



MINUTES

Ordinary Council Meeting

16 November 2023

SHIRE OF BROOMEHILL-TAMBELLUP

**Minutes of the Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup
held in the Tambellup Council Chambers 46-48 Norrish Street, Tambellup
on 16 November 2023 commencing at 4.36pm.**



**Anthony Middleton
Chief Executive Officer**

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Strategic Community Plan 2023-2033

'People Power'



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**Minutes of the Ordinary Council Meeting held on 16 November 2023
in the Tambellup Council Chambers, 46-48 Norrish Street, Tambellup.**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Deputy President, Cr Barritt declared the meeting open at 4.36pm.

2. ATTENDANCE

Councillors

Cr ME White	President (attending electronically, via Zoom)
Cr DT Barritt	Deputy President (Presiding Member)
Cr CM Dewar	
Cr CJ Letter	
Cr SH Penny	
Cr SL Robinson	
Cr JL Wills	

Staff

AP Middleton	Chief Executive Officer
KP Squibb	Manager of Finance & Administration
P Vlahov	Manager of Works

Apologies

PA Hull	Strategic Support & Projects Officer
TO Korthuis	Governance & Executive Assistant

Members of the Public

Neil Letter
Leon Squibb
Luke Oliver
Freya Spencer
Warren Jeator

The President, Cr White, was in attendance electronically via Zoom due to having tested positive for COVID 19 and requested the Councils permission to participate in the meeting via electronic means.

COUNCIL DECISION

Moved Cr Letter, seconded Cr Penny that, in accordance with Local Government (Administration) Regulations 1996 regulation 14C(2)(b), Cr White be authorised to attend the meeting by electronic means.

**CARRIED 7/0
Motion No 127/23**

Cr White declared that he was unwilling to Chair the November 2023 Ordinary Council meeting due to his attendance by electronic means and requested the Deputy President, Cr Barritt to Chair the meeting (*Local Government Act 1995 s5.34(b)*).

Cr Barritt took the Chair.

3. DISCLOSURE OF INTEREST

Councillors White, Barritt, Dewar, Robinson and Letter declared a financial interest in Items 11.1 and 11.2 as a Shareholder of Co-operative Bulk Handling. In order to maintain a quorum and allow a decision to be made on items 11.1 and 11.2, Ministerial approval was sought for Councillors White, Barritt, Robinson and Letter to participate in the meeting and vote on the recommendations. Approval was granted on 15 November 2023 for Cr White and Cr Barritt to ‘fully participate in the discussion and decision making’ for Items 11.1 and 11.2.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Neil Letter, Leon Squibb, Luke Oliver and Freya Spencer representing the Tambellup Cropping Group (Cropping Group) asked the following questions:

5.1 Tambellup Caravan Park development

Neil explained to the Council that the Cropping Group had raised sufficient proceeds over the years from their annual crop to secure land to lease in Tambellup. Their aim was to reinvest the proceeds of the annual crop back into the Community in various ways.

The Cropping Group pledged \$150,000 two to three years ago as a contribution towards cabins in the Shire’s Caravan Park development. They have discussed contributing more funding once the development has commenced.

They expressed their frustration at the lack of progress on the Caravan Park development to date; they aren’t seeing any action on site and requested a timeline showing how the development will progress.

The CEO advised that the Caravan Park development is the Councils number 1 project. The concept plans were adopted by The Council in December 2022, and consultants have been working since then on detailed designs of the water, sewer and electricity. There is also an approvals process required with Utility providers, which takes times.

The CEO advised that the first construction task is to complete all underground services (power, water, sewer & drainage) and Road construction prior to the installation of the cabins.

Design and quotes for modular pre-fabricated cabins are presently being sought. Consultation will occur with the Council and Cropping Group on the preferred design.

5.2 LED Signage

The Cropping Group also raised that they had met with the Shire on several occasions regarding installation of a LED sign that was to be placed in the town centre reserve in Tambellup for community messaging, which has not yet progressed. They were of the

understanding that the sign needed to be considered in the current Townscape Plans, and questioned if this was the case as there is no provision for this sign in the designs.

The CEO advised that the placement of the LED sign is part of the current Railway precinct Plans out for community comment. Purchase and installation of the sign can go ahead at any time if the Council and cropping group are happy with the proposed locations.

