



MINUTES

Ordinary Council Meeting

15 February 2024

**SHIRE OF BROOMEHILL-TAMBELLUP
NOTICE OF MEETING**

**An Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup was held
in the Tambellup Council Chambers 46-48 Norrish Street, Tambellup
on 15 February 2024 commencing at 4.30pm.**



**Karen Callaghan
Chief Executive Officer**

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This document is available in other formats on request for people with disability.

Strategic Community Plan 2023-2033

'People Power'

Community Vision *a region driven by community spirit*

Broomehill-Tambellup Point-of-Difference

By Dec 2026 we have;

1. A Distinct BT Brand

- 1.1 BT identity
- 1.2 BT brand spotlight
- 1.3 BT storytelling and communications
- 1.4 BT piggy-back brand

2. A United Community

- 2.1 BT well-being and safety
- 2.2 BT volunteering
- 2.3 BT community creativity

3. An Appreciated Culture

- 3.1 BT community reconciliation
- 3.2 BT history appreciation
- 3.3 BT 'Open to All' campaign
- 3.4 'Colour BT'
- 3.5 BT recreation

Broomehill-Tambellup Economy

By Dec 2026 we have;

4. Versatile Accommodation

- 4.1 Broomehill short-stay accommodation renewal
- 4.2 Tambellup short-stay accommodation development
- 4.3 BT quality house and land options
- 4.4 BT accommodation-of-the-future project

5. Healthy Existing Businesses

- 5.1 BT telecommunications
- 5.2 BT BEC activation
- 5.3 BT business support
- 5.4 T school maximisation

6. Attracted New Businesses

- 6.1 BT trade incentive
- 6.2 BT Noongar business development
- 6.3 BT visitation stopover services
- 6.4 BT new business

Broomehill-Tambellup Lifestyle

By Dec 2026 we have;

7. Celebrated Natural Environments

- 7.1 Gordon River advancement
- 7.2 Indigenous significance sites
- 7.3 Boot Rock Reserve
- 7.4 Tambellup Water Reserve

8. Enjoyed Built Environments

- 8.1. Broomehill Heritage Precinct renewal
- 8.2 Tambellup Railway Precinct development
- 8.3 Tambellup Civic and Community Precinct exploration

9. Unique BT Interactions

- 9.1 Anytime trails and adventure
- 9.2 Anytime gardens, parks and play
- 9.3 Community shared experiences

SoBT Shire Support

By Dec 2026 we have;

10. Grown Shire Leadership

- 10.1 SoBT community engagement program
- 10.2 SoBT community training and development
- 10.3 SoBT contribution to environment
- 10.4 SoBT workforce development

11. Delivered Shire Trust and Performance

- 11.1 SoBT monitoring and reporting
- 11.2 SoBT financial sharing
- 11.3 SoBT workforce satisfaction
- 11.4 SoBT community revenue

12. Collected Region-wide Knowledge

- 12.1 SoBT community data
- 12.2 SoBT Shire data
- 12.3 SoBT celebrating milestones
- 12.4 SoBT digital literacy

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**Minutes for the Ordinary Council Meeting held on 15 February 2024
in the Tambellup Council Chambers, 46-48 Norrish Street, Tambellup.**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Presiding Member, Cr White declared the meeting open at 4.30pm.

2. ATTENDANCE

Councillors

Cr ME White	President
Cr DT Barritt	Deputy President
Cr CJ Letter	
Cr SH Penny	
Cr SJ Robinson	
Cr JL Wills	

Staff

KP Callaghan	Chief Executive Officer
KP Squibb	Manager of Finance & Administration
PA Hull	Strategic Support & Projects Officer
TO Korthuis	Governance & Executive Assistant
P Vlahov	Manager of Works

Apologies

Cr CM Dewar

Members of the Public

Warren Jeater

3. DISCLOSURE OF INTEREST

Nil.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. PUBLIC QUESTION TIME

Mr Warren Jeater raised the following issues with the Council:

5.1 Tambellup Caravan Park

Mr Jeater asked whether signage is going to be installed directing people to the caravan park. Mr Jeater stated that on several occasions he has assisted travellers who were looking for the caravan park.

The Shire President stated that Mr Jeater has raised this issue on several occasions and his query has previously been addressed. The response to his issue has not changed.

5.2 Drain near Henry Street, Tambellup

Mr Jeater asked when the drain near Henry St was going to be cleaned as he was concerned about the risk of flooding at his property in the event of significant summer rainfall and floods.

The Shire President advised that flooding in January 1982 was caused by waters in Jam Creek flooding back into the townsite from the confluence with the Gordon River near the Great Southern Highway, and the drain in question had no impact on this. Mr Jeater requested a report from Council that can substantiate this. A report will be provided.

5.3 Fire Inspections

Mr Jeater queried whether other properties in Tambellup had been sent letters of non-compliance, as he had, when there are many that still have long grass in their yards.

The question was taken on notice.

5.4 Avenue of Friendship - Damaged Plaques

Mr Jeater asked when the damaged plaques at the Avenue of Friendship will be fixed? Since raising his concerns to the Council nothing has been done.

The Manager of Works advised that replacement plaques are being ordered, and mulch around the trees will be put in place to prevent damage to trees and plaques in future.

5.5 Fallen Tree Behind the Zone (Tambellup Youth Centre)

Mr Jeater asked when the fallen tree on the eastern side of the tennis courts would be removed.

The Manager of Works advised that the area where the fallen tree is located is not a through road for traffic and is not a pedestrian area. It is on the gardener's program to be removed.

5.6 Tambellup Bowling Green Gardens

Mr Jeater asked why the gardens along the bowling green are not getting watered and noted several plants appear to be stressed.

The Manager of Works stated that during the cooler months the Parks and Gardens crew were planning to plant more suitable species in the gardens around the Tambellup bowling green.

5.7 Henry Street Gutters

Mr Jeater asked why the gutters on Henry Street along Diprose Park hadn't been swept. He noted there is grass and weeds growing in the gutter that require removal.

The Manager of Works will investigate, and schedule maintenance that may be required.

6. PRESENTATIONS/PETITIONS/DEPUTATIONS

Nil.

7. APPLICATION FOR LEAVE OF ABSENCE

Nil.

8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Cr White acknowledged the passing of his mother, Mrs Edith White, a former Councillor of the Shire of Tambellup, and thanked everyone for their well wishes.

9. CONFIRMATION OF MINUTES

9.1 ORDINARY COUNCIL MEETING 15 DECEMBER 2023

Recommendation:

Moved Cr Barritt, seconded Cr Penny that the minutes of the Ordinary Meeting of Council held on 15 December 2023 be confirmed as a true and accurate record of proceedings.

CARRIED 6/0
For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 001/24

10. KEY PILLAR 1: BROOMEHILL-TAMBELLUP POINT OF DIFFERENCE

10.1 DEPARTMENT OF TRANSPORT – GREAT SOUTHERN 2050 CYCLING STRATEGY

ATTACHMENT(S)	10.1.1 Great Southern 2050 Cycling Strategy
FILE NO	ADM0565
APPLICANT	n/a
AUTHOR	Pam Hull, Strategic Support & Projects Officer
DATE	Friday 2 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: Broomehill-Tambellup Point of Difference	
<p>3. An Appreciated Culture 3.4 ‘Colour BT’: This is a community-driven colouring-in focus on art in the region as a means to increase community spirit in a unique Broomehill-Tambellup manner (such as painting of basketball courts, inviting an artist-in-residence, painting all front doors).</p>	<p>3.4.8 Adoption by the Council of a 10 year Footpath Plan that incorporates:</p> <ul style="list-style-type: none"> the existing town site Bike Plans (x2) Department of Transport’s Cycling Strategy 2050 Coloured footpaths, novelty items or way finding measures to promote and direct pedestrians to trails, attractions, facilities and services (in conjunction with Beautification Team).

