

# SHIRE OF BROOMEHILL - TAMBELLUP

**Minutes of an Ordinary Meeting of the Council of the Shire of Broomehill - Tambellup held in the Tambellup Council Chambers on Thursday 15<sup>th</sup> July 2010 commencing at 4.13pm.**

## **1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

<b>Present:</b>	Cr BG Webster	President
	Cr KW Crosby	Deputy President
	Cr MJ Bowman	
	Cr GM Sheridan	
	Cr MR Turner	
	Cr M Sadler	
	Cr SJF Thompson	
	Cr EK Schlueter	
	Cr DCN Kempin	
	JM Trezona	Chief Executive Officer
	VN Webster	Acting Manager Administration & Customer Service
	GC Brigg	Manager of Works

**Apologies:** Nil

**Leave of Absence:**  
Nil

## **2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The President welcomed Councillors and staff and declared the meeting open at 4.13pm.

## **3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

## **4. PUBLIC QUESTION TIME**

Nil

## **5. APPLICATION FOR LEAVE OF ABSENCE**

Cr Sadler, Cr Bowman and Cr Webster requested a Leave of Absence for the August 2010 Ordinary Meeting of Council.

*100701*

*Moved Cr Sheridan, seconded Cr Thompson*

*“That Cr Sadler, Cr Bowman and Cr Webster be granted a leave of absence for the August 2010 Ordinary meeting of Council”*

**CARRIED 9/0**

## **6. DECLARATION OF INTEREST**

Cr Thompson declared a Financial Interest in Item 10.8

**7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

**8.1 ORDINARY MEETING OF COUNCIL MINUTES 22<sup>nd</sup> JUNE 2010**

***100702***

***Moved Cr Sadler, seconded Cr Bowman***

***“That the minutes of the Ordinary meeting of Council held on the 22<sup>nd</sup> June 2010 be confirmed as a true and accurate record of proceedings.”***

***CARRIED 9/0***

**9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**10. MATTERS FOR DECISION**

**10.1 FINANCIAL STATEMENTS FOR JUNE 2010**


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<b>Program:</b>	<b>Other Property and Services</b>
<b>Attachment:</b>	<b>Monthly Financial Statements for June 2010</b>
<b>File Ref:</b>	<b>Nil</b>
<b>Author:</b>	<b>KP O'Neill</b> <b>Finance Officer</b>
<b>Date:</b>	<b>7 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Attached are the monthly financial statements for June 2010.

**Background:**

**Comment:** Notes have been provided throughout the statements for Councillors information and comment.

Councillors should be aware that the financial statements are not yet finalised for June 2010 as end of year accruals and adjustments are still to be allocated and will affect the content of the report.

**Consultation:** Nil

**Statutory Environment:** Local Government Act 1995 – Financial Management Regulation 34

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **100703**

*Moved Cr Schlueter, seconded Cr Kempin*

*“That the Interim Financial Report for the period ending 30<sup>th</sup> June 2010 be received.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.2 CREDITORS ACCOUNTS PAID JUNE 2010**


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<b>Program:</b>	<b>Other Property and Services</b>
<b>Attachment:</b>	<b>List of Payments for June 2010</b>
<b>File Ref:</b>	<b>Nil</b>
<b>Author:</b>	<b>KP O'Neill</b> <b>Finance Officer</b>
<b>Date:</b>	<b>7<sup>th</sup> July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Attached is a list of payments made from the Municipal and Trust Funds during June 2010.

**Background:** The Local Government Act 1995 – Financial Management Regulation 13 states 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.

**Comment:** SUMMARY

Municipal Fund	\$505,920.51
Trust Fund	\$6,389.80
Credit Card	\$1,007.70
<b>TOTAL</b>	<b><u>\$513,318.01</u></b>

**Consultation:** Nil

**Statutory Environment:** Local Government Act 1995 – Financial Management Regulation 13

**Policy Implications:** Nil

**Financial Implications:** List of payments made during the previous month

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **100704**

*Moved Cr Turner, seconded Cr Crosby*

*“That the list of Creditors accounts paid during June 2010, being:-*

- Municipal Fund cheques numbered 986 to 1017, 1501 to 1504 inclusive, electronic payments numbered EFT1301 to EFT1386 inclusive and totalling \$505,920.51;*
- Trust fund cheques numbered 164 to 168 inclusive totalling \$6,389.80; and*
- Credit card expenses totalling \$1,007.70;*

*be adopted.”*

**CARRIED 9/0**

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**Reason For Change to**

**Recommendation:**

### 10.3 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM – 2010/2011

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<b>Program:</b>	<b>Community Amenities</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>ADM0297</b>
<b>Author:</b>	<b>PA Hull</b> <b>Community Services Officer</b>
<b>Date:</b>	<b>6 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to consider projects for inclusion in the above funding round.

**Background:** The Federal Government has recently released details of the third round of Regional and Local Community Infrastructure Program (RLCIP) funding for 2010/2011. This program is intended to support local jobs and provide long term benefits to communities by assisting councils to build and modernize local infrastructure.

The Shire of Broomehill-Tambellup will receive a one off payment of \$30,000 which can be spent on community infrastructure including new construction and major renovations or refurbishments of assets such as:

- Social and cultural infrastructure (eg. art spaces, gardens);
- Recreational facilities (eg. swimming pools, sports stadiums);
- Tourism infrastructure (eg. walkways, tourism information centres);
- Children, youth and seniors facilities (eg. playgroup centres, senior citizens centres);
- Access facilities (eg. boat ramps, footbridges); and
- Environmental issues (eg. drain and sewerage upgrades, recycling plants).

Councils are required to provide the Department with details of projects that will be funded by 30<sup>th</sup> July 2010 and will be required to enter into an agreement prior to receipt of the payment.

Projects must be complete and funding expended by 31 December 2011.

The eligibility guidelines are quite stringent, in that projects must be additional or additional stages of current projects. These are projects which have not been included in the Council budget for 2010/2011, are new, or can be brought forward as a result of the RLCIP funding.

Projects must also represent value for money. This means the project will add value by achieving something worthwhile for the community that would not occur without grant assistance.

Staff have identified the following projects as being appropriate for inclusion:

- Upgrade of Broomehill Skate Park
- Upgrade to visitor facilities in Norrish St, Tambellup.

Council may also have other projects in mind. For Council discussion and decision.

**Comment:***Broomehill Skate Park:*

Following consultation with skate park users in Broomehill, the following upgrade to the facility is proposed:

- Extend concrete area: pour and integrate new equipment
- New equipment – grind rail, spine with tabletop, volcano. To be locally manufactured and permanently installed in concrete surface.
- Cost – estimated \$15,000

*Upgrade to visitor facilities in Norrish St, Tambellup.*

The disabled toilets in Norrish St are a well used facility, due in part to the large parking area available to vehicles towing caravans and heavy vehicles. It is proposed to incorporate a gazebo, table and seats, and landscape the area to provide a rest stop for visitors passing through the town. The cost is estimated to be \$19,500.

Funding of \$30,000 will be received through RLCIP Round 3. Project expenditure is estimated at \$34,500. Under the terms of the agreement Council is expected to cover any shortfall should it occur to complete the projects.

