



Ordinary Meeting of Council

MINUTES

15 November 2018

THIS DOCUMENT IS AVAILABLE IN OTHER FORMATS ON REQUEST FOR PEOPLE WITH DISABILITY.

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SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Ordinary Meeting of Council of the Shire of Broomehill - Tambellup held in the Tambellup Council Chambers on Thursday 15 November 2018 commencing at 4.04pm.

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:	Cr SJF Thompson	President
	Cr MC Paganoni	Deputy President
	Cr GM Sheridan	
	Cr MC Nazzari	
	Cr KJ Holzknecht	
	Cr CJ Letter	
	KB Williams	Chief Executive Officer (CEO)
	P Vlahov	Manager of Works
	KP O’Neill	Manager Finance and Administration
	LK Cristinelli	Governance and Executive Assistant

Apologies: Nil

Leave of Absence: Cr ME White

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.1 The President welcomed Councillors and Staff and declared the meeting open at 4.04pm.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FOR LEAVE OF ABSENCE

Cr Nazzari requested a Leave of Absence for the 21 February 2019 Ordinary Meeting of Council.

181101

Moved Cr Paganoni, seconded Cr Sheridan

“That Cr Nazzari be granted a Leave of Absence for the 21 February 2019 Ordinary Meeting of Council.”

CARRIED 6/0

6. DECLARATION OF INTEREST

Item 11.09: Proposed Planning Application – Lot 2 Nardlah Road and Proposed Extension to Planning Application – Lot 4 Nardlah Road, Broomehill

Cr Thompson, Cr Paganoni, Cr Sheridan, Cr Holzknrecht, Cr Nazzari and Cr Letter have declared in writing, a Financial Interest in Item 11.09.

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

An application has been made to the Minister for Local Government for approval for all six members to participate in the discussion and decision of Item 11.09.

Approval was granted on 14 November 2018 for Crs Paganoni, Sheridan, Nazzari and Letter to participate in the discussion and decision making process for Item 11.09 subject to the following conditions:

- 1. The approval is only valid for the abovementioned item, when it is considered at the Ordinary Council Meeting to be held on 15 November 2018;*
- 2. Councillors Mark Paganoni, Garry Sheridan, Monica Nazzari and Carl Letter declare the nature of their interests at the Ordinary Council Meeting of 15 November 2018 when the abovementioned item is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department of Local Government, Sport and Cultural Industries letter advising of the approval to Councillors Mark Paganoni, Garry Sheridan, Monica Nazzari and Carl Letter; and*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the Ordinary Council Meeting of 15 November 2018; and*
- 5. The CEO is to provide a copy of the confirmed minutes of the Ordinary Council Meeting of 15 November 2018 to the Department of Local Government, Sport and Cultural Industries to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The above approval relates only to the interests declared by the Councillors on their Declaration Forms provided with the application. Should any other interests be relevant, these will not be covered by the participation approval and the financial interest provisions of the Act would apply.*

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

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 18 OCTOBER 2018

Council Decision: 181102

Moved Cr Letter, seconded Cr Holzkecht

“That the Ordinary Meeting of Council Minutes of 18 October 2018 be accepted.”

CARRIED 6/0

9. The Minutes for the Local Emergency Management Committee (LEMC) Meeting of 09 October 2018 were adopted at the 18 October 2018 Ordinary Council Meeting, however, the Recommendations from the Committee were not formally adopted by Council and were included in the 15 November 2018 Agenda for Adoption.

9.1.1 ADOPTION OF THE RECOMMENDATIONS OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MEETING MINUTES OF 09 OCTOBER 2018

Council Decision: 181103

Moved Cr Paganoni, seconded Cr Sheridan

“That the Local Emergency Management Committee endorses the National Principles for Disaster Recovery as presented.”

CARRIED 6/0

9.1.2

Council Decision: 181104

Moved Cr Paganoni, seconded Cr Sheridan

“That the Local Emergency Management Committee recommends to Council that the reviewed Local Recovery Management Plan be endorsed as presented.”

CARRIED 6/0

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11. MATTERS FOR DECISION

11.01**FINANCIAL STATEMENTS FOR OCTOBER 2018**

Program:	Other Property and Services
Attachment:	Monthly Financial Statements for October 2018
File Ref:	Nil
Author:	KP O'Neill Manager Finance and Administration
Date:	8 November 2018
Disclosure of Interest:	Nil

Summary: Council to consider the monthly financial report for the period ending 31 October 2018.