SUMMARY

The purpose of this report is for the Council to consider for endorsement the Department of Transport Great Southern 2050 Cycling Strategy.

BACKGROUND

The Department of Transport (DoT), in partnership with Great Southern local governments and other stakeholders, has developed an aspirational cycling strategy for the Great Southern region.

The Great Southern 2050 Cycle Strategy is one of eleven regional strategies being developed for WA. These strategies create a shared long-term vision for cycling in the regions and guide the delivery of safe and interconnected bicycle networks, along with associated facilities and travel behaviour change initiatives.

The strategies have been developed in partnership with local government and have been informed by a range of stakeholder and community consultation opportunities. As long term aspirational strategies, each contains a five-year action plan prioritising the delivery of strategic infrastructure and initiatives. It is recognised that due to financial constraints, regional local governments may not be able to deliver the completed networks as per the five year action plan. The strategies may also support additional investment through the DoT’s current Regional Bike Network Grants Program (or future iterations of that program), and alternative funding sources.

Development of the Great Southern 2050 Cycling Strategy began in mid 2022, with the City of Albany and the Shires of Broomehill-Tambellup, Cranbrook, Denmark, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Plantagenet and Woodanilling, working in partnership with DoT. Outdoors Great Southern was contracted by DoT to deliver the project in consultation with local governments, the Great Southern Trails Reference Group and a range of State government agencies.

Outcomes from initial scoping meetings in each community were collated into information sheets and preliminary network maps, which were used in broader community consultation undertaken by DoT through its online engagement platform, and in hard copy available at Shire Administration offices. Feedback was gathered by direct comments, a survey and interactive maps. Around 200 people contributed to the consultation process.

The final strategy includes five central themes for cycling across the region, with key opportunities identified for each that highlight the potential for bike riding in and around the Great Southern region. Case studies are used to illustrate where similar outcomes have been achieved elsewhere. The themes include:

- Connecting people to where they live, work, learn and play;
- Improving safety for bike riders on roads;
- Encouraging cycling for people of all ages, abilities and backgrounds;
- Improving planning for cycling; and
- Developing cycle tourism experiences.

The Strategy is now being submitted to Councils for endorsement. Councils are invited to endorse the strategy as-is or provide in-principle support pending any requests for modifications.

COMMENT

The Council is requested to endorse the principles of the Great Southern 2050 Cycling Strategy and receive the proposed action plan (Section 6 in the Strategy) for future budget and planning consideration.

The draft five year action plan and maps for the Shire of Broomehill-Tambellup were presented to the Council for consideration at the April 2023 Ordinary Council Meeting with the following resolution passed:

Moved Cr Paganoni, seconded Cr Barritt that the Council provides its in-principle endorsement of cycling infrastructure projects for the Shire of Broomehill-Tambellup, as identified through community consultation, for inclusion in the Department of Transport Great Southern Cycling Strategy 2050.

The paths in the five year action plan will be incorporated into the Footpath Plan and Trails Master Plan that are currently in development. This will allow for the projects to be prioritised and budget allocation made for implementation.

Endorsement of the Great Southern Cycling Strategy does not commit the Council or State Government agencies to deliver all, or any part, of the Great Southern Cycling Strategy within a particular timeframe – nor does endorsement commit any party(s) to fund any specific route or initiative within the Strategy. The Council's endorsement confirms support for local and State Government agencies to work together in delivering the aspirational Great Southern 2050 Cycling Strategy over the longer term.

CONSULTATION

Francois Sauzier – Department of Transport
Great Southern Trails Reference Group

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil at this time. Implementation of recommendations in the five year action plan will be prioritised in accordance with the to-be-developed Footpath Plan and Trails Master Plan and presented for consideration in future annual budgets.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil at this time. Once constructed, paths will form part of the Shire’s footpath network and will be managed in accordance with established procedures.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Letter that the Council:

- a. Endorses the principles of the Great Southern 2050 Cycling Strategy as presented;
and
- b. Receives the proposed Action Plan for future budget and planning consideration.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 002/24

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

11.1 PROPOSED SUBDIVISION / BOUNDARY RE-ALIGNMENT – LOT 1 GNOWANGERUP-TAMBELLUP ROAD & LOT 2 CREMASCO ROAD, BOBALONG (WAPC REFERENCE: 164360)

ATTACHMENT(S)	11.1.1 Subdivision Plan
FILE NO	S164360
APPLICANT	Harley Dykstra
AUTHOR	Liz Bushby, Town Planning Innovations Pty Ltd
DATE	1 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: Broomehill-Tambellup Economy	
No specific community outcomes	No specific corporate initiative

SUMMARY

Council to consider a referral by the Western Australian Planning Commission (WAPC) seeking the Shires comments and a recommendation on a proposed subdivision (WAPC Reference: 164360).

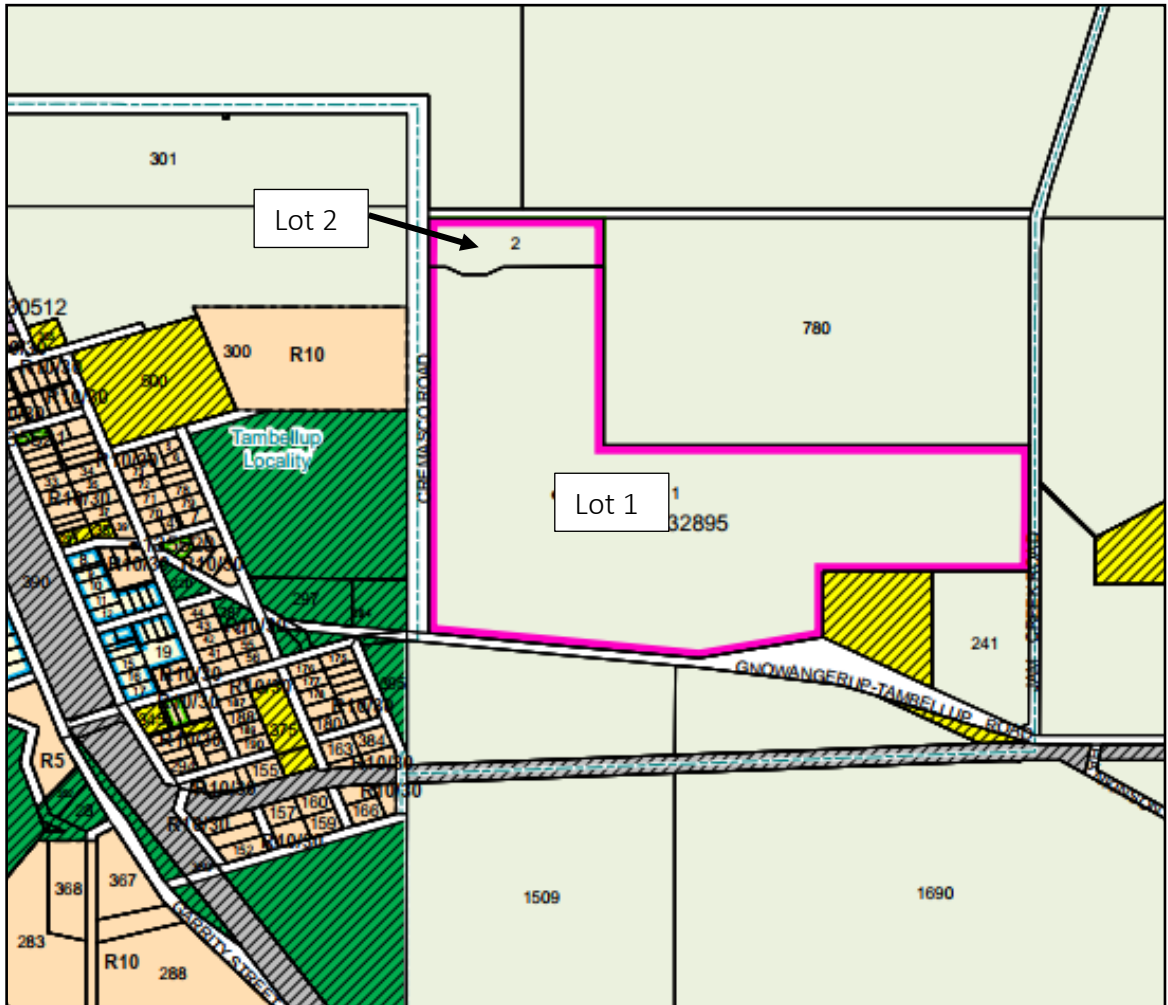
The Western Australian Planning Commission is the determining authority for the application.