**Consultation:**

Manager of Works

**Statutory****Environment:**

Nil

**Policy Implications:**

Nil

**Financial****Implications:**

The \$30,000 funding to be received is unbudgeted income.

**Strategic****Implications:**

This issue is not dealt with in the Strategic Plan

**Voting Requirements:**

Absolute Majority

**Council Resolution:**

**100705**

*Moved Cr Turner, seconded Cr Sheridan*

*“That funding from the Regional and Local Community Infrastructure Program 2010-2011 of \$30,000 be utilized on the following projects:*

- *Upgrade of Broomehill Skate Park*
- *Upgrade to visitor facilities in Norrish St, Tambellup*

*Further, that Council recognises the income as unbudgeted.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.4****PROPERTY RATING 2010-2011**


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<b>Program:</b>	<b>General Purpose Funding</b>
<b>Attachment:</b>	<b>Rating Scenarios</b>
<b>File Ref:</b>	<b>ADM0035</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>6 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** At the recent budget workshop staff were asked to do an analysis on rating in the Shire of Broomehill-Tambellup and the impact of applying different percentage increases to GRV and UV properties.

**Background:** The Local Government Act 1995 section 6.28 states that the method of valuation of land is to be as follows –

- Unimproved Value (UV) – where the land is used predominantly for rural purposes
- Gross Rental Value (GRV) – where the land is used predominantly for non-rural purposes

Currently all land within the Broomehill and Tambellup townsites is valued as GRV while all the rural land is UV. Valuations are supplied by the Valuer General on an annual basis for UV land and approximately every 5 years for the GRV land. The last revaluation for GRV land was done in 2009. On this basis UV valuations are constantly changing while GRV remain reasonably static for a 5 year period.

The 2010-2011 budget has been prepared based on

- Unimproved Values (UV) – an increase of 5% on the total rates raised in 2009-2010
- Gross Rental Values (GRV) – an increase of 5% on the total rates raised in 2009-2010
- The minimum rate remains at \$300 per annum

Since the establishment of the Shire of Broomehill-Tambellup the following rate increases have been applied across the board

- 2008-2009 – 6.6%
- 2009-2010 – 4%

Minimum rates have been applied as follows

- 2008-2009 - \$275
- 2009-2010 - \$300

GRV rates made up 10.03% of total rates raised in 2009-2010. It should be noted that of the 387 GRV assessments, 96 (24.80%) attracted a minimum rate of \$300 while of the 430 UV assessments 22 (5.11%) attracted a minimum. The average rate for GRV properties was \$419.57. The Local Government Act 1995 section 6.35 (3) states that in the application of minimum rates no more than 50% of the number of properties in each rating category can be on a minimum rate.

In applying a 5% increase for 2010-2011 and leaving the minimum at \$300, across the board the following will result

- GRV – 10.03% of total rates raised with 86 (22.93%) of GRV assessments on minimum rates



- UV – 89.97% of total rates raised with 25 (5.78%) of UV assessments on minimum rates
- Average rate for GRV properties - \$444.14
- 13.87% of all assessments are minimums

Historically, Council has applied rate increases to the total dollar value of rates raised in the previous year across both UV and GRV. Other options that are available to Council are to apply an increase to the rate in the \$, increase UV and GRV rates by differing amounts or increase the minimum rate.

Included with the agenda documents are different rate modelling scenarios for Councils consideration.

For Council discussion.

**Comment:**

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** The raising of rates is one of the main revenue sources available to Council. Rates are a “tax” on land and put in simple terms, the more land you own the more tax you pay. Rating income provides for the annual operation of the Council and the completion of specific projects through the year. In the 2009-2010 financial year property rates made up 31.29% of income.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100706*

*Moved Cr Turner, seconded Cr Bowman*

*“That Council adopts the following as part of the rating parameters for the 2010-2011 financial year*

- *UV properties: 5%*
- *GRV properties: 10%*
- *Minimum rates be set at \$300”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.5 ADOPTION OF 2010-2011 BUDGET**


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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>Annual Budget for the year ending 30<sup>th</sup> June 2011</b>
<b>File Ref:</b>	<b>ADM0163</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>7<sup>th</sup> July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to adopt the 2010/2011 Annual Budget.

**Background:** The Local Government Act 1995, Section 6.2 states that a Local Government is to prepare an annual budget not later than 31<sup>st</sup> August in each financial year, or such extended time as the Minister allows, and adopt by absolute majority, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the following 30<sup>th</sup> June.

**Comment:** The budget in its draft form was presented to a Council workshop on 17 June 2010. All amendments resulting from the workshop have been included in the budget documents.

Councils' allocation of funding from the Royalties for Regions program will see a number of projects undertaken throughout the year, including refurbishment of the Tambellup Pavilion, construction of public conveniences in Broomehill, pathways in the Broomehill townsite and replacement of timber framed windows in the Broomehill Office.

The portion of Royalties for Regions funding allocated to Councils preferred regional grouping (the Southern Link VROC) has resulted in \$470,000 in funding being allocated to the following projects:-

- Regional Records Repository \$250,000;
- Transfer Stations Broomehill and Tambellup tips \$160,000;
- Tambellup Pavilion re-roofing \$60,000.

Advice has been received from the WA Local Government Grants Commission of the allocation in financial assistance grants for 2010-2011. An additional \$111,400 in funding will be received, which has been utilised to increase the transfers to Councils reserve funds. This has been done with a view to lessen the anticipated impact from the reduction of grants in the 2013-2014 year when the freeze on our grants as a result of the amalgamation will cease. Council also received an advance instalment in 2010-2011 financial assistance grants in June.

Rates have been increased by 5% overall, however an analysis on Councils rates has been provided for consideration in agenda item 10.4.

**Consultation:** Nil

**Statutory Environment:** Local Government Act 1995, Section 6.2.  
Local Government (Financial Management) Regulations 1996.

**Policy Implications:** Nil

**Financial Implications:** Adoption of the annual budget sets the financial framework for the year.

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

**Voting Requirements:** Absolute Majority

**Officer Resolution:** “That Council adopts the following

**1. GENERAL RATES**

*That the following Rate in the Dollar be adopted for the Shire of Broomehill-Tambellup for the year ending 30 June 2011:-*

*Unimproved Values ..... Cents in the dollar*

*Gross Rental Values ..... Cents in the dollar*

**Council Resolution:** **100707**

*Moved Cr Bowman, seconded Cr Schlueter*

**1. GENERAL RATES**

*“That the following Rate in the Dollar be adopted for the Shire of Broomehill-Tambellup for the year ending 30 June 2011:-*

*Unimproved Values .7220 cents in the dollar*

*Gross Rental Values 7.8948 cents in the dollar”*

**CARRIED 9/0**  
**By Absolute Majority**

**Officer Resolution:** **2. MINIMUM RATES**  
*That the minimum rate for Gross Rental Values is set at \$...... per assessment and the minimum rates for Unimproved Values is set at \$...... per assessment.*

