road for two open bulkheads.

An application has been submitted seeking an amendment to the approval granted to the two open bulkheads.

All of the approved and proposed bulkheads are shown on the submitted plans attached.

Comment:

Zoning

The subject lots are zoned ‘Farming’ under the Shire of Broomehill Town Planning Scheme No 1 (‘the Scheme’).

A ‘Rural Industry’ is permitted in Farming zone under the Scheme *‘provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent.’*

A ‘Rural Industry’ is defined in the Scheme as *‘means an industry handling, treating, processing, or packing primary products grown, reared, produced, or used in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality’.*

The proposed use and development is consistent with Scheme provisions.

Description of Application

The applicant lodged an application on the 7 November 2018 seeking consent for an additional two open bulkhead grain storage units.

The units will be comprised of 1.8 metre high wall frames, 315 metres long and 35 metres wide, providing a storage capacity of 37,800 tonnes each.

Both bulkheads will be constructed on new bitumen sealed hardstand areas, with associated driveways for vehicle access.

The new bulkheads will bring the total number of bulkheads to 10 across the whole site, although the two bulkheads on Lot 4 are approved for a finite period of time.

The proposed bulkheads are 65 metres longer than the approved bulkheads, providing an extra 7,800 tonnes for each bulkhead.

Buffers and Land Use Compatibility

It is desirable from a planning perspective to avoid locating uses near one another where there is potential for conflict or impact on amenity.

The Environmental Protection Authority has ‘Guidance for the assessment of environmental factors – separation distances between Industrial and Sensitive Land Uses’ (‘EPA Guidelines’). The EPA Guidelines recommend a buffer of 500 metres between any grain elevator and sensitive land use.

CBH lodged an aerial in 2011 which showed a 500 metre buffer measured from the centre of the bulkheads.

The Council needs to be mindful of the buffer and ensure it is taken into consideration when dealing with development in the surrounding area.

Dust Management Plan

CBH have submitted a Dust Management Plan for the proposed construction of the two new bulkheads. Compliance with the Dust Management Plan is a requirement of the development.

Stormwater Management Plan

CBH have commissioned a consultant to prepare a Stormwater Management Plan for the bulkhead expansion program. The assessment includes pre and post-development stormwater flow and volume calculations. One of the existing stormwater basins will be expanded to accommodate additional capacity.

This report concludes that with minor changes the existing basins can accommodate additional stormwater flow generated by the increased hardstand area. The submitted report indicates the modified basin, however, development plans have not included this modification. In discussion with CBH it has been agreed to condition the approval to require basins that comply with the Stormwater Management Plan, in the absence of updated development plans.

Councils current Scheme does not provide any capacity to amend a development approval. However, the Planning and Development (Local Planning Schemes) Regulations 2015 allows for Council to amend or revoke development approvals, or any conditions included in approvals.

These provisions are ‘deemed to comply’ provisions, and act as de-facto Scheme provisions.

Council therefore has the capacity to amend a planning approval.

It is recommended that the application for an amendment to the Planning Consent to develop two bulkheads on Lot 2 be approved with conditions.

Consultation: Council has the ability to advertise any application under the Scheme. No consultation has been undertaken.

Statutory

Environment: Shire of Broomehill Town Planning Scheme No 1
Planning and Development Regulations 2015

Policy Implications: Nil

Strategic

Implications: The buffer to CBH should be taken into account for strategic planning.

Asset Management

Implications: There are no asset management implications for Council

Financial

Implications: Planning application fees of \$6697.73 were paid under the original application. The increase in development costs between the approved development and the amended development has been charged for the amended development. This equates to \$4556.41.

Workforce Plan

Implications: There are no workforce plan implications.