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

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

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

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

Receivables - which includes outstanding rates, emergency services levy, pensioner rebates and other 'sundry' debtors - is reported at Note 6. At the end of October approximately 84.30% in rates and charges had been collected.

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

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

Council adopted amendments to the 2018/19 budget to address the variance in surplus carried forward on 1 July 2018, and the amendments are reflected in the financial report. Note 7 details the adopted amendments.

Consultation: Nil

Statutory**Environment:***Local Government (Financial Management) Regulations 1996**34. Financial activity statement report*

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –*
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing –*
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) such other supporting information as is considered relevant by the local government.*

Policy Implications: Nil**Strategic****Implications:**

This issue is not dealt with in the Plan

Asset Management**Implications:**

There are no implications for the Asset Management Plan.

Financial**Implications:**

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

Workforce Plan**Implications:**

There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Decision: *181105*

Moved Cr Letter, seconded Cr Holzkecht

“That the Financial Statement for the period ending 31 October 2018 be adopted.”

CARRIED 6/0

**Reason For Change to
Recommendation:**

11.02 CREDITORS ACCOUNTS PAID OCTOBER 2018

Program:	Other Property and Services	
Attachment:	List of Payments for October 2018	
File Ref:	Nil	
Author:	KP O'Neill	Manager Finance and Administration
Date:	6 November 2018	
Disclosure of Interest:	Nil	

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

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

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

Comment: Summary of payments made for the month:-

Municipal Fund	\$774,584.21
Trust Fund	\$21,028.96
Credit Cards	\$255.26
Total	\$795,868.43

Consultation: Nil

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

13. Lists of accounts

- (1) If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –*
- (a) the payee's name;*
 - (b) the amount of the payment;*
 - (c) the date of the payment; and*
 - (d) sufficient information to identify the transaction.*

Policy Implications: Nil

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

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

Financial

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

Workforce Plan

Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Decision: *181106*

Moved Cr Paganoni, seconded Cr Nazzari

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

- Municipal Fund cheque, EFT and direct debit payments totalling \$774,584.21;*
 - Trust Fund cheque payments totalling \$21,028.96; and*
 - Credit Card payments totalling \$255.26*
- be endorsed.”*

CARRIED 6/0

Reason For Change to Recommendation:

11.03 ORDINARY COUNCIL MEETING DATES 2019

Program:	Governance	
Attachment:	Nil	
File Ref:	ADM0091	
Author:	LK Cristinelli	Executive Assistant
Date:	22 October 2018	
Disclosure of Interest:	Nil	

Summary: Council is required to determine and advertise its Ordinary Meeting dates, time/s and venue/s for the 2019 calendar year.

Background: The *Local Government Administration Regulations 1996 reg 12 (1)* requires that at least once a year a local government is to give local public notice of the date on which, and the time and place at which, its Ordinary Meetings of Council are to be held for a twelve month period (2019).

Comment: Council currently holds its meetings on the third Thursday of each month with the exception of January (nil meeting) and December (Friday meeting) unless otherwise determined and advertised throughout the course of the year. In keeping with past practice, if meetings continue to be held on the third Thursday of each month, during 2019, the meeting dates will be as follows:

21 February	21 March	18 April
16 May	20 June	18 July
15 August	19 September	17 October
21 November	13 December (Friday)	

Meetings currently commence at 4.00pm. Council can alter or amend dates and commencement times if it considers this necessary.

For Council decision.

Consultation: Nil

Statutory Environment: *Local Government Administration Regulations 1996 reg 12 (1)*
Local Government Act 1995 sec 5.25 (g)

Policy Implications: Nil

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

Asset Management Implications: There are no Asset Management Implications

Financial Implications: Council is required to advertise the dates

Workforce Plan

Implications: There are no Workforce Plan Implications

Voting Requirements: Simple Majority

Officer

Recommendation: *“That the Shire of Broomehill-Tambellup conducts its Ordinary Meetings in the Tambellup Council Chambers commencing at 4.00pm on the following dates during 2019:*

<i>21 February</i>	<i>21 March</i>	<i>18 April</i>
<i>16 May</i>	<i>20 June</i>	<i>18 July</i>
<i>15 August</i>	<i>19 September</i>	<i>17 October</i>
<i>21 November</i>	<i>13 December (Friday).”</i>	

Council Decision: 181107

Moved Cr Letter, seconded Cr Nazzari

“That the Shire of Broomehill-Tambellup conducts its Ordinary Meetings in the Tambellup Council Chambers commencing at 4.30pm on the following dates during 2019:

<i>21 February</i>	<i>21 March</i>	<i>18 April</i>
<i>16 May</i>	<i>20 June</i>	<i>18 July</i>
<i>15 August</i>	<i>19 September</i>	<i>17 October</i>
<i>21 November</i>	<i>13 December (Friday).”</i>	

CARRIED 6/0

Reason For Change to

Recommendation: To show the change in the Council Meeting commencement time from 4.00pm to 4.30pm for 2019.