Mr Warren Jeater raised the following issues with the Council:

5.3 Tambellup Caravan Park

Signage on the Great Southern Highway still indicates a caravan park is in Tambellup, and Shire promotional brochures show the caravan park being at the town oval. He requested that these brochures be updated removing the caravan park from its former location at the oval and include the RV stop.

He stated that on several occasions he has assisted travellers who were looking for the caravan park at the oval trying to access via the entrance off East Terrace. He requested the Council prevent access to the driveway off East Terrace as long vehicles pulling in there have trouble reversing out safely.

5.4 Avenue of Friendship

Mr Jeater advised that since his previous presentation to the Council displaying a damaged plaque from the Avenue of Friendship, none of the plaques had been repaired or replaced.

5.5 Creek along Henry Street, Tambellup

Mr Jeater advised that the creek had not been cleaned out in recent times and he was concerned about the risk of flooding at his property in the event of significant summer rainfall and floods.

The Shire president advised that this creek flows in the opposite direction to that suggested by Mr Jeater.

5.6 Works Staff

Mr Jeater questioned the Manager of Works if he was short staffed at present. In his opinion the Tambellup Pavilion grounds were looking unkept and that jobs weren't getting done.

The CEO advised that the Parks and Gardens team are not short staffed.

6. PRESENTATIONS/PETITIONS/DEPUTATIONS

Nil

7. APPLICATION FOR LEAVE OF ABSENCE

Nil

8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

9. CONFIRMATION OF MINUTES

9.1 ORDINARY COUNCIL MEETING 19 OCTOBER 2023

RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Penny that the minutes of the Ordinary Meeting of Council held on 19 October 2023 be confirmed as a true and accurate record of proceedings.

CARRIED 7/0
Motion No 128/23

9.2 SPECIAL COUNCIL MEETING 26 OCTOBER 2023

RECOMMENDATION/COUNCIL DECISION

Moved Cr Dewar, seconded Cr Letter that the minutes of the Special Meeting of Council held on 26 October 2023 be confirmed as a true and accurate record of proceedings.

CARRIED 7/0
Motion No 129/23

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

10.1 BANNERS – DRAFT COUNCIL POLICY

ATTACHMENT(S)	10.1.1 – Draft Council Policy 4.5 - Banners
FILE NO	ADM0165
APPLICANT	n/a
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	1 November 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Point of Difference	
<p>8. Enjoy Built Environments 8.1 Broomehill Heritage Precinct renewal This is the renewal of the Broomehill Heritage Precinct (including Broomehill Roads Board Museum, and Holland Track Start Point). The renewal includes footpaths, seating, interpretive panels, photo opportunity sites, static machinery displays and advocacy with Coolgardie to support and promote the Track.</p>	<p>8.1.3 Undertake townscape planning with extensive community consultation, incorporating:</p> <ul style="list-style-type: none"> • Banner poles; • Deciduous street trees, including in centre of road in India St (opposite Henry Jones) • Entry statement upgrade or replacement; and • Extend new paving selection around the town centre
<p>8.2 Tambellup Railway Precinct development This is the development of the Tambellup Railway Precinct including toilets, accommodation at the old Railway Station, signage, banner poles and EV charging options.</p>	<p>8.2.1 Undertake townscape planning with extensive community consultation, including banner poles, deciduous street trees and facilities to encourage community use. (see also 1.1.2)</p>
<p>1. A Distinct BT Brand 1.1 BT identity: This is a continual commitment to promote that Broomehill-Tambellup is the region driven by community spirit. This is the next stage brand development (such as signage consistency, banner poles, message consistency, and storytelling tools).</p>	<p>1.1.2 Adoption by the Council of a Broomehill Streetscape Plan</p>

SUMMARY

The purpose of this report is to consider a draft policy regarding the placement of banners.