Voting Requirements: Simple Majority

Council Decision: 181205

Moved Cr White, seconded Cr Sheridan

“That Council

- A. Pursuant to the Planning and Development Act 2005, Planning and Development Regulations (Local Planning Schemes) 2015 and Local Planning Scheme No 1 hereby amends the Planning Consent issued to Cooperative Bulk Handling Limited for the proposed development of two (2) grain storage bulkheads at Lot 2 Nardlah Road, Broomehill, subject to the following conditions:*
- 1. The term of this approval is limited and expires 12 months from the date of this planning consent;*
 - 2. All development shall be in accordance with the submitted plans;*
 - 3. Stormwater Basin ‘B’ shall be increased in capacity in accordance with the submitted Stormwater Management Plan to ensure compliance with this plan;*
 - 4. The construction of the bulkheads shall be undertaken in accordance with a Dust Management Plan; and*
 - 5. No materials shall be removed from the site without an agreement with the Shire of Broomehill-Tambellup Chief Executive Officer on where the materials will be relocated to.*
- B. Cooperative Bulk Handling be requested to contribute towards the maintenance of the road identified as Darcy Street, Broomehill, for the period that the open bulkheads on Lot 4 Nardlah Road remain in use and operation.”*

CARRIED 5/0

Reason For Change to Recommendation:

Cr Thompson and Cr Holzknacht returned to the meeting at 3.20pm.

Cr Paganoni informed the elected members of Council Decision on Item 11.04.

Cr Paganoni vacated the Chair and Cr Thompson resumed the Chair at 3.20pm.

11.05 PROPOSED CARPORT: LOT 542 (4) REILLY ROAD, BROOMEHILL

Program: Planning

Attachment:

- Front & Back Elevations
- Site Plan
- Carport and shed

File Ref: A4070

Author: KB Williams Chief Executive Officer

Date: 05 December 2018

Disclosure of Interest: Nil

Summary: For Council to consider an application for a carport and shed to be developed at Lot 542 (4) Reilly, Broomehill.

Background: An application for the development of a double carport with small storage was received on 05 December 2018.

The proposed development consists of a 7.00 x 6.00 metre metal carport and storage shed with a floor area of 42.00 square metres.

The carport is located near an existing dwelling located on the property.

The carport and shed is constructed of a metal frame with corrugated metal sheet cladding.

Comment: Zoning

The subject lot is zoned for ‘Special Rural’ land uses under the Shire of Broomehill Local Planning Scheme No 1 (‘the Scheme’).

Description of Application

The applicant is seeking a planning approval to develop a carport and shed.

Relevant Scheme Provisions

Clause 5.1 of the Scheme Requires development Consent for all development:

5.1 DEVELOPMENT OF LAND

5.1.1 Subject to clause 5.1.2 a person shall not commence or carry out development of any land zoned under the Scheme without first having applied for and obtained the planning consent of the Council under the Scheme.

Single Dwellings and associated outbuildings are normally exempt under the Scheme, however, Clause 5.12.5(b) requires that all development in the Special Rural zone requires the consent of Council.

The proposed carport and storage shed complies with all of the development standards of the Scheme, including the setbacks. The nearest boundary is a

side boundary 20 metres from the proposed carport and storage shed. Side setbacks are required to be 10 metres under the Scheme.

It is considered that the proposed use and development is consistent with the Scheme objectives and can be approved with conditions.

Consultation: No consultation is required under the Planning Scheme.

Statutory Environment: Shire of Broomehill Town Planning Scheme No 1.

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: There are no asset management implications for Council

Financial Implications: The applicant has paid the planning fee of \$147.00

Workforce Plan Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Council Decision: *181206*

Moved Cr White, seconded Cr Letter

“That Council Pursuant to the Planning and Development Act 2005 and Local Planning Scheme No 1 hereby Grants Planning Consent to C. McAndrew for the proposed development of a carport at Lot 542, House Number 4 Reilly Road Broomehill, subject to the following condition:

- 1. The term of this approval is limited and expires 2 years from the date of the determination of the application or within any extended period of time for which the Shire of Broomehill-Tambellup has granted written consent.”*

CARRIED 7/0

Reason For Change to Recommendation:

11.06 PROPOSED SUBDIVISION: LOTS NO 2, 4367 & 332 PUNCHMIRUP NORTH ROAD, BROOMEHILL WEST (WAPC REFERENCE: 157400)

Program: Planning
Attachment: • **Proposed Subdivision Plan**
File Ref: S157400
Author: KB Williams Chief Executive Officer
Date: 04 December 2018
Disclosure of Interest: Nil

Summary: An application has been lodged with the Western Australian Planning Commission (WAPC) to subdivide lots 2, 332 and 4367 into three new lots.