**Council Resolution:** **100708**

*Moved Cr Crosby, seconded Cr Sheridan*

**2. MINIMUM RATES**

*“That the minimum rate for Gross Rental Value is set at \$300 per assessment and the minimum rates for Unimproved Values is set at \$300 per assessment.”*

**CARRIED 9/0**  
**By Absolute Majority**

**Council Resolution: 100709***Moved Cr Turner, seconded Cr Schlueter***3. REFUSE AND RECYCLING CHARGES***“That in accordance with the provisions of the Waste Avoidance and Resource Recovery Act 2007 that Council imposes the following refuse and recycling charges (exclusive of GST) for 2010/2011:-*

<i>Residential Refuse - including recycling</i>	<i>\$225.00</i>
<i>Residential Refuse – additional bin</i>	<i>130.00</i>
<i>Residential - additional recycling bin</i>	<i>95.00</i>
<i>Commercial Refuse - including recycling</i>	<i>245.00</i>
<i>Commercial Refuse - additional bin</i>	<i>150.00</i>
<i>Commercial - additional recycling bin</i>	<i>95.00</i>
<i>240 Litre Wheelie Bin</i>	<i>at cost</i>
<i>Tipping Fee - cubic metre</i>	<i>11.00</i>
<i>Asbestos Disposal - trailer/ute</i>	<i>110.00</i>
<i>Asbestos Disposal - truckload</i>	<i>220.00</i>

**4. DISCOUNT****General Rates***That Council, in accordance with the provisions of section 6.46 of the Local Government Act 1995, offers a 10% discount on 2010/2011 general rates if full payment of rates, arrears, ESL and refuse charges is received within 28 days from the date of issue on the rate notice.***Interim Rates***That Council offers a 10% discount on interim rates levied, provided full payment is received within 28 days from the date of issue on the rate notice.***5. PAYMENT OPTIONS***That Council, in accordance with the provisions of section 6.45 and 6.50 of the Local Government Act 1995, offers the following payment options for the payment of rates:-**(a) Single Instalment*

- *Payment in full (including all arrears) within 28 days of the issue of the rate notice and be eligible for a 10% discount on current general rates and minimum charges.*
- *Payment in full within 35 days of the date of issue of the rate notice.*

*(b) Two Instalments*

- *The first instalment of 50% of the total current rates, ESL, refuse charges, instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.*
- *The second instalment of 50% of the total current rates, ESL, refuse charges and instalment charges, payable 4*

*months from the due date of the first instalment.*

**(c) Four Instalments**

- *The first instalment of 25% of the total current rates, ESL, refuse charges and instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.*
- *The second, third and fourth instalments, each of 25% of the current rates, ESL, refuse charges and instalment charges, payable at two monthly intervals after the due date of the first instalment.*

**6. INTEREST AND ADMINISTRATION CHARGES FOR INSTALMENT OPTIONS**

*That Council, in accordance with the provisions of section 6.45 of the Local Government Act 1995 imposes an Administration Fee of \$10 per instalment notice together with an interest charge of 5.5%, both of which applies to the second instalment of the Two Instalment option, and the second, third and fourth instalments of the Four Instalment option.*

**7. LATE PAYMENT PENALTY INTEREST**

*That Council, in accordance with the provisions of section 6.13 and 6.51 of the Local Government Act, and Regulations 19A and 70 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 11% per annum. Penalty interest will apply to all charges which remain unpaid after 35 days from the date of issue of the rate notice.*

*Excluded are eligible pensioners, deferred pensioner rates and current instalment amounts not yet due.*

**8. FEES AND CHARGES**

*That Council, in accordance with section 6.16 of the Local Government Act 1995, adopts the Schedule of Fees and Charges as set out at Note 19 in the Budget document for the year ending 30 June 2011.*

**9. DETERMINING MATERIAL VARIANCES**

*That, in accordance with the provisions of the Local Government (Financial Management) Regulations 1996 section 34(5), the material variance as reported in the Statement of Financial Activity in the financial year ending 30 June 2011 will be 10% or \$10,000.*

**10. MEMBERS MEETING ATTENDANCE FEES**

*That Council, in accordance with section 5.99 of the Local Government Act 1995 and Regulation 34 of the Local Government (Administration) Regulations 1996, adopts an annual allowance for meeting attendance fees for 2010/2011 of \$7,000 per annum for the President and \$3,000 per annum for Councillors.*

**11. PRESIDENT AND DEPUTY PRESIDENT ALLOWANCE**

*That Council, in accordance with section 5.98(5) and 5.98A of the*

*Local Government Act 1995 and Regulation 33 and 33A of the Local Government (Administration) Regulations 1996, adopts an annual allowance of \$1,000 for the President and \$250 for the Deputy President.*

**12. MEMBERS TRAVELLING EXPENSES**

*That Council, in accordance with the provisions of section 5.99A of the Local Government Act 1995 and Regulation 34AB of the Local Government (Administration) Regulations 1996, adopts that travelling expenses are reimbursed to elected members at the rate of 60 cents per kilometre.*

**13. TELECOMMUNICATIONS ALLOWANCE**

*That Council, in accordance with the provisions of section 5.99A of the Local Government Act 1995, and Regulation 34A of the Local Government (Administration) Regulations 1996, adopts a Telecommunications Allowance of \$200 per Councillor per year."*

**CARRIED 9/0 En Bloc  
By Absolute Majority**

**Officer Resolution:**

**14. ADOPTION OF THE ANNUAL BUDGET**

*That the Annual Budget for the Shire of Broomehill-Tambellup for the year ending 30 June 2011 comprising the Income Statements, Cash Flow Statement, Rate Setting Statement and associated notes be adopted.*

**Council Resolution:**

**100710**

*Moved Cr Kempin, seconded Cr Sheridan*

**14. ADOPTION OF THE ANNUAL BUDGET**

*"That the Annual Budget for the Shire of Broomehill-Tambellup for the year ending 30 June 2011 comprising the Income Statements, Cash Flow Statement, Rate Setting Statement and associated notes be adopted as amended."*

**CARRIED 9/0  
By Absolute Majority**

**Reason For Change to  
Recommendation:**

The Finance Officer Kay O'Neill retired from the meeting at 4.43pm.

<b>10.6</b>	<b>PROPOSED SUBDIVISION – LOT 1 BEEJENUP ROAD, WANSBROUGH (WAPC: 142291)</b>
<b>Program:</b>	<b>Planning</b>
<b>Attachment:</b>	<b>Subdivision Plan</b>
<b>File Ref:</b>	<b>S142291</b>
<b>Author:</b>	<b>Gray &amp; Lewis                      Landuse Planners</b>
<b>Date:</b>	<b>24 June 2010</b>
<b>Disclosure of Interest:</b>	<b>Gray &amp; Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of <i>Local Government Act 1995</i></b>

**Summary:** An application has been lodged with the Western Australian Planning Commission (WAPC) to excise a homestead lot from a farming property.

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

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

**Background:** Lot 1 Beejenup Road Tambellup (“subject lot”) is zoned ‘Farming’ under the Shire of Tambellup Town Planning Scheme No 2.

The existing lot has an approximate area of 113 hectares, and contains an existing house and dams.