BACKGROUND

At its meeting held on 21 September 2023, the Council resolved as follows:

‘that new ground operated banner poles be purchased for the Broomehill and Tambellup town sites, as follows:

1. Tambellup – a row of three (3) banners to be located in the existing banner pole locations; being the corner of North Terrace & Great Southern Highway and the corner of Great Southern Highway and Gnowangerup-Tambellup Rd (6 banner poles in total);
2. Broomehill - a row of three (3) banners to be located in the traffic island opposite the Imperial Hotel on Great Southern Highway and a row of three (3) banners to be located opposite the Broomehill Heritage Precinct on Great Southern Highway (6 banner poles in total);
3. The new banner poles chosen must be able to be relocated to another site if required, following the finalisation of the Broomehill streetscape and Tambellup railway precinct planning processes;
4. Purchase and installation be funded from (account LR404) - Townscape - Tambellup Railway Precinct; and
5. The Chief Executive Officer draft a new Council Policy for the Council’s consideration covering issues such as:
 - a. Who can place banners;
 - b. Allowable purposes of each banner;
 - c. For what duration; and
 - d. Financial considerations.’

COMMENT

A draft Council Policy is attached. This policy suggests banners be used for:

- a) Shire branding (e.g. Shire logo);
- b) Celebrating significant public holidays (e.g. Christmas, Easter and Australia Day);
- c) Road Safety messages;
- d) Celebrate local achievements (e.g. Sporting victories, big competition weekends, Showcase in Pixels winners);
- e) Tourism and events (e.g. Bloom Festival, Broomehill Antique Fair, Gordon River and the Holland Track); or
- f) Private advertising (e.g. 124 Deli, Henry Jones, etc.)

The draft policy also covers what banners are acceptable, what banners are unacceptable, bookings and risk and responsibility.

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

This item recommends a new Council Policy.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Wills that the draft Council Policy 4.5 – Banners, as attached, be adopted.

CARRIED 7/0
Motion No 130/23

10.2 SOUTH WEST NATIVE TITLE SETTLEMENT - LAND BASE CONSULTATION - LAND LIST 1441

ATTACHMENT(S)	Nil.
FILE NO	ADM0147
APPLICANT	Department of Planning, Lands and Heritage
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	3 November 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Point of Difference	
3. An Appreciated Culture 3.1 - BT community reconciliation: This is a community-wide and celebrated Reconciliation Action Process to enable the Broomehill-Tambellup region to be even more spirited and renowned to achieve the vision of ‘a region driven by community spirit’	3.1.1 Make changes to everyday Shire BT organisational processes that represent and recognise our First Nations people.

SUMMARY

The purpose of this report is to provide feedback to the *Native Title Agreements and Partnerships* section of the *Department of Planning, Lands and Heritage* with regards to the proposed transfer of land under the South West Native Title Settlement.

BACKGROUND

The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits.

A key negotiated benefit is the delivery of a 320,000 hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy (Annexure J to the ILUAs). The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.

Over the next five years, the Department of Planning, Lands and Heritage (DPLH) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- Unallocated Crown land;
- Unmanaged reserves;
- Land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and
- Land owned or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.

A key part of the process being followed by the DPLH involves the referral of land under consideration for inclusion in the Noongar Land Estate to relevant State agencies and Local Government Authorities. As a result, the DPLH have requested the Shire's comments on:

- 29 March 2021 Council meeting - 44 parcels of land within the Tambellup town site;
- 16 February 2023 Council meeting - 53 parcels of land within the Broomehill town site;
- 16 March 2023 Council meeting - 17 parcels of land within the Pootenup town site;
- 21 September 2023 Council Meeting - 78 Norrish Street, Tambellup; and
- This Council meeting – Unallocated Crown land PIN 618669, Dartnall

Specifically, DPLH have requested comments on each of the following nine (9) questions:

1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?
2. Does the Shire have any interest in the land?
3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.
4. Is the land parcel subject to any mandatory connection to services?
5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?
7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).
9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

COMMENT

A map showing Unallocated Crown land PIN 618669, Dartnall is as follows:

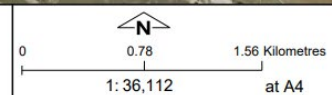


Unallocated Crown land PIN 618669 is located outside of the Tambellup townsite on the southern side of Hankinson Road, before Toolbrunup Road (shown in blue on the following map):



Unallocated Crown Land PIN 618669 (land List 1441) - Shire of Broomehill Tambellup

DPLH BUSINESS USE ONLY



Land details of the lot concerned are as follows:

PIN	Lot Number	Survey Number	Street Address	Area (Ha)	CLT	Selected Tenure
618669			Dartnall	3.95		Reserve with power to lease

As there are no known Shire interests or infrastructure located on this lot, it is not envisaged that the Shire would have any objection to the transfer of these lots under the native title process. As such, it is recommended that the DPLH be advised that the Council supports the proposed transfer.