The WAPC has referred the application to the Shire for a recommendation and comments.

It is recommended that the Shire recommend that the application be conditionally approved by the WAPC.

Background: Lots No 2, 332 and 4367 Punchmirup North Road (“the Lots”) are zoned ‘Farming’ under the Shire of Broomehill Town Planning Scheme No 1 (‘the Scheme’).

An application to subdivide these lots was previously approved by the WAPC in 2015 under subdivision application 151333. Council supported the application when originally submitted.

This application expired as the applicant did not finalise the subdivision prior to the expiration of the approval.

Comment: Subdivision applications are approved for a period of three years, with the subdivision processes being required to be completed within this period. Where a subdivision has not been ‘substantially commenced’ within the three year period, re-approval is required.

Subdivision 151333 expired in March 2018 without being substantially commenced. The owner has subsequently lodged a new application.

The new application is exactly the same as the previous application. Accordingly, it is recommended that Council recommend to the WAPC that the new application be approved.

Consultation: Consultation has been conducted by the WAPC.

Statutory Environment: *Planning and Development Act 2005.*
 State Planning Policy 2.5- Rural and Agricultural Land Use.
 Shire of Broomehill Town Planning Scheme No 1.

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: This issue has no asset management implications for Council

Financial Implications: There are no financial implications for Council

Workforce Plan Implications: This issue has no workforce plan implications for Council

Voting Requirements: Simple Majority

Council Decision: *181207*

Moved Cr White, seconded Cr Nazzari

“That Council advise the Western Australian Planning Commission that it supports the approval of subdivision application 157400 to subdivide Lots 2, 4367 and 332 Punchmirup Road, Broomehill West, subject to the same conditions granted under previous Approval 151533”.

CARRIED 7/0

Reason For Change to Recommendation:

11.07 PLANNING APPLICATION – LOT 2535 PAUL VALLEY ROAD, TAMBELLUP

Program:	Community Amenities
Attachment:	Site Plan
File Ref:	A927
Author:	KB Williams Chief Executive Officer
Date:	7 December 2018
Disclosure of Interest:	Cr White declared a Financial Interest in this Item as he conducts business dealings with the Applicant and left the meeting at 3.22pm. Cr Sheridan declared an Impartiality Interest in this Item as a relative of the applicant.

Summary: Council to consider an application for the development of a machinery shed on Lot 2535 Paul Valley Road, Tambellup.

This report recommends that approval be granted, subject to conditions.

Background: An application for the development of a machinery shed was received on 7 December 2018. The application was submitted by GR, CS and RG Brown. The application fees were paid on 7 December 2018.

Comment: Description of Application

The applicant is seeking a planning approval to develop a freestanding shed on farmland. The proposed shed will measure 40 x 24 metres and 6 metres in height. The shed will be used for storage of machinery and will be constructed of metal.

Relevant Scheme Provisions

Zoning

The subject lot is zoned 'Farming' under the Shire of Tambellup Town Planning Scheme No 2 ('the Scheme').

Single Dwellings and ancillary outbuildings are exempt from Planning Consent; however, the proposed sheds are not ancillary to the dwelling/s located on the property.

Development Standards:

The Scheme contains the following setback provisions relevant to the application:

6.6.2 Site Requirements: The following minimum building setbacks shall apply:

Front : 20.0m

Rear : 15.0m

Side : 15.0m

The shed complies with the development standards.

The proposed shed is located outside of a Bushfire Prone Area and does not require a Bushfire Attack Level (BAL) assessment.