11.04**LOCAL GOVERNMENT ORDINARY ELECTIONS 2019**

Program:	Governance	
Attachment:	Nil	
File Ref:	ADM0526	
Author:	KP O'Neill	Manager Finance & Administration
Date:	24 October 2018	
Disclosure of Interest:	Nil	

Summary: Council to determine whether the 2019 Ordinary Council Elections will be conducted as a postal ballot.

Background: The next Local Government Ordinary Elections will be held on 19 October 2019. The Electoral Commissioner has written inviting Council to again conduct its election as a postal ballot.

The *Local Government Act 1995* requires that written agreement must be obtained from the Electoral Commissioner before Council can determine if it wishes to hold a postal election. The Commissioners letter includes his agreement to be responsible for the conduct of the ordinary elections in 2019 in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required. The Commissioners agreement is subject to the proviso that the Shire of Broomehill-Tambellup wishes to have the election undertaken by the WA Electoral Commission as a postal election.

Comment: The Shire of Broomehill-Tambellup has, since its formation in 2008, conducted the ordinary elections as a postal vote. In the 2017 Council elections, the participation rate for Broomehill-Tambellup was 61.5%. The state average for local governments using the postal voting method in 2017 was 34.5%.

The participation by the community indicates that conducting Council elections as a postal election was a positive initiative by Council.

The estimated cost for the WA Electoral Commission to conduct the postal ballot is \$13,000 (including GST) and is based on the following assumptions –

- 780 electors
- response rate of approximately 65%
- 3 vacancies
- count to be conducted at the offices of the Shire of Broomehill-Tambellup
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for the lodgement of the election packages

An additional \$156 would be incurred if Council wishes to opt for the Australia Post Priority Service for the lodgement of election packages. The Commission is of the view that the regular service is adequate for outgoing mail for most local governments.

Costs not included in their estimate include –

- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- one local government staff member to work in the polling place on election day
- any additional postage rate increase by Australia Post.

In order to take up the postal election option Council will need to pass the two recommendations, by Absolute Majority.

Consultation: Chief Executive Officer

Statutory Environment:

Local Government Act 1995 – Section 4.20

(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

**Absolute majority required*

Section 4.61

(2) The local government may decide to conduct the election as a postal election.*

**Absolute majority required*

Policy Implications: There is no policy applicable to this item

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

Asset Management Implications: There are no Asset Management implications

Financial Implications: Provision will be made in the 2019/20 budget for costs associated with the Council elections.

The Commission is required by the *Local Government Act* to conduct local government elections on a full cost recovery basis. Should there not be an election, the cost will be on a pro rata basis.

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

Voting Requirements: Absolute Majority

Council Decision: 181108

Moved Cr Paganoni, seconded Cr Holzknacht

“That Council

- declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2019 ordinary elections together with any other elections or polls which may be required; and*
- decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.”*

*CARRIED 6/0
By Absolute Majority*

**Reason For Change to
Recommendation:**

11.05 REVIEW OF DELEGATIONS 2.5 – CREDITORS, PAYMENT OF & 2.7 – PAYMENT OF ACCOUNTS ELECTRONICALLY

Program:	Governance	
Attachment:	<ul style="list-style-type: none"> • Amended Delegation 2.5 – Creditors, Payment of • Amended Delegation 2.7 – Payment of Accounts Electronically 	
File Ref:	ADM0239	
Author:	KP O'Neill	Manager Finance & Administration
Date:	8 November 2018	
Disclosure of Interest:	Nil	

Summary: Council to review its Delegations in relation to the payment of Creditors accounts, and payment of accounts electronically.