**Comment:** Description of Application  
The application proposes to subdivide the subject lot into 2 separate green title lots of 6.96 hectares for the homestead lot containing the existing house and dams, and retaining the main farmland on 106.16 hectares.

Scheme provisions

Under the Scheme the objectives for the farming zone include ‘..to ensure the continuation of broad hectare farming as the principle land use in the District..’.

It is not considered that the subdivision will undermine this objective as the farm can continue to operate effectively, and it is unlikely that the land in the immediate vicinity to the existing residence is actively used for farming purposes. The proposed homestead lot also has tree lined buffers which provide some separation to the farm activities.

The Shires Scheme has a general presumption against subdivision of Farming land unless in specific circumstances (eg significant physical division). There are no specific provisions in the Scheme which allow for homestead lots, likely due to the Schemes age.

Notwithstanding that the Scheme does not contemplate subdivision for homestead lots, Council has an obligation to consider any relevant state planning policies.

WAPC Policy DC 3.4 – Rural Subdivision

WAPC Policy DC 3.4 sets out the principles which are used by the WAPC in determining applications for subdivision of rural land.

The WAPC have been actively approving homestead lot applications which comply with the Policy criteria.

WAPC Policy Criteria	Officer Comment	Officer Assessment
The land is in the Wheatbelt agricultural policy area.	Tambellup is included in Appendix 3 of the Policy as being in the Wheatbelt policy area.	Complies.
The population in the locality is declining or relatively static.	Australian Bureau of Statistics shows that the population in the Shire of Tambellup declined from 664 people in 2001 to 659 in 2006.	Complies.
The homestead lot has an area between 1 and 4ha, or up to 20 ha where it is desirable to respond to the landform or to include existing outbuildings or water sources.	The proposed homestead lot is 6.96 hectares.	Complies.  The homestead lot boundary has been configured to include an existing house and dams, follow the creek line to the west and a line of trees to the north.
There is an adequate water supply for domestic, land management and fire management services	The existing house would already be serviced by rainwater tanks and includes dams on the lot.	Complies.
The homestead lot fronts a constructed road.	The lot has direct frontage to Beejenup Road.	Complies.
The homestead lot contains an existing residence.	It contains an existing house.	Complies.
A homestead lot has not been excised from the farm in the past.	It is clear from the surrounding lot sizes and pattern that no homestead lots have been excised in the past.	Complies.

It is considered that the application complies with WAPC Policy DC 3.4.

*Conclusion*

Gray & Lewis recommends that application be supported based on the following;

- (1) The application complies with WAPC Policy DC 3.4.
- (1) There are community benefits associated with homestead lots as they help to maintain the existing population.
- (2) Homestead lots can provide accommodation for retired farmers



who wish to remain in the area, workers, and/or provides income for farmers who may wish to construct a new dwelling on the remaining farm lot.

<b>Consultation:</b>	Consultation has been conducted by the WAPC who has referred the application to the Department of Industry and Resources, Western Power, Department for Water and Water Corporation for comment.
<b>Statutory Environment:</b>	Shire of Tambellup Town Planning Scheme No 2
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	The subdivision may result in increased rates due to the increase of one lot.
<b>Strategic Implications:</b>	Nil.
<b>Voting Requirements:</b>	Simple Majority
<b>Council Resolution:</b>	<b>100711</b>

*Moved Cr Kempin, seconded Cr Bowman*

*“That Council;*

- (1) Recommend that the Western Australian Planning Commission approve the application to subdivide Lot 1 Beejenup Road, Wansborough (WAPC: 142291) subject to a condition requiring ‘All buildings having necessary clearance from new boundaries’.*
- (2) That a copy of this report be provided to the WAPC as it includes the assessment conducted of the application.*
- (3) That Council recommends that a Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificate of Title of the proposed homestead lot advising that the surrounding lots are used for agricultural purposes therefore the land may be affected by normal rural activities such as odour, noise, spray drift and the like.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

## 10.7 SUBDIVISION OF LOT 328 GNOWANGERUP – TAMBELLUP ROAD

<b>Program:</b>	<b>Housing</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>ADM0008</b>	
<b>Author:</b>	<b>VN Webster</b>	<b>Acting Manager Administration &amp; Customer Service</b>
<b>Date:</b>	<b>29<sup>th</sup> June 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

**Summary:** Council to consider the subdivision of Lot 328 Gnowangerup-Tambellup Road.

**Background:** At the Ordinary Meeting of Council held in May 2010, Council resolved (Resolution 100512):

*“That Council takes the following course of action in relation to the property at Lot 328 Gnowangerup-Tambellup Road;*

- *The existing house be demolished after the plan of subdivision is approved by Council;*
- *That the block be subdivided into two;*
- *One of the blocks to be considered for sale;*
- *The other block to be incorporated into the proposed Aged Accommodation development if required.”*

Council's planners, Gray and Lewis were contacted on the best way to subdivide the block.

**Comment:** Gray & Lewis have advised that for the subdivision to gain approval from the Western Australian Planning Commission (WAPC) each lot created must have direct access to a gazetted road, therefore Council would need to subdivide the lot straight down the middle.

The alternative is a battleaxe subdivision to achieve ‘sideways’ lots but WAPC tends to discourage battleaxe lots if there is an option of having direct road frontage.

If the lot was subdivided down the middle the lot frontage for each block is approximately 17.5m wide which is sufficient to adequately cater for any development that Council may wish to pursue.

It will also create regular shaped lots in keeping with the existing lots and both lots will have street views. Battleaxe lots are confined and have no street view.

For Council discussion and decision.

**Consultation:** Gray & Lewis Land Use Planners

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Provision will need to be made in the 2010-2011 budget for the cost of the subdivision applications.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100712*

*Moved Cr Turner, seconded Cr Kempin*

*“That Lot 328 Gnowangerup-Tambellup Road be subdivided straight down the middle to achieve two road frontage blocks for future development.”*

***CARRIED 9/0***

**Reason For Change to Recommendation:**

## 10.8 PROPOSED TEMPORARY PLANNING APPROVAL – LOT 531 OLD NARDLAH ROAD, BROOMEHILL

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<b>Program:</b>	<b>Planning</b>
<b>Attachment:</b>	<b>Letter and Plans</b>
<b>File Ref:</b>	<b>ADM0284</b>
<b>Author:</b>	<b>Gray &amp; Lewis                      Landuse Planners</b>
<b>Date:</b>	<b>1 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Gray &amp; Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of <i>Local Government Act 1995</i></b>

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More than half of the members grow grain and deliver to CBH and may have a financial interest. A request has been made to the Department of Local Government and Regional Development for Ministerial approval for members to deal with this matter. The Department of Local Government and Regional Development has advised that the elected members interest is determined as an “Interest in Common” and no elected member declaration is required.

Cr Thompson declared a Financial Interest in this matter as he is the landowner of Lot 531 Old Nardlah Road, Broomehill and left the meeting at 4.40pm.

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**Summary:** An application has been lodged for a temporary planning approval for two open bulkheads for grain storage on Lot 531 Old Nardlah Road, Broomehill.