Council is about to commence a review of the Planning Scheme. During the review Council can consider whether an exemption for sheds on farming properties could be implemented, and under what criteria.

The application is recommended for approval with conditions.

Consultation: Council has the ability to advertise any application under the Scheme. Advertising of the application is not considered relevant. No consultation has occurred.

Statutory

Environment: Shire of Tambellup Town Planning Scheme No. 2

Policy Implications: There is no policy applicable to this item.

Strategic

Implications: This issue is not dealt with in the Plan

Asset Management

Implications: There are no implications for the Asset Management Plan.

Financial

Implications: Planning Application fees have been paid.

Workforce Plan

Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Decision: 181208

Moved Cr Holzknacht, seconded Cr Paganoni

“That Council grants planning consent to the application lodged by GR, CS and RG Brown for the use and development of a machinery shed at Lot 2535 Paul Valley Road Tambellup, subject to the following conditions:

- 1. The term of this approval is limited and expires 24 months from the date of this planning consent.”*

CARRIED 6/0

Reason For Change to Recommendation:

Cr White returned to the meeting at 3.25pm.

11.08 LIONS CANCER INSTITUTE – REQUEST FOR SUPPORT	
Program:	Education and Welfare
Attachment:	Incoming Correspondence
File Ref:	ADM0061
Author:	KP O’Neill Manager Finance & Administration
Date:	15 November 2018
Disclosure of Interest:	Nil

Summary: Council to consider a request from the Lions Cancer Institute for a contribution to the ‘Special Children’s Christmas Big Day Out’ to be held on 22 December 2018.

Background: The Lions Cancer Institute is seeking support for their annual event, which this year is being held as a Christmas event.

The ‘Special Children’s Christmas Big Day Out’ is a day provided to cancer, terminally ill and special needs children and is made possible through contributions from sponsors. They have identified there are twenty children eligible to attend the event from the Shire of Broomehill-Tambellup.

Their correspondence also states that funds raised from this event will also support the free Mobile Cancer Screening Unit which is a free service that travels around WA and is available to all members of the public.

Comment: Council has previously supported the Lions Cancer Institute and made a contribution of \$1,000 towards their event last year.

Provision for donations is included in the annual budget. No significant donations have been made in this financial year, and a contribution would be funded from this line item.

The proposed event is considered a worthy cause.

Consultation: Chief Executive Officer

Statutory Environment: Nil

Policy Implications: There is no policy applicable to this item.

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: There are no asset management implications for Council

Financial Implications: Provision of \$5,000 has been included in the annual budget for Donations. No significant donations have been requested or made in the current financial year, and there is \$4,000 available from this allocation.

Workforce Plan

Implications: There are no implications for the Workforce Plan.

Voting Requirements:

Simple Majority

Council Decision: *181209*

Moved Cr Holzknacht, seconded Cr Paganoni

“That Council makes a contribution of \$500 towards the Lions Cancer Institute “Special Children’s Christmas Big Day Out”.

CARRIED 7/0

**Reason For Change
to Recommendation:**

11.09 INTEGRATED PLANNING – STRATEGIC COMMUNITY PLAN 2018-2028

Program:	Governance	
Attachment:	<ul style="list-style-type: none"> • Draft Strategic Community Plan 2018-2028 • Community feedback 	
File Ref:	ADM0382	
Author:	PA Hull	Strategic Support & Projects Officer
Date:	03 December 2018	
Disclosure of Interest:	Nil	

Summary: Council to adopt the Strategic Community Plan 2018-2028.

Background: As part of the Integrated Planning process, Council is required to develop a Strategic Community Plan.

The Strategic Community Plan states the community's long term (10+ years) vision, values, aspirations and priorities with consideration to Councils other documented plans and resourcing capabilities.

Its purpose is to drive the development of Councils Corporate Business Plan, Long Term Financial Plan, annual budgets, place-based plans, issue-based strategies, and other Local Government informing strategies (such as Workforce Plan, Asset Management Plan).