Background: Delegation 2.5 – Creditors, payment of; gives authority initially from the Council to the CEO to make payments from the Municipal Fund and Trust Fund, and outlines the reporting requirements in doing so. The reporting requirements are prescribed in the Local Government (Financial Management) Regulations 1996. The CEO has subsequently delegated authority to other officers to make payments from the Municipal and Trust Funds.

Delegation 2.7 – Payment of Accounts Electronically; gives authority initially to the CEO to develop procedures for the authorisation and payment of accounts, which includes payroll, and the authorisation to make payment by cheque or EFT from the Municipal and Trust Funds. The CEO has subsequently delegated authority to other officers, as all payments from the Municipal and Trust Funds require authorisation by two bank account signatories.

Comment: The amendments proposed to both delegations seek to ensure timeliness of payment of accounts, and ensure sufficient transparency and segregation of duties when authorising payments.

Both delegations were reviewed in May 2018 and the Executive Assistant and Manager of Works were approved as authorised signatories. For practicality, it is proposed to remove the Manager of Works and include the Finance/Rates Officer as a signatory.

Delegation 2.7 has been amended further to include Primary and Secondary signatories which will ensure that all payments are firstly authorised by either the Chief Executive Officer or Manager Finance and Administration, before being signed off by the secondary signatory.

Consultation: Chief Executive Officer

Statutory

Environment:

Local Government Act
S5.42 Delegation of some powers and duties to the CEO
S5.44 CEO may delegate powers and duties to other employees

Local Government (Financial Management) Regulations 1996
Reg11 Payment, procedures for making etc.
Reg12 Payments from municipal fund or trust fund, restrictions on making

Policy Implications:

There is no policy applicable to this item.

Strategic

Implications:

Nil

Asset Management

Implications:

There are no implications for the Asset Management Plan.

Financial

Implications:

The Delegations give authority to enable payments from the Municipal and Trust Funds, in accordance with the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and internal procedures.

Workforce Plan

Implications:

There are no implications for the Workforce Plan.

Voting Requirements:

Simple Majority

Council Decision:

181109

Moved Cr Holzknecht, seconded Cr Sheridan

“That Council endorses amendments to Delegation 2.5 Creditors, Payment Of as presented.”

“That Council endorses amendments to Delegation 2.7 Payment of Accounts Electronically as presented.”

CARRIED 6/0

**Reason For Change
to Recommendation:**

11.06 ANDERSON BORE – REVIEW OF AGREEMENT FOR LANDHOLDERS TO ACCESS WATER

Program:	Economic Services
Attachment:	<ul style="list-style-type: none"> • Draft Agreement • Map of Bore Location
File Ref:	CLAF062 & ADM0293
Author:	KP O'Neill Manager Finance & Administration
Date:	06 November 2018
Disclosure of Interest:	Nil

Summary: Council to review the Agreement with landholders Dawson Patterson and Rowland Sprigg to access water from Anderson's Bore (shown as "B" on the attached map).

Background: In October 2001, the former Shire of Tambellup entered into an Agreement with Mr Patterson allowing him to pipe water with the aid of a pressure pump directly from one of the tanks at Andersons Bore to his property to water livestock. This agreement was renewed annually until 2008 when a new proposal was submitted on behalf of Messrs Patterson and Sprigg requesting access to both landholders and outlining the following conditions which remain in place today –

- *the proponents will maintain at their cost the submersible pump;*
- *pay the power costs of the Bore;*
- *regularly check the condition of the pump and tank;*
- *have a spare submersible pump on hand in case of pump failure.*

The landholders requested increased access to the Bore in 2010 following a particularly dry season which was granted, with conditions, by the Council of the day. The agreement was amended slightly in 2013 to accommodate the variations in seasonal weather conditions and stipulate access to water from the bore between the months of May to October and then a more restricted timeframe from November to April.

Comment: Anderson's Bore is located in the Toolbrunup area (south-eastern section of the Shire) and provides rural residents in the area with access to water for servicing stock and spraying requirements. Alternatively, the nearest water supply is via standpipes in the Tambellup townsite which are not conveniently accessible to rural residents within the abovementioned area.

Mr Patterson has been contacted regarding the Agreement, and he has confirmed that both he and Mr Sprigg would like to continue with the current arrangement from November 2018 through to October 2019 (inclusive).

Consultation: Mr Dawson Patterson

Statutory Environment: Nil

Policy Implications: There is no policy applicable to this item

Strategic

Implications: This issue is not dealt with in the Plan

Asset Management

Implications: There are no implications for the Asset Management Plan

Financial

Implications: Messrs Patterson and Sprigg reimburse the cost of electricity for the Bore, which is stipulated in the Agreement.