CONSULTATION

The DPLH request for comment was received on 2 November 2023 and the Shire’s advice is required to be returned within 40 days of receiving the email (by 12 December 2023). Unfortunately, providing the DPLH with the feedback requested in the time frame provided does not allow for extensive community consultation to be undertaken. Ideally, community and elected member input would also have been sought to provide a more robust response.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

This agenda item only provides comment to the DPLH.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

The lot proposed is currently Unallocated Crown land and therefore does not relate to Shire assets.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr White, seconded Cr Wills that the proposed transfer of land under the South West Native Title Settlement (land list 1441), being Unallocated Crown land PIN 618669, Dartnall, be supported.

MOTION LOST 3/4
Councillors against – Cr Dewar, Cr Barritt, Cr Robinson, Cr Letter
Motion No 131/23

Councillors requested the CEO write to the Department of Planning, Lands and Heritage -

1. Expressing the Council's concerns about proximity of this lot to the Tambellup Tip;
2. Advising that access is restricted to the lot via Hankinson Road which has been closed;
3. Requesting further information on future usage of the lot; and
4. Requesting DPLH address Council on the process for selecting land.

10.3 BROOMEHILL BOWLING GREEN UPGRADE – REQUEST FOR DONATION

ATTACHMENT(S)	10.3.1 - Letter of Request 10.3.2 – Quotation (Gold) 10.3.3 – Quotation (Ultra Plus Green)
FILE NO	ADM0061
APPLICANT	Broomehill Bowling Club Inc.
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	9 November 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Point of Difference	
3. An Appreciated Culture 3.5 BT recreation This is a community and Shire recreation program that stimulates community spirit and maximises interaction (such as orienteering, fun run, wildflower walks, bike rides, Indigenous tours and Gordon River swims).	3.5.1 Expand corporate bowls concept, limited season, all abilities modified sports program in conjunction with Complex Committees. 3.5.2 Support Bloom Festival by coordinating events or assisting community groups to stage events. 3.5.3 Support existing groups to develop and deliver alternative activities.

SUMMARY

The purpose of this report is to consider a request from the Broomehill Bowling Club for a financial contribution to a new synthetic bowling green surface.

BACKGROUND

The current Broomehill bowling green surface was installed in 2012, with an estimated useful life of ten (10) years. At the time of installation, grant funding agreements required the Broomehill Bowling Club (BBC) to put aside funds each year to cover the cost of resurfacing at the end of the useful life of the surface. A Council agenda item on 19 April 2012 stated as follows:

“An indicative quote for the replacement of the surface is attached for information. The cost (in today’s terms) is \$86,000 ex GST. A spreadsheet is attached showing the annual contributions required to be made to the Asset Replacement Fund over a ten year period, based on the original cost plus 5% CPI. If Council accepts the condition attached to the agreement, the Broomehill Bowling Club and/or the Broomehill Recreational Complex Committee will need to be consulted to negotiate the amount of an annual contribution towards the replacement of the synthetic surface.”

The Broomehill Recreational Complex Committee contribute \$8,600 per year to the Shire to be placed into a reserve account for the green’s replacement. The green was estimated to last ten (10) years and had a replacement cost of \$86,000. These contributions have been placed into the ‘Broomehill Bowling Green Replacement reserve’ which had a balance as at 30 June 2023 of \$104,728.

COMMENT

A letter from the Broomehill Bowling Club requesting a financial contribution to the resurfacing project is attached. The project financials can be summarized as follows:

	Cost	Funding
New Synthetic Surface and Steel plinths	\$178,392	
Broomehill Bowling Green Replacement reserve		\$110,000
Broomehill Recreational Complex Committee		\$25,000
Broomehill Bowling Club		\$25,000
<i>Request to Shire for funding</i>		<i>\$25,000</i>
	\$178,392	\$185,000

The Bowling Club are planning to conduct the works in December 2023.