The Strategic Community Plan is developed in consultation with the community, and is subject to a minor review after two years, and a full review after four years. Progress towards outcomes from the Plan is reported to the community each year in Council's Annual Report.

Council considered the draft Strategic Community Plan 2018-2028 at the October Ordinary meeting, and resolved to advertise the document for public comment for a four week period ending 30 November 2018.

Comment: The Strategic Community Plan public comment period was advertised through the Shire's website and Topics, and copies of the Plan were available at both Administration offices and the Tambellup CRC. Copies were also provided to those members of the community who, during participation in the consultation process, had requested further information.

Three submissions were received during the comment period, with feedback as attached. The comments are presented for Council's information and discussion, and will be considered in the development of the Corporate Business Plan.

All feedback received during the process will be retained on file, in the event opportunities present that allow suggestions and ideas to be implemented or progressed.

Consultation: Broomehill-Tambellup community

Statutory

Environment:

Local Government Act 1995 S5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

Part 5 Div. 3 Reg. 19C Strategic community plans, requirements for

Part 5 Div. 3 Reg. 19D Adoption of plan, public notice of to be given

Policy Implications:

Council Policy 1.15 – Community Engagement

Strategic

Implications:

The Strategic Community Plan will provide direction for Council in the long term (10+ years). It will work in conjunction with other Council plans, including the Workforce Plan, Asset Management Plan, and Long Term Financial Plan and will ultimately assist with the annual budget process.

Asset Management

Implications:

The Community Strategic Plan sets out the community’s expectations in relation to management of Councils assets.

Financial

Implications:

Costs relating to the progress and achievement of Strategic Community Plan objectives will be factored into the Long Term Financial Plan and the annual budget.

Workforce Plan

Implications:

Workforce resourcing required to achieve the outcomes of the Strategic Community Plan will be factored into the Long Term Financial Plan and the annual budget.

Voting Requirements:

Absolute Majority

Council Decision:

181210

Moved Cr Sheridan, seconded Cr Letter

“That Council adopts the Strategic Community Plan 2018-2028 as presented.”

CARRIED 7/0
By Absolute Majority

Reason For Change to Recommendation:

11.10 TAMBELLUP COMMUNITY PAVILION – CONSTRUCTION OF PLAYGROUND

Program:	Recreation and Culture	
Attachment:	Pavilion playground concept plan	
File Ref:	ADM0508	
Author:	PA Hull	Strategic Support & Projects Officer
Date:	4 December 2018	
Disclosure of Interest:	Nil	

Summary: Council to approve the construction of a playground at the Tambellup Community Pavilion.

Background: The Tambellup Community Pavilion Association Inc. (TCPA) is keen to develop a playground at the Pavilion, and seeks Council's support for the proposal and approval to proceed.

A play area was incorporated into the design of the new facilities, and this area has been retained and filled with sand, however it is considered the area is not large enough to allow for a structure and free play areas combined. The TCPA intends to develop a playground based on nature play themes, within the sand area, adjacent to the changerooms and along the oval embankment. Quotes for the construction of two bespoke timber structures have been sourced, and other elements such as a slide and various climbing installations have been included in the design. A concept sketch has been developed and is attached for Council's consideration. Tracy Blaszkow from KidSafe WA has inspected the site, and has provided advice on the elements that are proposed to be included to ensure they are suitable.

As can be seen in the concept sketch, the proposed playground area extends beyond the sand area, into the garden area adjacent to the change rooms, along the north side path and down the embankment to the grass. The slide and climbing elements set into the embankment will be set back far enough and on sufficient angle to ensure that users will not be within the vicinity of sporting fields marked on the oval. The TCPA has provided the concept sketch to each of the clubs for consideration and feedback, and has received general consensus for the proposal

The TCPA will be seeking funding contributions from member clubs of the Association, and may also submit an application to Lotterywest once final costings have been determined. The TCPA may seek support from the Shire, by way of supply of natural elements (rocks, logs), and use of Shire staff and plant and equipment to assist in placing these within the playground area. The extent of this support required is not yet known. TCPA members have committed to ensuring the majority of the works required are carried out by volunteers from the community to increase ownership.