Workforce Plan

Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Decision: 181110

Moved Cr Holzknicht, seconded Cr Letter

“That Council renews the Agreement between the Shire of Broomehill-Tambellup and Mr Dawson Patterson and Mr Rowland Sprigg to access water from Andersons Bore as follows –

- *Messrs Dawson Patterson and Rowland Sprigg may (and preferably, where possible) pump from the Anderson Bore (marked ‘B’ on the attached map) between 01st May 2019 and 31st October 2019;*
- *Messrs Dawson Patterson and Rowland Sprigg are granted permission to pump from Anderson Bore ‘B’ between the hours of 10.00pm and 6.00am in the months of November 2018 through to April 2019 inclusive;*
- *Messrs Patterson and Sprigg will adhere to the following conditions with regard to the aforementioned Bore:*
 - *maintain, at their cost, the submersible pump;*
 - *pay the power costs of the Bore;*
 - *regularly check the condition of the pump and tank;*
 - *have a spare submersible pump on hand in case of pump failure;*
- *This Agreement is to be reviewed annually; however, may be reviewed earlier or more regularly, depending on seasonal conditions, to ascertain if a change in pumping dates and times is necessary; and*
- *Council reserves the right to withdraw this approval.”*

CARRIED 6/0

Reason For Change to Recommendation:

11.07 STANDARD OPERATING PROCEDURES FOR BUSHFIRE BRIGADES

Program: Law Order and Public Safety
Attachment: Draft 2018-2019 Standard Operating Procedures
File Ref: ADM0118
Author: M Lloyd-Woods Finance/Administration Officer
Date: 22 October 2018
Disclosure of Interest: Nil

Summary: Council to review the Standard Operating Procedures and Standard Administration Procedures for Bushfire Brigades (SOP).

Background: The SOP provides the Broomehill and Tambellup Bushfire Brigade volunteers with information and procedures that will assist in reducing the risk that is presented for those who fight fires. The SOP also lists the responsibilities of certain fire officers and procedures that are required to be followed.

The document is reviewed annually to ensure it is updated and continues to be relevant to the Broomehill and Tambellup communities.

Comment: The document has been circulated to key DFES personnel for comment. There have been no changes made to procedures therefore no amendments are required to be made to the document, except for updating the date to the current year.

Consultation: Cindy Pearce – Community Emergency Services Manager (CESM) Shire of Broomehill-Tambellup

Statutory Environment: Bush Fires Act 1954

Policy Implications: Nil

Strategic Implications: Strategic Community Plan ‘Living in a Safe Community’

Asset Management Implications: Nil

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: Nil

Voting Requirements: Simple Majority

Council Decision: *181111*

Moved Cr Paganoni, seconded Cr Nazzari

“That the 2018-2019 Standard Operating Procedures for Bush Fire Brigades be endorsed as presented.”

CARRIED 6/0

**Reason For Change to
Recommendation:**

11.08 PROPOSED GARAGE EXTENSION – LOT 2 (14) MCGUIRE ROAD, BROOMEHILL

Program:	Planning	
Attachment:	Nil	
File Ref:	A6100	
Author:	KB Williams	Chief Executive Officer
Date:	24 October 2018	
Disclosure of Interest:	Nil	

Summary: For Council to consider an application for a garage extension to be developed at Lot 2 (14) McGuire Road, Broomehill.

Background: An application for the development of an extension to an existing garage was received on 24 October 2018.

The proposed development consists of a 4.00 x 9.00 metre metal carport with a floor area of 36.00 square metres, to be added to an existing garage.

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

Comment: Zoning

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

Description of Application

The applicant is seeking a planning approval to develop a carport. The carport is proposed to be attached to the existing garage.

Relevant Scheme Provisions

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

5.1 DEVELOPMENT OF LAND

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

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

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

Consultation: No consultation is required under the Planning Scheme.