This report recommends that the application be deferred and additional information be requested from CBH.

**Background:** ***2008 Temporary Approval – Lot 531***  
In September 2008, Council received a planning application from Bulkwest Engineering on behalf of Cooperative Bulk Handling (CBH) to establish two emergency open bulkheads on Lot 531 Nardlah Road, Broomehill West. The approval was for 12 months and expired on 23 September 2009.

***2009 Temporary Approval – Lot 531***  
In June 2009, Council considered and approved an extension to the planning approval for Lot 531 to 25 September 2010 as the applicant had advised;

- Development in accordance with the planning consent for Lot 530 Nardlah Road will take time to develop.
- It would take time for the building licence to be processed and approved.
- Once planning and building consents are obtained, it would take time to complete construction of infrastructure.

***2009 Planning Approval – Lot 530***  
A planning approval was issued in July 2009 for development of Lot 530 for a CBH receipt point.

It was anticipated that development of Lot 530 would provide a long term solution to cater for increased crop yields, and eliminate the need for the temporary facility on Lot 531.

Formal approval was issued on the 21 July 2010 subject to a number of conditions including;

- The applicant to construct and bitumen seal the section of Nardlah Road at its own cost between the existing facility and Lot 530 within a time frame to be agreed to in writing by the Shire.
- Prior to commencement of road works, detailed plans for upgrading of Nardlah Road are to be lodged with the Shire for separate written approval.
- All development shall be in accordance with the approved plans and the crossover and internal areas used for truck movements are to be sealed to minimise any potential dust from vehicles.

**Comment:**

**Zoning**

The subject lot is zoned 'Farming' under the Shire of Broomehill Town Planning Scheme No 1. Land to the west is zoned 'Rural Residential' and consists of separate lots with potential for development of dwellings.

**Description of Application**

The applicant has lodged a new application seeking planning approval to retain two open bulkheads on Lot 531 Nardlah Road until the 25 September 2011.

The applicant has advised that the proposed 'extension' for planning approval on Lot 531 is due to (1) delays on obtaining a building licence (2) time required to allow for survey, design, approval and construction of Nardlah Road for the Lot 530 approval; and (3) to allow for a four month construction period for the development on Lot 530.

**Request for additional information**

Prior to lodgement of the application by CBH (in April 2009), Gray & Lewis advised that they needed to lodge a detailed submission explaining in more detail why additional time was being sought, include a schedule of works for cessation of the temporary facility, and empathised a need for an explanation to Council on timing.

This information was not lodged by CBH as part of the current application. Accordingly, Gray & Lewis requested additional information prior to referral of this current application to Council. On the 25 June 2010, the applicant has advised as follows:

- Construction on Lot 530 would commence once a building licence is issued.
- A building licence has not been lodged for open bulkheads on Lot 530.
- Apart from obtaining an estimate on the design for construction of Nardlah Road there has been no further progress on constructing and sealing Nardlah Road.

- The construction of roads, drainage, two open bulkheads, discharge pit and conveyor on Lot 530 is estimated to take 4 months from the date of the issue of a building licence.

CBH indicates that they sent an email outlining a proposal to construct portions of Nardlah Road (from the weighbridge to Darcy Street) on the 2 July 2009, and advise they did not receive any response.

However, the email was responded to as the Shire issued a conditional approval for Lot 530 with specific conditions requiring construction of a portion of Nardlah Road on 21 July 2010. The onus is now on CBH to act on the approval for Lot 530 and to negotiate directly with the Shire on construction of a portion of Nardlah Road.

### **Options available to Council**

#### ***Option 1 – defer and request additional information***

The approval for Lot 530 was issued in July 2009 and based on the information provided CBH has not taken substantial steps to actively progress that development.

Gray & Lewis has concerns that despite several requests, CBH has not provided any clear commitment or timeline as to when development on Lot 530 will occur, and this impacts on whether this third proposal for Lot 531 will be a 'temporary' approval.

It is recommended that Council seek additional information from CBH as follows;

1. CBH has indicated that once a building licence is lodged and issued for Lot 530, construction for on site facilities will take approximately 4 months. Clarification is sought as to when CBH plans to lodge a building licence for Lot 530.
2. CBH has indicated that the Shire did not respond to an email on road construction dated 2 July 2009, however the Shire responded by issuing the planning approval for Lot 530 on the 21 July 2009, which included clear conditions relating to the construction of Nardlah Road.

The onus is now on CBH to provide a proposal to the Shire on the road construction. Accordingly Council seeks firm advice on what steps CBH will take to progress construction of the section of Nardlah Road between the existing facility and Lot 530, when a consultant will be engaged to prepare designs, and likely timing for the preparation of the designs and lodgement to Council. Advice is also sought on the timeframe that CBH proposes to complete construction.

#### ***Option 2 – Approve the application with conditions***

As outlined in the statutory section of this report Council can issue approval and limit the time period for which the approval will be valid.

This option is not recommended by Gray& Lewis (until CBH clarifies

their future intentions) as there has already been two 'temporary' approvals issued for this lot.

It is considered reasonable for Council to seek assurances that the proposed 'temporary' approval period is achievable. Otherwise Council may need to consider whether it is willing to support the use as a permanent landuse on Lot 531.

### **Scheme Provisions**

Under Clause 7.3.3 of the Shire of Broomehill Town Planning Scheme No 1, Council may limit the time for which a planning consent remains valid.

It is open to Council to issue a new planning approval for the CBH bulkheads on Lot 531 and limit the approval to 13 months.

If a future approval is issued, Gray & Lewis recommends having a more flexible condition which states that *'the approval is limited to 13 months from the date of this approval or an alternative time period agreed to in writing by the Shire'*.

### **Consultation:**

Council advised all residents in close proximity to the bulkheads and during the 2008-2009 grain season. It is understood that no complaints were received by the Shire at that time.

As residents were advised that the facility was temporary in 2009, Council has the option of conducting further public consultation prior to determining this current application. The decision as to whether to advertise the application is to be determined by Council.

### **Statutory**

#### **Environment:**

Shire of Broomehill Town Planning Scheme No 1

#### **Policy Implications:**

Nil

### **Financial**

#### **Implications:**

Nil

### **Strategic**

#### **Implications:**

Nil

#### **Voting Requirements:**

Simple Majority

**Council Resolution: 100713**

*Moved Cr Schlueter, seconded Cr Kempin*

*“That Council defer determination of the application seeking a further new ‘temporary’ planning approval for two open bulkheads for grain storage on Lot 531 Old Nardlah Road, Broomehill and;*

- 1. Advise CBH that Council has reservations as to whether the proposal is temporary given that 2 previous approvals have already been granted, and CBH has not secured any building licence for development on related Lot 530.*

*Whilst it is understood that development on Lot 530 may take some time Council needs firm advice from CBH on the timeframes it can commit to for development on Lot 530, which relates to the timeframe CBH has proposed for the planning approval for Lot 531.*