Comment: The proposal as presented has been developed with considerable input from parents of young children, as well as KidSafe WA.

The lease between the TCPA and Council for the management of the facility states that the TCPA should not make any alteration or additions to the premises without Council's consent.

It is considered the project is worthy of Council's support and approval should be granted to allow the TCPA to continue planning and implementation.

Consultation: Tambellup Community Pavilion Association Inc.
Chief Executive Officer
Tracy Blaszkow – KidSafe WA

Statutory Environment: Nil

Policy Implications: Nil

Strategic Implications: **Key Result Area 1: Our People**
1.2 Our community has services and facilities that meet our needs and expectations:
1.2.2 Provide and promote accessible services and facilities for youth

Asset Management Implications: The infrastructure installed in the playground will form part of Council's assets and will be subject to scheduled inspection and maintenance along with other playgrounds in the Shire.

Financial Implications: Nil at this time. Once the playground design and external funding requirements are confirmed Council may be requested to contribute in kind through supply of natural elements and use of plant and equipment.

Workforce Plan Implications: There are no implications on the workforce plan.

Pam Hull left the meeting at 3.41pm.
Cr White left the meeting at 3.42pm.
Pam Hull returned to the meeting at 3.43pm.

Voting Requirements: Simple Majority

Council Decision: *181211*

Moved Cr Paganoni, seconded Cr Nazzari

“That Council grants permission to the Tambellup Community Pavilion Association Inc. for the construction of a playground at the Tambellup Community Pavilion as depicted in the concept sketch provided.”

CARRIED 6/0

Reason For Change to Recommendation:

11.11**WORKS REPORT FOR DECEMBER 2018**

Program:	Transport	
Attachment:	Plant Maintenance Report – November 2018	
File Ref:	Nil	
Author:	P Vlahov	Manager of Works
Date:	04 December 2018	
Disclosure of Interest:	Nil	

Summary: Council to consider the Manager of Works Report for December 2018.

Background: The Manager of Works Report is provided for Council's information.

Comment: **Programmed Construction Works**

- The Pallinup South Road project is now ready to be mixed, compacted and sealed. This will commence after the Christmas break.
- The Warrenup Road reconstruction project has had the culverts replaced, clearing works completed and gravel sheeting is now in progress. This project will be mixed, compacted and sealed after the Christmas break.
- Footpath construction is in progress on Garrity Street Tambellup and will be ready for asphalt early in 2019.
- Asphalt work will be completed on the Tambellup West Road at the same time as the Garrity Street footpath works.
- Line marking will be completed on the Broomehill-Kojonup Road, Tambellup West Road and the Gnowangerup-Tambellup Road before the 7th December 2018.

Plant Replacement

- Quotes are being sourced for the maintenance truck replacement as per plant replacement program 2018/19.
- Two utilities have been exchanged.

Maintenance Works

- Grading various roads
- Pot-hole patching
- Gravel has been pushed and stockpiled for the WANDRRA works
- General maintenance
- Various fallen trees
- Signage maintenance
- Guide posting maintenance
- Boundary markers have been manufactured and are now being installed
- Repairs to various town streets
- Assisted with various garden operations and various construction jobs
- Roadside verge spraying has been completed on all sealed roads
- Various items as required

Building Maintenance

- Various minor repairs at shire owned properties
- Erected new fence at 1 Janis Street

Occupational Health and Safety

- The construction utility was damaged when the loader reversed into it
- One minor near miss

Parks and Gardens

- Reticulation repairs and start up trials
- Oval mowing
- General mowing
- Pruning
- Mulching
- Extensive mowing in the Broomehill townsite area

Workshop

- Minor repairs and servicing
- Assisted with various building maintenance tasks
- Assisted with plant replacement
- Replaced injectors and injector pump on the oldest grader
- Various repairs to the Mack truck and trailer

For Council discussion and comment.