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

Policy Implications: Nil

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

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

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

Workforce Plan Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Council Decision: 181112

Moved Cr Sheridan, seconded Cr Nazzari

“That Council Pursuant to the Planning and Development Act 2005 and Local Planning Scheme No 1 hereby Grants Planning Consent to S. Yiend for the proposed development of a carport at Lot 2, House Number 14 McGuire Road Broomehill, subject to the following condition:

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

CARRIED 6/0

Reason For Change to Recommendation:

11.09**PROPOSED PLANNING APPLICATION - LOT 2 NARDLAH ROAD AND PROPOSED EXTENSION TO PLANNING APPLICATION - LOT 4 NARDLAH ROAD, BROOMEHILL**

Program:	Planning
Attachment:	<ul style="list-style-type: none"> • Site Development Plan • Construction Detail Plan • Extract from Stormwater Management Plan
File Ref:	ADM0284 & A6042
Author:	KB Williams Chief Executive Officer
Date:	08 November 2018
Disclosure of Interest:	<p>Cr Thompson declared a Proximity and Financial Interest in this matter.</p> <p>Cr Paganoni declared a Financial Interest in this matter.</p> <p>Cr Sheridan declared a Financial Interest in this matter.</p> <p>Cr Holzknacht declared a Financial Interest in this matter.</p> <p>Cr Nazzari declared a Financial Interest in this matter.</p> <p>Cr Letter declared a Financial Interest in this matter.</p> <p>Ministerial approval has been granted for Cr’s Paganoni, Sheridan, Nazzari and Letter to participate in the discussion and decision making process.</p> <p>Ministerial approval was not granted for Cr Thompson and Cr Holzknacht to participate.</p> <p>Shire President, Cr Thompson, vacated the Chair due to his Interests in this Item and left the meeting at 4.50pm.</p> <p>Cr Holzknacht left the meeting at 4.50pm due to her Interest in this Item.</p> <p>Deputy President, Cr Paganoni, assumed the Chair at 4.50pm.</p>

Summary: An application has been lodged seeking planning approval of two open bulkheads for grain storage on Lot 2 Nardlah Road, Broomehill.

This report recommends that a new approval be granted.

A request has also been made to extend the use of two approved ‘temporary’ bulkheads located on Lot 4 Nardlah Road for the 2018/2019 harvest period.

It is proposed to extend the use of these bulkheads until 30 June 2019.

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

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

Temporary planning consent was granted for two bulkheads that have since been constructed on Lot 4, Nardlah Road, Broomehill. Drainage basins have also been constructed.

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

Comment:

Zoning

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

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

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

The proposed use and development is consistent with Scheme provisions.

Description of Application

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

The units will be comprised of 1.8 metre high wall frames, 250 metres long and 35 metres wide, providing a storage capacity of 30,000 tonnes each. Both bulkheads will be constructed on new bitumen sealed hardstand areas, with associated driveways for vehicle access.

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

Buffers and Land Use Compatibility

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

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

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

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

Dust Management Plan

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

Stormwater Management Plan

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

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

CBH has also requested that the approval to use the two open bulkheads located on Lot 4 be extended for the 2018/2019 harvest season. CBH have indicated that these bulkheads are unlikely to be used after this period.

It is recommended that the application for Planning Consent to develop two bulkheads on Lot 2 be approved with conditions, and that the request to extend the period of use for the two bulkheads on Lot 4 be approved with conditions.

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

Statutory Environment: Shire of Broomehill Town Planning Scheme No 1

Policy Implications: Nil

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

Asset Management Implications: There are no asset management implications

Financial Implications: Planning application fees of \$6697.73 have been paid.

Workforce Plan Implications: There are no workforce plan implications.

Voting Requirements: Simple Majority

Officer

Recommendation: *“That Council*

A. Pursuant to the Planning and Development Act 2005 and Local Planning Scheme No 1 hereby grants Planning Consent to Cooperative Bulk Handling Limited for the proposed development of two (2) grain storage bulkheads at Lot 2 Nardlah Road, Broomehill, subject to the following conditions:

- 1. The term of this approval is limited and expires 12 months from the date of this planning consent;*
- 2. All development shall be in accordance with the submitted plans;*
- 3. Stormwater Basin ‘B’ shall be increased in capacity in accordance with the submitted Stormwater Management Plan to ensure compliance with this plan;*
- 4. The construction of the bulkheads shall be undertaken in accordance with a Dust Management Plan.*

B. Approve an extension to the temporary approval granted by Council on 21 July 2016 for the use of the two open bulkheads constructed on Lot 4 Nardlah Road to allow their use until 30 June 2019, subject to the following conditions:

- 1. Written consent of Council is required to use the bulkheads beyond 30 June 2019.”*