The Broomehill Bowling Club are an active club that provides an accessible sport option to many members of our community. It is recommended that this request be supported. It is also recommended that the practice of the Broomehill Bowling Club making an annual contribution to cover the cost of resurfacing this new synthetic surface at the end of its useful life, at an inflation adjusted rate, be continued.

CONSULTATION

Broomehill Bowling Club and Broomehill Recreational Complex Committee.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* restricts the expenditure of reserve accounts to the purpose that the account was established. The *Broomehill Bowling Green Replacement* reserve account was established for the following purpose:

“for the future replacement of the synthetic bowling green at the Broomehill Recreation Complex”

FINANCIAL IMPLICATIONS

The funding request can be accommodated within the current budgeted operating results. Additional Financial Assistance Grants (compared to budgeted amount) have been received that will fund this request. This, and other budget variations, can be documented in the mid-year budget review.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Absolute Majority (unbudgeted expenditure)

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Letter that:

1. The expenditure of up to \$110,000 from the Broomehill Bowling Green Replacement reserve account be authorized to fund the costs of the installation of a new synthetic bowling green and steel plinths at the Broomehill Bowling Club;
2. The Council make a financial contribution of \$25,000 to fund the costs of the installation of a new synthetic bowling green and steel plinths at the Broomehill Bowling Club on the condition that:
 - a. An agreement be entered into with the Broomehill Bowling Club Inc. that requires an annual contribution of \$12,000 to be placed into the Broomehill Bowling Green Replacement reserve account for the future replacement of the synthetic bowling green at the Broomehill Recreation Complex.

CARRIED BY ABSOLUTE MAJORITY 7/0

Motion No 132/23

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

11.1 APPLICATION TO MODIFY PLANNING CONDITION TO ALLOW CONSTRUCTION ON SUNDAYS – DAP APPROVAL FOR RAIL LOADING INFRASTRUCTURE AND RAIL SIDING WITHIN RAILWAY CORRIDOR, BROOMEHILL

ATTACHMENT(S)	11.1.1 – Noise Monitoring Report
FILE NO	ADM0582
APPLICANT	Co-Operative Bulk Handling (CBH)
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	7 November 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Economy	
6. Attracted New Businesses 6.4 BT New business This is the Shire making it easy for any new business to be attracted to the area such as a supportive Town Planning Scheme, commercial or industrial land development and encouraging value-adding to current business and industry.	6.4.1 Support existing businesses through innovative methods for Shire support to ensure their continuation and the basic provision of service for both visitors and local residents.

SUMMARY

The purpose of the report is to consider a request from CBH to allow construction of their rapid rail out loading project on Sundays.

BACKGROUND

At its meeting held on 17 August 2023, the Council resolved as follows:

‘that,

- A Accept that the application lodged by CBH to revise condition 9 of the existing DAP approval dated the 21 January 2022 (Reference DP/21/02104) as detailed on the application form dated 16 June 2023 is appropriate for consideration in accordance with Clause 17 of the Planning and Development (Development Assessment Panels) Regulations 2011 and Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- B. Approve the application lodged by CBH to amend the existing DAP approval dated the 21 January 2022 (Reference DP/21/02104) in accordance with Clause 77 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 , and with the provisions of the Shire of Broomehill Town Planning Scheme No 1, for the proposed minor amendment to the approved rural industry and associated rail infrastructure on Lot 2, Lot 533 and Lot 535 (No 333) Nardlah Road, Broomehill subject to the following modified condition and new footnote:

9. The operator (CBH) shall:
- (a) Ensure that construction noise is:
 - (i) Limited to between 7am and 7pm Monday to Saturday (excluding Public Holidays) and
 - (ii) Limited to between 8am and 5pm on Sundays until 30 November 2023 and is undertaken in compliance with a Noise Management Plan approved by the local government; and
 - (b) The works are carried out in accordance with Australian Standard 2436:2010.9.

Footnote:

This approval is not an approval of the Noise Management Plan dated the 13 March 2023. The Shire recommends that the document be modified to better address the minimum requirements of the Environmental Protection (Noise) Regulations 1997 and Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015.