BACKGROUND

Existing Lot 1 (No 3766) fronts Gnowangerup-Tambellup Road, and Lot 2 fronts Cremasco Road. Both lots are subject of this application, and are located to the east of Tambellup townsite.

Lot 1 is under private ownership, contains an existing house and is used for farming activities. Lot 2 is owned by the Water Corporation and contains a waste water treatment plant. Lot 1 has an approximate area of 55.5 hectares whereas Lot 2 has an area of approximately 3.5 hectares.

A location plan is included over page for ease of reference.



Above: Location Plan – Lots 1 and 2 outlined in pink

COMMENT

- *Description of Application*

The application will result in a boundary adjustment between the two existing lots. The size of Lot 1 will be decreased to 42.9 hectares, and the size of Lot 2 will be increased to 16.17 hectares – refer Attachment 1.

The applicant has advised that:

- The boundary re-alignment will improve the capacity of Lot 2 to treat sewerage in the area by allowing an expansion of the land available for Water Corporation to expand their capacity;
- Following the boundary realignment, Lot 1 will continue to be used for farming purposes with no changes to its ability to host farming activities;
- The existing access to both lots will remain in place.

- ***Relevant State Planning Policy***

The WAPC has a Development Control Policy 3.4 that outlines the circumstances where the subdivision of rural land can be considered.

The Policy requirements are summarised below:

Clause 6.3	Assessment / Officer Comment
Multiple lots in one ownership may be rationalised provided that:	
(a) there is no increase in the number of lots;	No increase in the number of lots is proposed.
(b) the new boundaries achieve improved environmental and land management practices and minimise adverse impacts on rural land use	The proposal is an adjustment between existing lot boundaries, and will not result in any adverse impacts. Farming activities can continue on a smaller Lot 1. There are wider infrastructure benefits to the district as the application will allow the Water Corporation to plan for any necessary expansion of the existing Waste Water Treatment Plant.
(c) no new roads are created, unless supported by the local government;	No new roads are proposed.
(d) new vehicle access points on State roads are minimised;	No access points to state roads are proposed.
(e) rural living sized lots (1-40 hectares), created as a result of the rationalisation, have appropriate buffer from adjoining farming uses and water resources, and may have notifications placed on title advising that the lot is in a rural area and may be impacted by primary production.	The adjusted Lot 1 will still have an area over 40 hectares. Lot 2 is for a specific land use and Water Corporation infrastructure. The Policy makes allowance for subdivision <i>'to allow for the efficient provision of utilities and infrastructure'</i> .

CONSULTATION

The WAPC has referred the application to Western Power; Water Corporation; Department of Primary Industries and Regional Development; Department of Mines, Industry Regulation and Safety; the Department of Biodiversity, Conservation and Attractions, the Department of Water, Environment and Regulation and the Shire for comment.

Comments were requested by the 18 January 2024. TPI has liaised with the WAPC and advised that a report will be considered at the February 2024 Council meeting.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 – Section 142, Part 10, Division 2 sets out the consultation requirements for subdivision.

Section 143, Part 10, Division 2 sets out the WAPC’s duties when dealing with a plan of subdivision.

Shire of Broomehill Town Planning Scheme No 1 (the Scheme) – The lots subject of this report are zoned Farming under the Scheme.

Clause 5.13 (d) of the Scheme states that *‘The Council will favourably consider applications for adjustment of lot boundaries where the application if approved will not result in the creation of one or more additional lots.’*

There is a general presumption against subdivision within the Farming zone under the Scheme, with exceptions including for *‘farm adjustment and the erection of dwellings is restricted’* under Clause 5.13.1 b).

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

There are no known risks associated with this report. The WAPC will determine the application.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Robinson, seconded Cr Penny that Council:

1. Recommend that the Western Australian Planning Commission unconditionally approve the subdivision application (No 164360) seeking boundary re-alignment between Lot 1 Gnowangerup-Tambellup Road and Lot 2 Cremasco Road in Bobalong.
2. Authorize Liz Bushby of Town Planning Innovations Pty Ltd to advise the Western Australian Planning Commission of the Council recommendation.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills

Motion No 003/24

11.2 PROPOSED AMALGAMATION – LOTS 5 (No 13) & 6 (No 11) CROWDEN STREET, TAMBELLUP (WAPC REFERENCE: 164364)

ATTACHMENT(S)	11.2.1 Amalgamation Plan
FILE NO	ADM0588
APPLICANT	John Kinnear & Associates
AUTHOR	Liz Bushby, Town Planning Innovations Pty Ltd
DATE	6 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcome	Corporate Actions
Key Pillar: Broomehill-Tambellup Economy	
<p>4. Versatile Accommodation 4.2 Tambellup Short-Stay accommodation development: This is the Shire developing the Tambellup Caravan Park and creating cabin style accommodation for workers and visitors. This also requires exploring further RV and camping options.</p>	<p>4.2.2 Tambellup Caravan Park – Construction of Stage 1(a) (civil & site works for all of stage 1, install of one or two cabins, move RV Rest Stop to old bowling green site.)</p>

SUMMARY

Council is to consider a referral by the Western Australian Planning Commission (WAPC) seeking the Shires comments and a recommendation on a proposed amalgamation of two existing lots in Crowden Street, Tambellup (WAPC Reference: 164364). The Western Australian Planning Commission is the determining authority for the application.

BACKGROUND

Lots 5 and 6 Crowden Street are owned by the Shire. Lot 5 has an approximate area of 870m², and Lot 6 has an approximate area of 862m². A location plan is included overpage for ease of reference.

On behalf of the Shire, TPI prepared and lodged Scheme Amendment 6 to the Shire of Tambellup Town Planning Scheme No 2 with the Western Australian Planning Commission in 2022. The Scheme Amendment was supported for final approval by Council at the Ordinary Meeting held on the 28 July 2022, and was subsequently approved by the Minister for Planning in September 2023.