- 2. Request the following information from CBH:*

- (i) CBH has indicated that once a building licence is lodged and issued for Lot 530, construction for on-site facilities will take approximately 4 months. Clarification is sought as to when CBH plans to lodge a building licence for Lot 530 (ie within 2-3 months).*
- (ii) CBH has indicated that the Shire did not respond to an email on road construction dated 2 July 2009, however the Shire responded by issuing the planning approval for Lot 530 on the 21 July 2009, which included clear conditions relating to the construction of Nardlah Road.*

*The onus is now on CBH to provide a proposal to the Shire on the road construction.*

*Accordingly Council seeks firm advice on what steps CBH will take to progress construction of the section of Nardlah Road between the existing facility and Lot 530, when a consultant will be engaged to prepare designs, and likely timing for the preparation of the designs and lodgement to Council. Advice is also sought on the timeframe that CBH proposes to complete construction once road construction approval is issued.”*

**CARRIED 8/0**

**Reason For Change to Recommendation:**

Cr Thompson returned to the meeting at 4.45pm



**10.9 2011-2012 REGIONAL ROAD GROUP PROJECTS**


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<b>Program:</b>	<b>Transport</b>
<b>Attachment:</b>	<b>Copy of the RRG Five Year Strategy</b>
<b>File Ref:</b>	<b>ADM0168 ADM0156</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>30 June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to consider the 2011-2012 Regional Road Group Projects. Submissions are due by Friday 30 July 2010.

**Background:** Submissions for the 2011-2012 Regional Road Group Projects must be forwarded by 30 July 2010. If Council is submitting more than one project, then all the projects must be prioritised.

Council will be submitting the following projects for the 2011-2012 financial year:

- BT1 – Broomehill-Kojonup Road – widen, prime and seal to 7.0m – slk 18.9 to 23.3
- BT2 – Broomehill-Kojonup Road – reseal to 7.0m – slk 5.6 to 6.6
- BT10 – Gnowangerup Tambellup Road – widen seal to 7.0m – slk 6.6 to 9.9
- BT12 – Tambellup West Road – widen seal to 7.0m – slk 22.6 to 26.6
- BT14 – Tambellup West Road – reconstruct and widen to 7.0m – slk 4.9 to 8.6
- BT15 – Gnowangerup Tambellup Road – reseal 7.0m – slk 13.9-20.9

Council needs to prioritise the above projects. It is proposed to rank the projects as follows:

1. BT10
2. BT1
3. BT12
4. BT2
5. BT14
6. BT15

**Comment:** For Council discussion and comment.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Funding for these road projects, if the applications are successful is on a 2:1 basis. Provision can be made in the 2011-2012 budget for Councils one third contribution.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **100714**

*Moved Cr Bowman, seconded Cr Sadler*

*“That Council resolves to prioritise the 2011-2012 Regional Road Group Project submissions as follows:*

- 1. BT10 – Gnowangerup Tambellup Road – widen seal to 7.0m – slk 6.6 to 9.9*
- 2. BT1 – Broomehill-Kojonup Road – widen, prime and seal to 7.0m – slk 18.9 to 23.3*
- 3. BT12 – Tambellup West Road – widen seal to 7.0m – slk 22.6 to 26.6*
- 4. BT2 – Broomehill-Kojonup Road – reseal to 7.0m – slk 5.6 to 6.6*
- 5. BT14 – Tambellup West Road – reconstruct and widen to 7.0m – slk 4.9 to 8.6*
- 6. BT15 – Gnowangerup Tambellup Road – reseal 7.0m – slk 13.9-20.9”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.10 RESERVE 684 & FLAT ROCKS ROAD – ROAD CLOSURE**

<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Copy of Map</b>	
<b>File Ref:</b>	<b>Res684 &amp; Rd3</b>	
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>6 July 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

**Summary:** Council has advertised its intent to close a portion of an unmade road reserve and amalgamate it into Reserve 684.

**Background:** As a result of a request from State Land Services, Council resolved at its ordinary meeting held on 15 April 2010 to advertise its intent to permanently close under the *Land Administration Act 1997* the portion of the road reserve marked yellow on the attached map and amalgamate it into Reserve 684.

The surrounding landholders and identified key stakeholders were advised in writing of Councils proposal and invited to make a submission. The proposal was also advertised for a 35 day public comment period.

Council received six responses.

Organisation	Comments
Department of Planning	No objection to the proposed closure of the road reserve
Water Corporation	No objection to the proposed closure of the road reserve
Western Power	No objection to the proposed closure of the road reserve
Public Transport Authority of WA	No objection to the proposed closure of the road reserve
NJ & JA Witham	No objection to the proposed closure of the road reserve
Telstra	No objection to the proposed closure of the road reserve

Council now has to consider the comments received and formally request the Minister for Lands to close the identified portion of road reserve and amalgamate it into the Reserve 684.

**Comment:**

**Consultation:** Nil

**Statutory Environment:** Land Administration Act 1997 and Land Administration Regulations 1998

The Land Administration Regulations 1998 state that:

**9. Preparation and delivery by local government of request to close a road permanently.**

*For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request –*

- a) Written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require;*
- b) Sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed;*
- c) Copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received and the local governments comments on those submissions;*
- d) A copy of the relevant notice of motion referred to in paragraph (c);*
- e) Any other information the local government considers relevant to the Minister's consideration of the request; and*
- f) Written confirmation that the local government has complied with section 58(2) and (3) of the Act*

**Policy Implications:** Nil

**Financial Implications:** Council will have to meet the advertising and Dial Before you Dig costs.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **100715**

***Moved Cr Thompson, seconded Cr Sheridan***

***“That Council, under section 58 of the Land Administration Act 1997 requests the Minister for Lands to permanently close the portion of the unmade road reserve, between where the said road reserve intersects with the northern boundary of Reserve 684 and the south western corner of Reserve 684 as highlighted in yellow on the attached map. Further the land to be amalgamated into Reserve 684.”***

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.11 LOCAL GOVERNMENT CONVENTION-AGM OF WALGA**


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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>Copy of motions for consideration</b>
<b>File Ref:</b>	<b>ADM0077</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>6 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** The Annual General meeting (AGM) of the Western Australian Local Government Association (WALGA) will be held as part of the Local Government Convention.

**Background:** The AGM of WALGA will be held on Saturday 7 August 2010 at 1.00pm. Attached are copies of the motions that will be considered as part of the meeting. There are nine motions that cover a variety of subjects.

**Comment:** Members will need to discuss the motions and determine the preferred voting for each so that conference delegates can carry out Councils wishes.

Council delegates are Cr Bowman and Cr Kempin.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** This issue has no financial implications for Council

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

**Voting Requirements:** Simple Majority

**Officer Resolution:** *“That Council discuss the motions for the Annual General Meeting of the Western Australian Local Government Association and advise the Council delegates of its preferred voting on each.”*

**Council Resolution:** *“Council discussed the motions for the Annual General Meeting and advised Council delegates of the preferred voting on each motion as presented.”*

**Reason For Change to Recommendation:**

## 10.12 UPPER GREAT SOUTHERN REGIONAL ENTERTAINMENT CENTRE – SHIRE OF KATANNING

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<b>Program:</b>	<b>Recreation &amp; Culture</b>
<b>Attachment:</b>	<b>Copy of Briefing Notes and Floor Plan</b>
<b>File Ref:</b>	<b>ADM0311</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>6 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** The Shire of Katanning is seeking Council support and contribution towards the redevelopment of the Katanning Town Hall.