Council Decision: 181113

Moved Cr Sheridan, seconded Cr Letter

“That Council

A. Pursuant to the Planning and Development Act 2005 and Local Planning Scheme No 1 hereby grants Planning Consent to Cooperative Bulk Handling Limited for the proposed development of two (2) grain storage bulkheads at Lot 2 Nardlah Road, Broomehill, subject to the following conditions:

- 1. The term of this approval is limited and expires 12 months from the date of this planning consent;*
- 2. All development shall be in accordance with the submitted plans;*
- 3. Stormwater Basin ‘B’ shall be increased in capacity in accordance with the submitted Stormwater Management Plan to ensure compliance with this plan;*
- 4. The construction of the bulkheads shall be undertaken in accordance with a Dust Management Plan;*
- 5. Any materials removed from the site should be taken to a location agreed to in consultation with the Shire of Broomehill-Tambellup Chief Executive Officer.*

B. Approve an extension to the temporary approval granted by Council on 21 July 2016 for the use of the two open bulkheads constructed on Lot 4 Nardlah Road to allow their use until 30 June 2019, subject to the following conditions:

- 1. Written consent of Council is required to use the bulkheads beyond 30 June 2019.*

C. Cooperative Bulk Handling be requested to contribute towards the maintenance of the road identified as Darcy Street, Broomehill for the period that Numbers 98 and 99 existing open bulkheads are used.”

CARRIED 4/0

Reason For Change to Recommendation:

To include a condition at Part ‘A’ Dot Point 5 to address disposal of surplus materials and to include Part ‘C’ to ensure that the continued use of Darcy Street by CBH does not cause detriment to the local road network.

Cr Thompson and Cr Holzknicht returned to the meeting at 5.06pm.

Cr Paganoni informed the elected members of Council Decision on Item 11.09.

Cr Paganoni vacated the Chair and Cr Thompson resumed the Chair at 5.08pm.

11.10**WORKS REPORT - NOVEMBER 2018**

Program:	Transport
Attachment:	Plant Maintenance Report – November 2018
File Ref:	Nil
Author:	P Vlahov Manager of Works
Date:	07 November 2018
Disclosure of Interest:	Nil

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

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

Comment: **Programmed Construction Works**

- Pallinup South Road. All culvert works have been completed. Gravel sheeting has been completed. This road project will be left until after harvest
- Work has commenced on the footpath reconstruction in Garrity Street
- Quotes have been sought for asphalt works for the Tambellup West Road
- Survey has been completed on Taylor Street
- Work has commenced on the Warrenup Road reconstruct and seal project

Plant Replacement

- Quotes are being sourced for the maintenance truck replacement as per plant replacement program 2018/19
- Two utilities will be changed over during November 2018

Maintenance Works

- Grading various roads
- Pot-hole patching
- Repairs have commenced on Pallinup Road. Several large failures have appeared in the bitumen section as a result of heavy truck traffic
- General maintenance
- Various fallen trees
- Signage maintenance
- Guide posting maintenance
- Mosquito fogging in Tambellup and Broomehill
- Repairs to various town streets
- Assisted with various garden operations and various construction jobs

Building Maintenance

- Various minor repairs on Council buildings
- Seek quotations for the replacement of a fence at 1 Janis Street Broomehill
- Repair lights at Broomehill Shire Office

Occupational Health and Safety

- Repair faulty roller door at shire depot

Parks and Gardens

- Reticulation repairs and start up trials
- Oval mowing
- General mowing
- Pruning
- Mulching
- Planting various trees and shrubs
- Spray ovals for black beetle
- Spray ovals for clover

Workshop

- Replace injector pump in grader BH006
- Replace faulty injectors BH006
- Assist with various building maintenance tasks
- Assist with plant replacement

For Council discussion and comment.

Consultation: Nil

Statutory Environment: *Local Government Act 1995*

Policy Implications: Nil

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

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

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Council Decision: **181114**

Moved Cr Letter, seconded Cr Nazzari

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

CARRIED 6/0

**Reason For Change to
Recommendation:**

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

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

13.1 RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING

Council Decision: *181115*

Moved Cr Paganoni, seconded Cr Letter

“That the Bushfire Advisory Committee (BFAC) Meeting Minutes of 24 October 2018 be accepted.”

CARRIED 6/0

14. DATE OF NEXT MEETING

Ordinary Council Meeting Friday 14 December 2018 at 3.00pm. The new time will be advertised for the public.

15. CLOSURE

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 5.20pm.