Lots 5 and 6, along with adjacent Lot 19 Taylor Street and a right of way, were re-zoned from ‘Special Use’ to ‘Town Centre’ zone to facilitate future expansion of the Tambellup Caravan Park.

Amendment 6 was published in the Government Gazette on the 22 September 2023.



Above: Location Plan

There is a Concept Plan for future development of the Tambellup Caravan Park – refer to plan included overpage.



COMMENT

The application proposes to amalgamate Lots 5 and 6 into one title, to facilitate future development. Lot amalgamations go through the same process as subdivision applications and require approval by the Western Australian Planning Commission (WAPC). Even though the lots are owned by the Shire, the WAPC still requires formal comments on the application by the Shire, as a referral agency.

TPI recommends unconditional support for the amalgamation application.

CONSULTATION

The WAPC has referred the application to the Health Department of WA; Western Power; Water Corporation; Department of Primary Industries and Regional Development; the Department of Biodiversity, Conservation and Attractions, the Department of Water, Environment and Regulation and the Shire for comment.

Comments were requested by the 25 January 2024. TPI has liaised with the WAPC and advised that the application is supported as the Shire owns the land. The WAPC would still like formal comments following the February 2024 Council meeting.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 – Section 142, Part 10, Division 2 sets out the consultation requirements for subdivision.

Section 143, Part 10, Division 2 sets out the WAPC's duties when dealing with a plan of subdivision.

Shire of Tambellup Town Planning Scheme No 2 (the Scheme) – The lots subject of this report are zoned Town Centre under the Scheme.

Clause 6.2.2a) states that *'lot size and frontage should generally be consistent with existing lots in the vicinity and capable of supporting development which complies with provisions of the Scheme'*.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

There are no known risks associated with this report. The WAPC will determine the application.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Barritt, seconded Cr Penny that Council:

1. Recommend that the Western Australian Planning Commission unconditionally approve the amalgamation application (No 164364) for Lots 5 and 6 Crowden Street, Tambellup.
2. Authorize Liz Bushby of Town Planning Innovations Pty Ltd to advise the Western Australian Planning Commission of the Council recommendation.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 004/24

11.3 PROPOSED SECOND DWELLING – LOT 2 GREAT SOUTHERN HIGHWAY, BROOMEHILL

ATTACHMENT(S)	11.3.1 – Revised Site Plan
FILE NO	A759
APPLICANT	WA Country Builders
AUTHOR	Liz Bushby, Town Planning Innovations (TPI)
DATE	7 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcome	Corporate Actions
Key Pillar: Broomehill-Tambellup Economy	
4. Versatile Accommodation 4.3 BT quality house and land options This is the Shire expediting house and land releases and investing in quality Shire or community-owned houses.	No specific corporate initiative

SUMMARY

The purpose of this report is for Council to consider a development application for a second dwelling on Lot 2 Great Southern Highway, Broomehill.

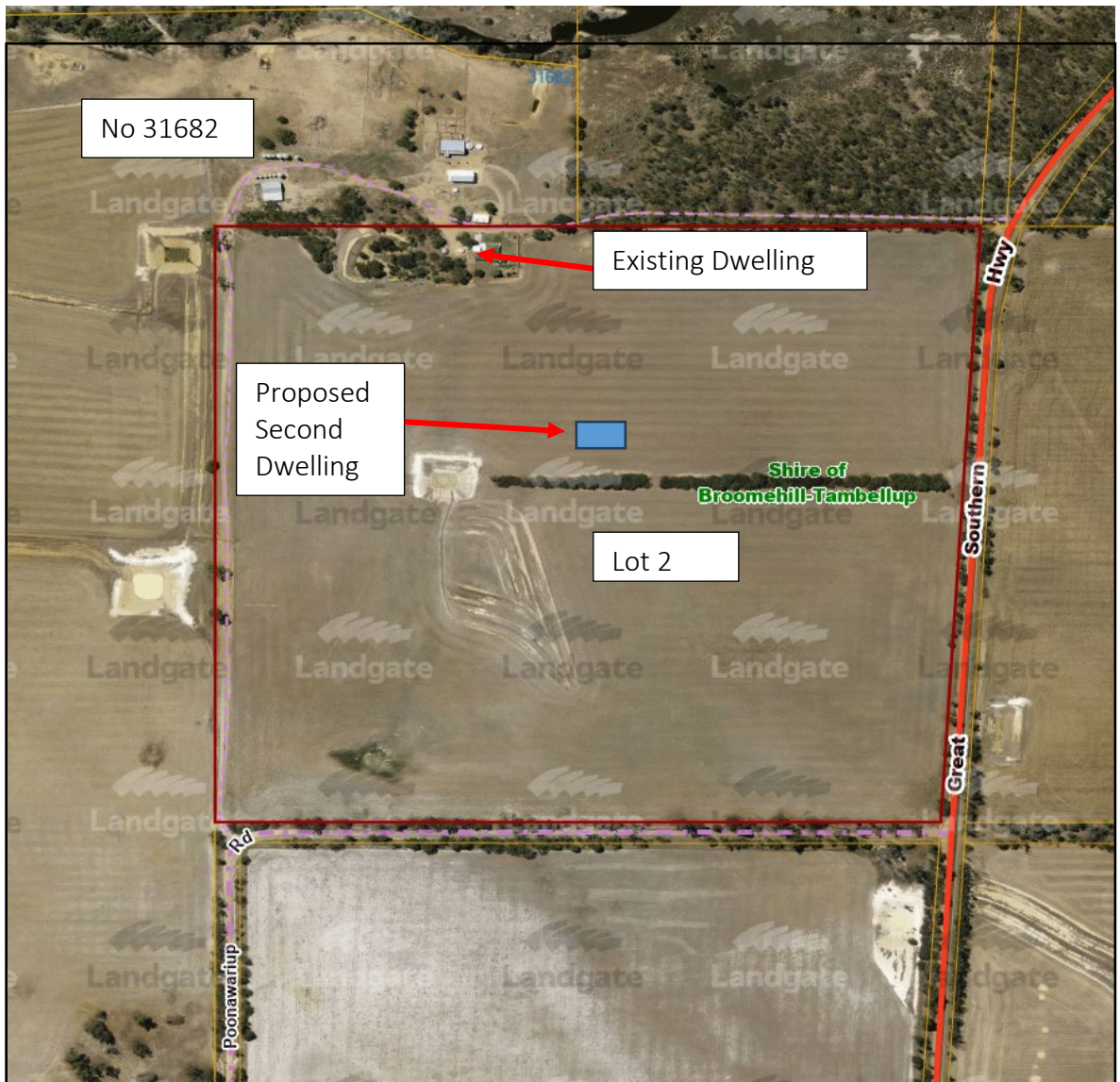
BACKGROUND

The lot has no street address on the Certificate of Title, however the owners appear to utilise No 31682 Great Southern Highway as their street address. Both Lot 2 and adjacent No 316852 (to the west) are under one ownership.

Lot 2 has an approximate area of 33.7 hectares, and contains an existing dwelling with associated outbuildings/water tanks. The existing house is located in the north portion of the lot.

The closest intersection to the lot is the corner of Great Southern Highway and Poonawariup Road.

An aerial is included over page for ease of reference.