**Background:** The Shire of Katanning has identified a regional entertainment centre to be located in Katanning as a priority project in its Plan for the Future. The Katanning Council are progressing this and from their correspondence are proposing to utilise funding from the regional component of the Country Local Government Fund (CLGF) towards the project. The proposal is to redevelop the Katanning Town Hall to be the regional entertainment centre.

The Katanning Council are seeking support and financial contribution from Broomehill-Tambellup's regional CLGF allocation, from the "Upper Great Southern Regional Entertainment Centre".

**Comment:** Attached for members information is a copy of the briefing note and floor plan for the proposed project.

At this time Council has committed the 2010-2011 and ensuing years funding of the regional component of the CLGF to the identified and agreed projects with the other members of the Southern Link VROC. All anticipated funds for the 2010-2011 financial year have been committed and the member Councils are about to commence doing the required Business Cases for each of the projects.

Council will need to determine if it wishes to contribute financially to the project?

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** The Royalties for Regions CLGF regional component is committed for the 2010-2011 financial year and commitment has been given to the Southern Link VROC for the next three financial years.

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

**Voting Requirements:** Simple Majority

**Council Resolution:**      *Moved Cr Kempin, seconded Cr Bowman*

*“That Council advises the Shire of Katanning that it is pleased to provide in principle support for the proposed Upper Great Southern Regional Entertainment Centre but will not be contributing financially towards the project at this time.”*

**Amendment to the Motion:**      *100716*

*Moved Cr Turner, seconded Cr Schlueter*

*“That the following be removed from the motion “is pleased to provide in principle support for the proposed Upper Great Southern Regional Entertainment Centre but” and the following be included “has committed the Royalties for regions Country Local Government Fund regional component, for the next three years to the regional projects identified by the Southern Link VROC. Further Council is of the view that the community is increasingly dispersing to various regional centres outside of our immediate area.*

**CARRIED 8/1**

**Council Resolution:**      *100717*

*Moved Cr Turner, seconded Cr Schlueter*

*That Council advises the Shire of Katanning that it has committed the Royalties for Regions Country Local Government Fund regional component, for the next three years to the regional projects identified by the Southern Link VROC. Further Council is of the view that the community is increasingly dispersing to various regional centres outside of our immediate area.*

**CARRIED 8/1**

**Reason For Change to Recommendation:**

## 10.13 DEDICATION OF PORTION OF LAVAROCK STREET AND TIELINE ROAD BROOMEHILL

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<b>Program:</b>	<b>Transport</b>
<b>Attachment:</b>	<b>Copy of Map</b>
<b>File Ref:</b>	<b>ADM0269, RES10318, RD17, RD20</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>13 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to begin the process to dedicate as a road, a portion of Lavarock Street Broomehill and a portion of Norrish (Tieline) Road Broomehill

**Background:** In March 2010 Council requested the Minister for Lands to permanently close the unmade road reserve between Leven Street and Great Southern Highway. An outcome of this was that Council was to follow up with the dedication of a portion of Lavarock Street and Norrish (Tieline) Road which is those sections that cross Reserve 10318. (See attached map)

**Comment:** Council must resolve to advertise its intent to have the portion of road reserves dedicated and allow for public submissions. The roads are constructed and have been for many years. Both roads provide access across the Great Southern rail line. This action will tidy up the administrative requirements under the land Administration Act 1997.

**Consultation:** Nil

**Statutory Environment:** The Land Administration Act 1997 states

### 56. Dedication of roads

- (1) If in the district of a local government –
  - (a) land reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;
  - (b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government –
    - (i) the holder of the freehold in that land applies to the local government, requesting it to do so; or
    - (ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;
- or
- (c) land comprises of a private road of which the public has had uninterrupted use for a period of not less than 10 years, and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.



- (2) If a local government resolves to make a request under subsection (1), it must –
  - (a) in accordance with the regulations prepare and deliver the request to the Minister; and
  - (b) provide the minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.
- (3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then –
  - (a) subject to subsection (5), by order grant the request;
  - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - (c) refuse the request.
- (4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.
- (5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be –
  - (a) unallocated Crown land or, in the case of a private road, alienated land; and
  - (b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.
- (6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

The Land Administration Regulations 1998 also require the following in relation to the dedication of roads

**8. Preparation and delivery by local government of request to dedicate land as a road**

For the purposes of preparing and delivering under section 56(2)(a) of the Act a request to the Minister to dedicate land as a road, a local government must include with the request –

- (a) written confirmation that the local government has resolved to make the request, details of the date when relevant resolution was passed and any other information relating to that resolution that the Minister may require;
- (b) if an application has been made to the local government

- (c) under section 56(1)(b)(ii) of the Act, a copy of the application and details of the rateable value of all the rateable land relevant to the application;
- (d) if the request is made in respect of a private road referred to in section 56(1)(c) of the Act –
  - (i) written confirmation that the public has had uninterrupted use of the private road for a period of not less than 10 years;
  - (ii) a description of the section or sections of the public who have had that use; and
  - (iii) a description of how the private road is constructed;
- (e) copies of any submissions relating to the request that the local government has received, and the local government's comments on those submissions;
- (f) any other information the local government considers relevant to the minister's consideration of the request; and
- (g) written confirmation that the local government has complied with section 56(2) of the Act.

**Policy Implications:** Nil

**Financial Implications:** There will be costs associated with the advertising as well as surveying costs and the cost of drawings that must accompany Council's request to the Minister.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **100718**

*Moved Cr Bowman, seconded Cr Schlueter*

*“That as per the requirements of the Land Administration Act 1997 Council advertises its intent to request the Minister for Lands to dedicate as a road*

- *the portion of Lavarock Street between Great Southern Highway and Leven Street Broomehill Village*
- *the portion of Norrish Road that crosses Reserve 10318, Broomehill Village”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**12. MATTERS FOR INFORMATION****12.1 PLANT REPORT FOR JUNE**

<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>GC Brigg</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>6 July 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

Reg No.	Description	Kms/Hrs	Year of Manufacture	Year of Purchase	Changeover	Comments
BH000	Nissan Murano		2009	2009		OK
BH00	Ford Ranger Dual Cab	13315	2010	2010		OK
BH002	ISUZU 6 Wheel Tipper	35452	2008	2008	7 yrs / 250,000km	30k service done
BH003	Isuzu NPR300 crew cab truck	13200	2009		5 yrs / 100,000km	OK
BH004	CAT 12M	315	2009	2009		250 hr service done
BH005	Bomag Multi-Tyred Roller	4428	2002	2002	7 yrs / 8,000 hrs	Service and repairs done
BH006	Volvo 710	4649	2004	2004	7 yrs / 8,000 hrs	OK
BH007	John Deere Ride on Mower	49	2003	2003	5 yrs / 5,000 hrs	OK
BH008	VOLVO L70D Loader	5456	2001	2001	7 yrs / 8,000 hrs	Air con repairs
BH009	Toyota Hilux	6729	2009			6mnth service done
BH010	6x4 Fuel Trailer		1981	1981		Replace lights and wiring
BH012	Isuzu Fire Truck	5000	1995	2004		Damage to drivers door
BH013	John Deere 315SG Backhoe	2157	2003	2003	10 yrs / 8,000 hrs	OK
BH813	Multi Tyre Roller		1960	1980	8 yrs / 8,000 hrs	