Consultation: Nil

Statutory Environment: *Local Government Act 1995*

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: There are no asset management implications for Council

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Council Decision: **181212**

Moved Cr Nazzari, seconded Cr Paganoni

“That Council receives the report from the Manager of Works for the month of December 2018.”

CARRIED 7/0

**Reason For Change to
Recommendation:**

Cr White returned to the meeting at 3.47pm.

11.12 PLANT REPLACEMENT - TRUCK	
Program:	Transport
Attachment:	Confidential – Analysis of quotations received and Specifications for new Medium Tip Truck
File Ref:	ADM0303 & PTT23
Author:	P Vlahov Manager of Works
Date:	10 December 2018
Disclosure of Interest:	Nil

Summary: Quotes have been received for Councils new medium tipping truck. (See attached quotations).

Background: Council's 2018/19 budget has made provision to replace its medium tipping truck (TA017), which is mainly utilized as part of the road maintenance fleet.

Council requested quotes from Isuzu Albany, Mitsubishi and WA Hino, as these brands supply trucks that most suit the purpose and price range of this type of vehicle.

Quotations were received from Isuzu Albany and WA Hino.

The budget allocated for the purchase of this truck is \$95,000 excluding GST and including the trade in or outright purchase of TA017.

Comment: After analysis of the quotations by the Manager of Works and other relevant staff it has been recommended that council purchase the Isuzu. The truck's side tipping body and toolbox will be constructed by Elite Steel Fabrication of Albany. (See attached quotations). A Crane is also intended to be purchased and fitted.

Council's fleet includes other Isuzu trucks and has therefore been dealing with Albany Isuzu for several years. Having a dealership and service centre based in Albany is advantageous to council. Fuel and oil filters etc. can be ordered in a more cost effect manner if the small truck fleet is all one brand.

Consultation: Consultation has been undertaken with the companies involved in quoting for the replacement.

Statutory Environment: *Local Government Act 1995*
Local Government (Functions and General) Regulations 1996

Policy Implications: Nil

Strategic Implications: Nil

Asset Management Implications: There are no asset management implications for Council

Financial**Implications:**

Council’s budget for the replacement of TA017 is \$95,000 excluding GST (\$104,500 including GST).

The cost of the replacement of truck TA017 \$81,408.80, including GST for the cab chassis. This price includes \$35,000 trade in including GST for the current asset, bringing the cost payable to \$46,408.80 including GST.

The cost of body works will be \$35,000 and a crane is a further \$9,000, both including GST.

The total changeover cost to Council including body building and crane will be \$90,408.80 including GST, a saving of nearly \$10,000 on the budgeted replacement cost.

Workforce Plan**Implications:**

There are no workforce plan implications

Voting Requirements: Simple Majority

Council Decision: *181213*

Moved Cr Sheridan, seconded Cr Paganoni

“That Council:

- 1. Accepts the quote from Albany Isuzu for the purchase of one Isuzu 260 truck 2019 model for the changeover price of \$46,408.80 including GST.*
- 2. Accepts the quote from Elite Steel Fabrication to install the body as specified for the quoted price of \$35,000.00 including GST.*
- 3. Accepts the quote from Elite Steel Fabrication to install a crane as specified for the quoted price of \$9,000 including GST.”*

CARRIED 7/0

Reason For Change to Recommendation:

Council Decision: *181214*

Moved Cr White, seconded Cr Paganoni

“That Council discuss and vote on Late Item 11.13 – Proposed Dwelling: Lot 253 Broomehill-Gnowangerup Road, Broomehill East.”

CARRIED 7/0

11.13	PROPOSED DWELLING: LOT 253 BROOMEHILL-GNOWANGERUP ROAD, BROOMEHILL EAST
Program:	Planning
Attachment:	<ul style="list-style-type: none"> • Front & Back Elevations • Site Plans • Floor Plan
File Ref:	A6011
Author:	KB Williams Chief Executive Officer
Date:	14 December 2018
Disclosure of Interest:	Cr White declared a Financial Interest in this Item as he conducts Business and Financial Dealings with the Applicant and left the meeting at 3.58pm.