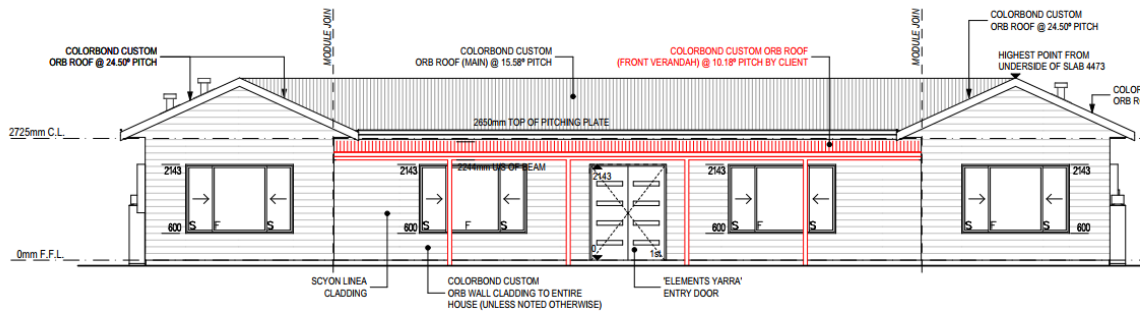
Above: Aerial /Location Plan

COMMENT

- *Description of Proposed Development*

A second dwelling is proposed fairly central to the lot. It will be setback over 260 metres from the eastern Great Southern Highway lot boundary.

The dwelling is proposed to be single storey and will include a new attached garage.



Above: Front Elevation

The owners have advised that the new dwelling is proposed for their personal use. The existing dwelling will be occupied by a family member or workers associated with the existing farm operation.

- *Relevant State Planning Policy 3.7: Planning in bushfire prone areas*

State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the associated Bushfire Guidelines direct how new developments should address bushfire risk management in Western Australia. It applies to all land designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner.

The new dwelling is proposed within the declared bushfire prone area, so a Bushfire Attack Level (BAL) Assessment is required and has been lodged.

A BAL assessment examines the lot location and the vegetation, vegetation classifications, topography, setbacks to vegetation and slope within 100-150 metres of the proposed development. The BAL assessment report recommends which BAL rating is to be applied to the development, which may dictate certain construction standards under Australian Standard 3959.

From a planning perspective, the aim is to achieve a BAL rating of BAL-29 or below. The higher the BAL number, the higher the level of construction required for fire mitigation.

The BAL Assessment lodged for this development confirms that BAL-12.5 can be achieved, as long as a 20 metre Asset Protection Zone is maintained around the dwelling.

The Bushfire Guidelines have requirements for driveways more than 70 metres long to have passing bays for emergency vehicles every 200 metres, minimum trafficable driveway widths of 4 metres, a driveway turnaround area (so emergency vehicles can turn around) and a 10,000 litre water tank for fire fighting near to the house (unless they have scheme water).

TPI has liaised with the owners and they can comply with the bushfire guidelines as the main driveway will be 4 metres wide, it can accommodate passing bays, they will install two new rainwater tanks, and there will be a turnaround area around the house.

A revised partial site plan is included as Attachment 11.3.1.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015 - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shires' Scheme.

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Shire of Broomehill Town Planning Scheme No 1 (Scheme 1) -

The lot is zoned 'Farming' under Scheme 1.

Clause 5.13.2 states that:

- 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 Council is satisfied that justification exists for agricultural or farm management purposes the Council may permit more than two dwellings on one property.*

The Scheme requires a minimum front setback of 15 metres, and a 10 metre side/rear setback. The dwelling setbacks comply with the Scheme.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Barritt, seconded Cr Penny that Council approves the application for a second house on Lot 2 Great Southern Highway, Broomehill subject to the following conditions and footnote:

1. The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
2. The dwelling is to be provided with a rainwater storage system with a minimum of 10,000 litres dedicated for fire fighting purposes.
3. A 20 metre Asset Protection Zone is to be established and maintained in perpetuity in accordance with the recommendation of the Bushfire Attack Level Assessment Report dated 8 November 2023 by BJ Marsh Pty Ltd.
4. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into road reserve unless otherwise approved in writing by the Chief Executive Officer.
5. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnote:

- (a) This is a planning consent only and owners need to apply for a separate building permit prior to commencing any site works or construction.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 005/24

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

Nil

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 FINANCIAL STATEMENTS – DECEMBER 2023 & JANUARY 2024

ATTACHMENT(S)	13.1.1 Financial Statements December 2023 13.1.2 Financial Statements January 2024
FILE NO	ADM0619
APPLICANT	n/a
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	8 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
11. Delivered Shire Trust and Performance 11.2 SoBT financial sharing This is the Shire workforce releasing financial trends and results quarterly, transparently indicating where funds come from for each piece of work. The Shire is working well with the community to develop new revenue options to achieve community driven pieces of work.	11.2.1 Undertaking specific initiatives to improve meaning and understanding of the Shire’s monthly financial reports.

SUMMARY

The Council to consider the monthly financial statements for December 2023 and January 2024.

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.

COMMENT

Each financial year, the 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 2023/24 budget process, the Council adopted 10% or \$10,000 (whichever is the greater) as the material variance for reporting purposes for the year.

The statement of financial activity identifies material variances, which is a requirement of the *Local Government (Financial Management) Regulations 1996*.

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 the previous month (the **relevant 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); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and
 - (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 relevant month and a note containing a summary explaining the composition of the net current assets.

- (2) Each statement of financial activity is to be accompanied by documents containing –
 - (a) [deleted].
 - (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.

- (3) The information in a statement of financial activity must be shown according to nature classification.

FINANCIAL IMPLICATIONS

The report represents the financial position of the Shire at the end of the reporting period.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Robinson that the monthly financial statements for the period ending 31 December 2023 and 31 January 2024 be received.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 006/24

13.2 MONTHLY LIST OF PAYMENTS – DECEMBER 2023 & JANUARY 2024

ATTACHMENT(S)	13.2.1 Monthly Payments Listing December 2023 13.2.2 Monthly Payment Listing January 2024
FILE NO	ADM0619
APPLICANT	N/A
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	2 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
11. Delivered Shire Trust and Performance 11.2 SoBT financial sharing This is the Shire workforce releasing financial trends and results quarterly, transparently indicating where funds come from for each piece of work. The Shire is working well with the community to develop new revenue options to achieve community driven pieces of work.	11.2.1 Undertaking specific initiatives to improve meaning and understanding of the Shire’s monthly financial reports.

SUMMARY

The Council to consider the list of payments made from the Municipal and Trust Funds during December 2023 and January 2024.

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.

The Regulations were amended, effective 1 September 2023, to include new regulation 13A which prescribes the reporting of payments made via purchasing cards. The reporting requirements are the same as those of payments made from the Municipal and Trust Funds. Credit card purchases have always been disclosed to the Council on the monthly list of payments, however the list of payments has been amended to report purchases using the Ampol Fuel Cards (issued to the Chief Executive Officer, Manager of Finance & Administration and Manager of Works).

COMMENT

Summary of payments made for the month –

December 2023

	\$	
Municipal Fund	398,217.51	
Trust Fund	0.00	
Purchasing Cards	4,208.47	
TOTAL	402,425.98	

January 2024

	\$	
Municipal Fund	752,498.65	
Trust Fund	0.00	
Purchasing Cards	4,456.02	
TOTAL	756,954.67	

Any comments or queries regarding the list of payments is to be directed to the Manager of Finance and Administration prior to the meeting.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

r13. 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.*

r13A. Payments by employees via purchasing cards

- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared –*
- (a) the payee's name;*
 - (b) the amount of the payment;*
 - (c) the date of the payment;*
 - (d) sufficient information to identify the payment.*

FINANCIAL IMPLICATIONS

The List of payments reports the payments made for the previous month from the Municipal and Trust Funds, and purchases made using Shire credit cards or purchasing cards.