0TA	Holden Statesman		2010			OK
TA052	Toyota Hilux 4x4	9092	2009			OK
TA001	Ford Ranger Dual Cab	16330	2009			OK
ITA	Ford Ranger Dual Cab	22350	2009	2009	1 yr / 40,000 kms	OK
TA1880	Isuzu Gigamax Truck	35657	2008	2008	5 yrs / 250,000 km	OK
TA092	Isuzu Gigamax Truck	58789	2007	2007	5 yrs / 250,000 km	Minor repairs
TA386	Mitsubishi Fuso Truck	59822	2007	2007	5 yrs / 250,000 km	60k service done
TA18	12H Grader	3656	2006	2006	7 yrs / 8,000 hrs	OK
TA281	930G Loader	2525	2007	2007	7 yrs / 8,000 hrs	2500hr service done
TA392	Tractor Mower	1922			5 yrs / 5,000 hrs	Driveline repairs
TA417	John Deere Gator	61	2009			Water leak (warranty repair)
1DDA893	CAT Vibe Roller	412	2009			OK
TA017	Isuzu Tipper	30222	2009			30k service done
TA219	Multipac Multi-tyred Roller	7493		2004	7 yrs / 8,000 hrs	Air con needs service legs need rebuilding
TA1196	Large Roller					
TA2015	Vibrating Roller			1977	7 yrs / 8,000 hrs	OK
	Slasher				10 yrs	OK
XTR579	Road Broom				10 yrs	OK
	Mobile Fuel Tanker				10 yrs	OK
IDCF 535	TORO 3500D	159	2009	2009		OK
TA005	John Deere Tractor 6330	781	2008	2008	10 yrs / 8,000 hrs	OK

RECEIVED

**12.2 WORKS AND MAINTENANCE REPORT FOR JUNE 2010**


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<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>GC Brigg</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>6 July 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Broomehill**

- Gardeners have been planting new flowers around town
- Staff have stopped pumping water to the complex until further wet weather
- Railway crossing is almost complete. Waiting for cable finder to install some bollards
- Currently pricing kerbing for around the university block. Work will be completed after budget meeting.
- Reticulation installed in the information bay. This system works off Holland Park and office reticulation.
- Currently obtaining fencing quotes for trimming trees under power lines around town
- Gazebo should be completed by the end of the month.
- New lock down bins installed at the skate park

**Tambellup**

- Levelling footpaths around post office
- Cement slabs have been removed along Taylor Street. Gravel has been placed along the footpath.
- Currently calling for quotes for tree trimming under power lines around town
- Plans complete for depot renovations. Work should commence this month.
- Pump installed at Number 1 dam. Still waiting for double float valves at the oval tanks.
- There is still very little water in the Number 2 dam for oval irrigation.
- Oval will be sprayed this month for broadleaf weeds.
- Reticulation at the public toilet gardens completed.
- Light timer fixed at Crawford Street basketball court.
- Still waiting on parts for the solar lighting.

**Roads**

- Construction crew have completed Crosby Road
- Heron Road black spot traffic management plan has been approved by Main Roads. Work will commence this month.
- Wood and Grieve have completed plans for Wandoo Road and Pootenup/Hassell Road intersection. Surveyor should be able to give centrelines to start work on Wandoo Road. Pootenup and Hassell Road intersection will commence after land resumption.
- 6 km of tree clearing and road widening has been done on Birt Road.
- Construction crew have started clearing trees on the next Regional Road Group (RRG) project - 3 km widening seal section on the Broomehill-Tambellup Road. This will be ongoing for the next month.
- Maintenance graders are working in the south eastern corner of the shire.
- Works Supervisor is currently collecting data of signs, culvert repairs, guide posts needed and re-sheeting work needed across the shire. Once all the information has been collected a priority works program can be formulated for the year.
- Maintenance crew working on signage and guide posts. Will be widening culverts on the Broomehill-Kojonup Road this month.

## **Plant**

- There is a recall on the latest 5 tonne Isuzu truck. DPD burner needs reprogramming. No further problems with the seat belt.
- Still working with Smith and Broughton for the action of the Multipac Roller
- Works Manager's utility is due to be replaced. We are on a fleet vehicle replacement program every 30,000 km or 9 months with Ford for \$2,500 for the works managers vehicle and \$5,000 for crew cab utilities. Ford is experiencing trouble getting the vehicle allocations they need in WA.
- Smaller plant damage coming from clearing trees.
- Volvo loader will need new tyres soon. This will be a \$12,000 purchase.
- New tyres have been ordered for Cat 12 H grader.

**RECEIVED**

**12.3 BUILDING SURVEYORS REPORT FOR JUNE 2010**


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<b>Program:</b>	<b>Economic Services</b>
<b>Attachment:</b>	<b>BSR Report and Activity Statement and Year End Reports</b>
<b>File Ref:</b>	<b>ADM0076</b>
<b>Author:</b>	<b>D Baxter</b> <b>Building Surveyor</b>
<b>Date:</b>	<b>2<sup>nd</sup> July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Attached are the BSR Report and the Activity Statement for the month of June 2010 that have been sent to all the relevant authorities that are required by legislation.

The yearly analysis reports for the year end 30<sup>th</sup> June 2010 are also attached for Councillors information.

**Background:** These reports advise of the building approvals and the activity of the Building Surveyor for the month of June 2010.

**Comment:** Below is a summary of the Building Surveyors costs for the year 2009-2010:

- Building Licences approved - \$2,909,808
- Total of Fees generated by building licences - \$14,127.16
- Total of hours worked by Building Surveyor – 265.25 hours
- Total of Kilometres travelled – 9,100km
- Total cost of Building Surveyor - \$24,096.66

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** This issue has no financial implications for Council

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *Council discussed the Officers Report*

**Reason For Change to Recommendation:**

**12.4 LIBRARY REPORT – APRIL & MAY 2010**


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<b>Program:</b>	<b>Recreation and Culture</b>
<b>Attachment:</b>	<b>Library Report – April and May 2010</b>
<b>File Ref:</b>	<b>ADM0097</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>7 July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Attached is a Library Report prepared by Colleen Brown, Library Officer for Broomehill and Tambellup, outlining the activities of both libraries within each town.

**Background:** This report outlines the activities of both Broomehill and Tambellup libraries for the month of April and May 2010.

**Comment:** For Council information

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** This issue has no financial implications for Council

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *Council discussed the Officers Report*

**Reason For Change to Recommendation:**



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

Nil

**14. DATE OF NEXT MEETING**

19th August 2010

**15. CLOSURE**

There being no further business, the President thanked Councillors and staff for their attendance and declared the meeting closed at 5.59pm.