Summary: For Council to consider an application for a Caretakers Dwelling to be developed at Lot 253 Broomehill-Gnowangerup Road, Broomehill East.

Background: An application for the development of a Caretakers Dwelling was received on 13 December 2018.

The proposed development consists of a three bedroom two bathroom dwelling. The dwelling is transportable and will be constructed off site and installed on site.

The dwelling will be constructed with a metal frame and will be clad in corrugated metal and composite panels. The roof will be clad in corrugated metal.

There are five existing dwellings located on the property.

Comment: Zoning

The subject lot is zoned for 'Farming' land uses under the Shire of Broomehill Local Planning Scheme No 1 ('the Scheme').

Description of Application

The applicant is seeking a planning approval to develop a three bedroom two bathroom Caretakers Dwelling.

Relevant Scheme Provisions

Clause 5.1 of the Scheme Requires development Consent for all development:

5.1 DEVELOPMENT OF LAND

5.1.1 Subject to clause 5.1.2 a person shall not commence or carry out development of any land zoned under the Scheme without first having applied for and obtained the planning consent of the Council under the Scheme.

The proposed dwelling is intended to be used for accommodation for farm workers on the property. The definition of a Caretakers Dwelling under ‘Schedule 1 - Interpretations’ of the Scheme is as follows:

Caretaker's Dwelling: means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.

A Caretakers Dwelling is an AA use under the Zoning Table (Table 1) of the Scheme and consequently requires Council Approval.

In normal circumstances only two dwellings can be approved in the Farming zone:

5.13.2 Dwellings in the Farming Zone:

- a) *notwithstanding anything elsewhere appearing in the Scheme, within the Farming Zone the Council may permit the erection of not more than two dwellings per lot for private residential purposes associated with farm management of the lot.*
- b) *where the Council is satisfied that justification exists for agricultural or farm management purposes the Council may permit more than two dwellings on one property.*

The subject property is part of a significant land holding and also includes an approved rural industry, being an animal feed production plant. The applicant has confirmed that the dwelling is required for accommodation of workers in the feed plant.

Applicable setbacks in the Scheme are:

Front: 15 metres
Rear and Side: 10 metres

With setbacks of over 1000 metres, the proposed development complies with all setback requirements of the Scheme.

It is considered that the proposed use and development is consistent with the Scheme objectives and can be approved with conditions.

Consultation: No consultation is required under the Planning Scheme.

Statutory Environment: Shire of Broomehill Town Planning Scheme No 1.

Policy Implications: Nil

Strategic Implications: This issue is not dealt with in the Plan

Asset Management Implications: There are no asset management implications for Council

Financial

Implications: The applicant has paid the planning fees as prescribed by Councils Schedule of Fees and Charges.

Workforce Plan

Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Council Decision: 181215

Moved Cr Nazzari, seconded Cr Paganoni

“That Council Pursuant to the Planning and Development Act 2005 and Local Planning Scheme No 1 considers that there is sufficient justification to approve the application for planning approval as per Clause 5.13.2(b) and hereby Grants Planning Consent to T R Homes for the proposed use and development of a Caretakers Dwelling on Lot 253 Broomehill-Gnowangerup Road, Broomehill East, subject to the following condition:

- 1. The term of this approval is limited and expires 2 years from the date of the determination of the application or within any extended period of time for which the Shire of Broomehill-Tambellup has granted written consent.*
- 2. The use of the dwelling shall at all times comply with the definition of a Caretakers Dwelling under Local Planning Scheme 1 ‘Schedule 1 - Interpretations’.”*

CARRIED 6/0

Reason For Change to Recommendation:

Cr White returned to the meeting at 4.00pm.

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

Nil

14. DATE OF NEXT MEETING

21 February 2019

15. CLOSURE

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 4.01pm.