POLICY IMPLICATIONS

Council Policy '2.1 Purchasing Policy' provides guidance and restrictions relative to purchasing commitments.

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Letter that, in accordance with regulations 13(1) and 13A(1) of the *Local Government (Financial Management) Regulations 1996*;

1. the list of payments paid under delegated authority or with Shire purchasing cards be noted for December 2023; comprising
 - Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$398,217.51; and
 - Credit/Purchasing Card payments totalling \$4,208.47
2. the list of payments paid under delegated authority or with Shire purchasing cards be noted for January 2024; comprising
 - Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$752,498.65; and
 - Credit/Purchasing Card payments totalling \$4,456.02

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 007/24

13.3 CORPORATE BUSINESS PLAN – QUARTERLY PROGRESS REPORT OCTOBER-DECEMBER 2023

ATTACHMENT(S)	13.1.1 – Corporate Business Plan 2023-2027 Quarterly Progress Report – October-December 2023
FILE NO	ADM0382
APPLICANT	n/a
AUTHOR	Pam Hull, Strategic Support & Projects Officer
DATE	5 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: SoBT Shire Support	
11. Delivered Shire Trust and Performance 11.1 SoBT monitoring and reporting. This is the Shire workforce scoring all SCP pieces of work with a traffic light scoring system, and passing these results to all community members, quarterly.	11.1.1 Undertake quarterly assessment of all Corporate Business Plan initiatives using a traffic light scoring system, and reporting these in a meaningful summary (showing highlights) to the community via the Topics, Facebook and Shire website.

SUMMARY

The purpose of this report is for the Council to receive the Corporate Business Plan 2023-2027 Quarterly Report for the period October-December 2023.

BACKGROUND

Section 5.56(1) of the *Local Government Act 1995* requires all local governments to have a plan for the future of the district. In accordance with the *Local Government (Administration) Regulations 1996*, all local governments in Western Australia are required to have adopted two key documents: a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP). These documents are supported by informing plans, strategies, and other documents. Together these documents drive the development of each local government's Annual Budget.

The Corporate Business Plan outlines the Shire's key priorities and actions over the next four years and sets a road map to achieve the community's aspirations as outlined in 'People Power', the community's ten year Strategic Plan which was adopted by the Council on 17 November 2022. This plan integrates the community's aspirations into the Shire's operations and sets out the specific actions that will deliver on the objectives and strategies outlined in 'People Power'.

The Corporate Business Plan 2023-2027 was adopted by the Council on 18 May 2023.

COMMENT

Initiatives contained in the Corporate Business Plan are centred on the four Key Pillars of the Strategic Community Plan ‘People Power’:

- Broomehill-Tambellup Point of Difference
- Broomehill-Tambellup Economy
- Broomehill-Tambellup Lifestyle
- SoBT Shire Support

Twelve (12) aspirational areas sit under the Key Pillars, and it is within each of these that the Corporate Business Plan initiatives sit. Each initiative has been assigned to a member of the Senior Management Team as the coordinating officer and each member of the team has provided input into the Quarterly Report.

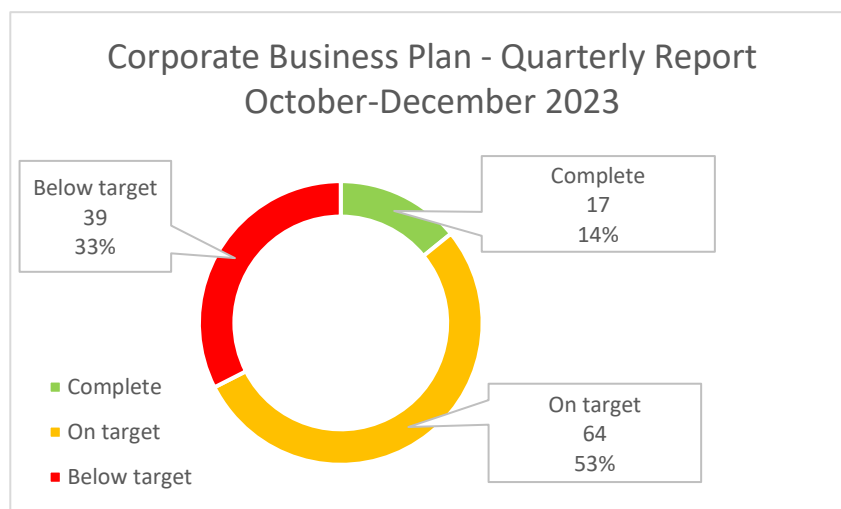
The Quarterly Report is provided as an attachment to the agenda for the Council’s reference. The report provides an update on progress of the first year initiatives (2023/2024) for the period October - December 2023. Initiatives not scheduled to be actioned this financial year are not reported on.

The status of each initiative has been colour coded using a traffic-light system as follows:

- Green – initiative is ‘Complete’ – action has been completed;
- Orange – initiative is ‘On Target’ – action has commenced and is on track to be delivered on time and on budget;
- Red – initiative is ‘Below Target’ – action has not commenced or has fallen behind its projected timeframe.

The following table illustrates progress against the 120 initiatives scheduled to be actioned in 2023/2024:

Status	Definition	Number of initiatives	%
Complete	Action has been completed	17	14%
On target	Action has commenced and is on track to be delivered on time and on budget	64	53%
Below target	Action has not commenced or has fallen behind its projected timeframe.	39	33%
		120	100%



The following initiatives have been completed since the last progress report (at the end of September 2023):

3.2.5	Council adoption of a master plan for all Cemeteries in the Shire.	Tambellup plan adopted July 2023. Broomehill plan adopted October 2023.
3.4.4	Establish the Annual Shire BT Christmas light competition	Christmas Lights competition organised and coordinated.
3.4.6	Establish the Annual Christmas Rural Gate decoration competition.	Decorated farm gate competition coordinated in conjunction with Christmas Lights competition
4.3.1	Undertake a review of the Shire’s 2018 House & Land Strategy.	House and Land Strategy reviewed and adopted by the Council - December 2023
7.1.1	Adopt a plan for the Gordon River weir area clearly showing upgrades to the site and integration with trails.	Gordon River Facilities Plan adopted - November 2023
11.1.2	Undertake biennial Community Perceptions Survey (Community Scorecard)	Community Scorecard completed by Catalyse, report received December 2023 and circulated to Councillors and staff. Presentation by Catalyse scheduled for the March 2024 OCM.

The progress on initiatives noted as ‘On Track’ ranges from just commenced, to almost complete, and ongoing. Many initiatives noted as ‘Below Target’ are not yet commenced.

A number of initiatives are noted as ‘On Target’, however are largely complete. These include:

- 3.2.1 Review of the Shire’s Municipal Heritage Inventories and creation of a single Local Heritage List,
- 3.2.6 Implementation of an electronic cemetery administration system,
- 8.1.1 Implementation of the Broomehill Heritage Precinct Master Plan, and

The report as attached will be published for community information through the Shire website and in Topics.

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

(3) A corporate business plan for a district is to —

(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and

(b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and

(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

FINANCIAL IMPLICATIONS

Provision is made in the annual budget for the delivery of initiatives in the Corporate Business Plan.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Failing to provide the Council with updates such as the attached progress report will contribute to a lack of Council knowledge about the Shire’s current business activities. Quarterly updates as proposed will allow Councillors to provide accurate responses to resident enquiries.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Barritt, seconded Cr Penny that the Corporate Business Plan 2023-2027 Quarterly Progress Report for the period October – December 2023, as presented, be received.

CARRIED 6/0
For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barritt, Cr Wills
Motion No 008/24

13.4 BUSINESS CONTINUITY RESPONSE PLAN AND PROCEDURES MANUAL

ATTACHMENT(S)	13.4.1 – CONFIDENTIAL Business Continuity Response Plan 13.4.2 – Business Continuity Procedures Manual
FILE NO	ADM0165
APPLICANT	n/a
AUTHOR	Pam Hull, Strategic Support & Projects Officer
DATE	5 February 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: SoBT Shire Support	
10. Grown Shire Leadership No specific Community Outcome.	No specific Corporate Initiative

SUMMARY

The purpose of this report is for the Audit & Risk Committee to consider the Business Continuity Response Plan and Procedures Manual, and if appropriate, recommend to the Council that they be endorsed.

This item was considered by the Audit & Risk Committee at their meeting held prior to the Council meeting.

BACKGROUND

The Shire’s Risk Management Framework was reviewed in November 2022, with the resulting Risk Management Policy and Procedures adopted by the Council in December 2022. As part of that process, a Business Continuity Response Plan (BCRP) and Procedures Manual were developed to support the organisation in dealing with business disruption.

Business continuity planning is the process of creating a system that helps prevent, minimise and recover from disruption to operations. Disruption may be caused by impacts of events including natural disasters, fire, power outages, IT outages, staff shortages, and of course, pandemics. The aim of business continuity planning is to return to business as usual within the shortest period, assisting the organisation to be more resilient and continue with minimal interruptions.

COMMENT

The BCRP is a series of checklists developed and maintained in readiness for use during an incident resulting, or anticipated to result, in a disruption to business-as-usual activities.

The main purpose of the BCRP is to offer guidance in restoring the Shire to an acceptable level of operation by focusing on staff welfare, communications, time-critical business activities and those staff and other stakeholders who will need to be contacted or mobilised due to the circumstances of the incident.

The BCRP is a live document, and will be reviewed at least annually, or at the time of an incident where it is implemented. The document will be circulated to key staff and the

Shire President and Deputy President, and critically, will be accessible in both hard copy and electronic formats on the Shire’s cloud-based server.

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

Local Government (Audit) Regulations 1996 r.17

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —

- (a) risk management; and*
- (b) internal control; and*
- (c) legislative compliance.*

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Policy 2.11 Risk Management

RISK MANAGEMENT IMPLICATIONS

The development of the Business Continuity Response Plan and Procedures Manual increases the Shire’s resilience and ability to respond to and recover from disaster, by considering the possible impacts of a disaster, and ensuring mitigation arrangements are in place prior to any actual emergency event.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

AUDIT & RISK COMMITTEE/OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Wills that the Business Continuity Response Plan and Procedures Manual dated February 2024, as presented, be endorsed.

CARRIED 6/0
For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 009/24

13.5 AUDIT REPORT – YEAR ENDING 30 JUNE 2023

ATTACHMENT(S)	13.5.1 – CONFIDENTIAL Audit Concluding Memo
FILE NO	ADM0058
APPLICANT	n/a
AUTHOR	Kay Squibb – Manager Finance and Administration
DATE	31 January 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Key Pillar: SoBT Shire Support	
Community Outcomes	Corporate Actions
11. Delivered Shire Trust and Performance 11.1 SoBT monitoring and reporting This is the Shire workforce scoring all SCP pieces of work with a traffic light scoring system, and passing these results to all community members, quarterly.	No specific Corporate initiative

SUMMARY

The purpose of this report is to present the Annual Financial Audit and Interim Management Report for the year ending 30 June 2023.

This item was considered by the Audit & Risk Committee at their meeting held prior to the Council meeting.

BACKGROUND

In November 2023, auditors from Moore Australia (appointed by the Office of the Auditor General (OAG)) attended the Shire office to conduct the final audit for the 2022/2023 financial year. The audit is designed primarily to enable the auditors to form an opinion on the financial statements and therefore does not extend to all of the Shire’s systems and procedures.

COMMENT

Attachment 12.3.1 - Audit Concluding Memo was prepared by Moore Australia and the OAG, and circulated to the CEO, Manager Finance and Administration and Shire President. The Shire President and Manager of Finance and Administration attended the audit exit meeting with the OAG and Moore Australia on 14 December 2023.

The Memo is strictly confidential and has been made available to management and those charged with governance to facilitate discussions. Moore Australia have reiterated that the contents of this document should not be disclosed to third parties without their prior written consent.

At the conclusion of the audit, the following matters were noted in Moore Australia’s management letter –

1. Outstanding Commonwealth certifications

Shire has not yet completed the annual Commonwealth certification audits in relation to Local Roads and Community Infrastructure Program (LRCIP) and Roads to Recovery Program (RTR) for both financial reporting periods ending 30 June 2022 and 30 June 2023. Audited certifications were due to be submitted to Australian Government Department of Infrastructure, Transport, Regional Development, Communications and the Arts by 31 October each year.

Implication

Failing to submit the audited certifications on due dates may put Shire being non-compliant with the requirements of National Land Transport Act 2014 and LRCIP Grant Agreement and Program Guidelines.

Recommendation

It is recommended that Shire attend to submit these outstanding certifications to Commonwealth as a matter of priority.

Management Comment

2021-2022 and 2022-2023 Certifications for Roads to Recovery and Local Roads and Community Infrastructure Program are outstanding. Completion of these is the highest priority and the Manager of Finance & Administration is working with auditors from Moore Australia to have the Certifications complete for final sign off by the OAG as soon as possible.

No other matters were raised.

CONSULTATION

Auditors – Moore Australia
Office of the Auditor General

STATUTORY ENVIRONMENT

Local Government Act 1995 – Part 7 Audit;

s7.12A Duties of local government with respect to audits

- (3) A local government must —
 - (aa) examine an audit report received by the local government; and*
 - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and*
 - (b) ensure that appropriate action is taken in respect of those matters.**
- (4) A local government must —
 - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
 - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.**
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government’s official website.*

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There is no policy applicable to this item.

RISK MANAGEMENT IMPLICATIONS

External audits and risk reviews are an integral part of ensuring that financial and compliance risks are minimised and legislative compliance is maintained.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

AUDIT & RISK COMMITTEE/OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Letter that the Audit Concluding Memo and auditors report for the year ending 30 June 2023 be received.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 010/24

13.6 ANNUAL REPORT 2022/2023

ATTACHMENT(S)	13.6.1 – Annual Report 2022/2023
FILE NO	ADM0340
APPLICANT	n/a
AUTHOR	Kay Squibb, Manager Finance and Administration
DATE	31 January 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Key Pillar: SoBT Shire Support	
Community Outcomes	Corporate Actions
11. Delivered Shire Trust and Performance 11.1 SoBT monitoring and reporting This is the Shire workforce scoring all SCP pieces of work with a traffic light scoring system, and passing these results to all community members, quarterly.	No specific Corporate initiative

SUMMARY

The purpose of this report is for the Audit & Risk Committee to consider the 2022/2023 Annual Report, incorporating the Annual Financial Report and Auditors Report, and make recommendation to the Council.

This item was considered by the Audit & Risk Committee at their meeting held prior to the Council meeting.

BACKGROUND

Section 6.4 of the *Local Government Act 1995* 'Financial report' requires that a local government is to prepare an annual financial report for the preceding financial year, in the manner and form prescribed. The accounts and annual financial report must be submitted to the auditor by 30 September each year.

Section 5.54 of the *Local Government Act 1995* 'Acceptance of annual reports' requires an Annual Report to be accepted by the local government no later than 31 December in each year unless the Auditor's Report is not available in time. The *Local Government Act 1995* Section 5.42(2) provides that if the Annual Report is not accepted by the local government by 31 December then it must be presented within two (2) months of the auditor's report becoming available. The auditor's report for the 2022/2023 year was received on 15 December 2023.

COMMENT

Financial report aside, activities accomplished throughout the year have been reported on extensively within the Annual Report.

The 2022/2023 Annual Report, as presented, addresses the requirements of the *Local Government Act 1995*.

CONSULTATION

Auditors – Moore Australia

Office of the Auditor General
Senior Management Team

STATUTORY ENVIRONMENT

*Local Government Act 1995 – Part 5 Division 5 Annual Reports and planning
s5.54 Acceptance of annual reports*

- (1) Subject to subsection (2) the Annual Report for a financial year is to be accepted by the local government no later than 31 December after that financial year.’ (Absolute Majority required).*
- (2) If the auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor’s report becomes available.*

Local Government (Administration) Regulations 1996, r19B and r19CA

- Prescribes the content of the annual report

FINANCIAL IMPLICATIONS

This item reports on the financial position of the Shire at 30 June 2023. The recommendation itself does not have any financial implications.

POLICY IMPLICATIONS

There is no policy applicable to this item.

RISK MANAGEMENT IMPLICATIONS

External audits and risk reviews are an integral part of ensuring that financial and compliance risks are minimised and legislative compliance is maintained.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

AUDIT & RISK COMMITTEE/OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Robinson, seconded Cr Wills that the Council:

1. In accordance with sections 5.53 and 5.54 of the *Local Government Act 1995* the 2022/2023 Annual Report for the Shire of Broomehill-Tambellup, incorporating the Annual Financial Report and Auditors Report, be accepted;
2. In accordance with sections 5.55 and 5.55A of the *Local Government Act 1995* authorise the Chief Executive Officer to give local public notice of the availability of the annual report and publish the report on the Shire’s website within 14 days of acceptance; and
3. The annual general meeting of electors be held at 6.00pm on Thursday 21 March 2024, in the Tambellup Council Chambers.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 011/24

13.7 COMPLIANCE AUDIT RETURN 2023

ATTACHMENT(S)	13.7.1 – Copy of Compliance Audit Return 2023
FILE NO	ADM0302
APPLICANT	n/a
AUTHOR	Kay Squibb, Manager Finance and Administration
DATE	31 January 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Key Pillar: SoBT Shire Support	
Community Outcomes	Corporate Actions
12. Collected Region-wide Knowledge 12.2 SoBT Shire data This is the Shire collecting and releasing specific data on Shire-related activities (such as health provisions, roads, safety, traffic measures). Data is being used to drive advocacy and attract support.	No specific Corporate initiative

SUMMARY

The purpose of this report is for the Audit & Risk Committee to consider the 2023 Compliance Audit Return and recommend it to Council for adoption.

This item was considered by the Audit & Risk Committee at their meeting held prior to the Council meeting.

BACKGROUND

Local Governments are required to complete the Compliance Audit Return (CAR) annually in relation to the period 1 January to 31 December.

Local Government (Audit) Regulations 1996, Regulation 14 requires the Audit Committee to review the CAR and report the results of the review to the Council. Following adoption of the CAR by Council, a certified copy of the return along with the relevant section of the minutes is to be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.

Once adopted by Council, the Shire President and Chief Executive Officer are required to certify that the statutory obligations of the Shire of Broomehill-Tambellup have been complied with.

COMMENT

The CAR is comprehensive and gives an indication of the Shire's level of compliance with legislative requirements, relating only to compliance with the *Local Government Act 1995* and associated Regulations. The current structure of the CAR is restricted to the areas of compliance and reporting considered high risk. The questions contained in the CAR relate to the prescribed statutory requirements in Regulation 13 of the *Local Government (Audit) Regulations 1996*.

The CAR contains 95 questions around the following areas of activity –

1. Commercial Enterprises by Local Governments
2. Delegation of Power/Duty
3. Disclosure of Interest
4. Disposal of Property
5. Elections
6. Finance
7. Integrated Planning and Reporting
8. Local Government Employees
9. Official Conduct
10. Other
11. Tenders for Providing Goods and Services

The Audit & Risk Committee is required to review the CAR and report the results of that review to the Council prior to adoption by the Council and submission to the Department of Local Government Sport and Cultural Industries.

The 2023 CAR has been completed by the Manager Finance and Administration. From a total of 95 questions, compliance has been achieved in all areas with the exception of six questions (outlined below) –

Disclosure of Interest

Question 5: Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2023?

Comments:

Due to being overseas in July and August, one Councillor was unable to complete their annual return by 31 August 2023, however it was submitted to the CEO on their return on 6 September 2023.

Disposal of Property

Question 1: Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)?

Question 2: Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4) in the required local public notice for each disposal of property?

Comments:

Section 3.58(3) prescribes that local public notice be given for disposal of property and section 3.58(4) details the information to be included in the notice.

The Shire sold one of its staff houses in 2023 and the disposal of this property wasn't advertised as required.

Other

Question 1: Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2023?

Question 2: Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2023?

Comments:

Both the Financial Management Review (question 1) and Audit Regulation 17 review (question 2) were last complete in 2016. They are planned to be complete and presented to the audit committee in 2024.

Question 7: Did the local government prepare a report on the training completed by council members in the 2022/2023 financial year and publish it on the local government's official website by 31 July 2023?

Comments:

The Councillors training register will be updated for 2023 and uploaded on the Shire's website.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 s7.13(1)(i)

Local Government (Audit) Regulations 1996

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be –*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

15. *Certified copy of compliance audit return and other documents to be given to Departmental CEO*
- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
- (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*
- (2) *In this regulation —*
- certified in relation to a compliance audit return means signed by —*
- (a) the mayor or president; and*
- (b) the CEO.*

FINANCIAL IMPLICATIONS

This issue has no financial implications for Council

POLICY IMPLICATIONS

There is no policy applicable to this item.

RISK MANAGEMENT IMPLICATIONS

The Compliance Audit Return, external audits and risk reviews are an integral part of ensuring that financial and compliance risks are minimised and legislative compliance is maintained.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

AUDIT & RISK COMMITTEE/OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Barrit, seconded Cr Penny that following a review of the Compliance Audit Return 2023 by the Audit & Risk Committee, the return be adopted and forwarded to the Department of Local Government, Sport and Cultural Industries by 31 March 2024.

CARRIED 6/0

For: Cr Letter, Cr Robinson, Cr Penny, Cr White, Cr Barrit, Cr Wills
Motion No 012/24

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

15. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

16. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Following a discussion with the Tambellup Community Cropping Group (TCCG) Cr Letter raised that the TCCG were not happy with the decision made by the Council at the December 2023 Ordinary Council Meeting for a financial contribution to be made by the TCCG for alterations to the proposed storage shed for the community bus if the bus does not fit. Cr Letter asked if this matter could be reconsidered?

The CEO will liaise with the TCCG to discuss the matter further.

17. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil.

18. CLOSURE

There being no further business to discuss, the Presiding Member, Cr White, declared the meeting closed at 5.18pm.