- C. Note that the Shire Chief Executive Officer does not support the Noise Management Plan as lodged with the application. The Shire CEO may refer any revised NMP to the Department of Water, and Environmental Regulation for external expert advice.'

COMMENT

The Council decision given on 17 August 2023 (above) was limited to works between 8am and 5pm on Sundays *until 30 November 2023* and was to be undertaken in compliance with a Noise Management Plan approved by the local government.

The CEO approved an updated Noise Management Plan on 13 October, after which Sunday works then commenced. Residents within 600m were advised in writing of the commencement of Sunday works as required by the *Environmental Protection (Noise) Regulations 2017* and the Noise Management Plan

The applicant has provided a Noise Monitoring Report (attached) which details noise monitoring on two sites adjacent to the project from Monday, 23 October 2023 to Sunday, 29 October 2023. CBH have advised that *"There is a small spike above 65dB (predicted noise emission) on Sunday with the west monitor. We note that the remainder of the day is below the 65dB level. We will continue to monitor to see if this type of spike occurs again."*

As the approval given above expires on 30 November 2023, the applicant has requested a further approval to undertake Sunday works, via an amendment to their development approval, which would simply delete the following words from modified condition 9:

"until 30 November 2023"

No noise complaints have been received by the Shire Administration since the Sunday works have commenced and, as such, it is recommended that this request be supported.

CONSULTATION

Residents within 600m were advised of the commencement of Sunday works.

STATUTORY ENVIRONMENT

The following legislation is applicable to this item:

- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *Planning and Development (Development Assessment Panels) Regulations 2011;*
- *Shire of Broomehill Town Planning Scheme No 1;* and
- *Environmental Protection (Noise) Regulations 1997*

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

Cr White, Cr Barritt, Cr Dewar, Cr Letter and Cr Robinson declared a Financial Interest in Item 11.1.

In order to maintain a quorum the declarations were forwarded to the Department of Local Government, Sport and Cultural Industries for Ministerial approval to allow Councillors White, Barritt, Letter and Robinson to participate in discussion and decision making. Approval was given for Cr White and Cr Barritt to fully participate in the discussion and decision making.

Conditions of the approval are as follows:

- 1. The approval is only valid for the 16 November 2023 Ordinary Council Meeting when agenda item 11.1 is considered;*
- 2. The above-mentioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
- 3. The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries letter of approval to the abovementioned councillors;*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
- 5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to DLGSC, to allow DLGSC to verify compliance with the conditions of this approval; and*
- 6. The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be*

identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

Cr Letter, Cr Dewar and Cr Robinson left the meeting at 5.49pm.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Penny that the Council:

- A Accept that the application lodged by CBH to revise modified condition 9 of the existing DAP approval dated the 21 January 2022 (Reference DP/21/02104) as detailed on the application form dated 24 October 2023 is appropriate for consideration in accordance with Clause 17 of the Planning and Development (Development Assessment Panels) Regulations 2011 and Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015.

- B. Approve the application lodged by CBH to amend the existing DAP approval dated the 21 January 2022 (Reference DP/21/02104) in accordance with Clause 77 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 , and with the provisions of the Shire of Broomehill Town Planning Scheme No 1, for the proposed minor amendment to the approved rural industry and associated rail infrastructure on Lot 2, Lot 533 and Lot 535 (No 333) Nardlah Road, Broomehill subject to the following modified condition:
 - 9. The operator (CBH) shall:
 - (a) Ensure that construction noise is:
 - (i) Limited to between 7am and 7pm Monday to Saturday (excluding Public Holidays) and
 - (ii) Limited to between 8am and 5pm on Sundays and is undertaken in compliance with a Noise Management Plan approved by the local government; and
 - (b) The works are carried out in accordance with Australian Standard 2436:2010.9.

CARRIED 4/0
Motion No 133/23

11.2 APPLICATION TO MODIFY PLANNING CONDITION TO ALLOW CONSTRUCTION ON SUNDAYS – SHIRE APPROVAL FOR RAIL SIDING AND LOADING INFRASTRUCTURE WITHIN RAIL RESERVE (LAND ID: 3095998), BROOMEHILL

ATTACHMENT(S)	11.2.1 – Noise Monitoring Report
FILE NO	ADM0582
APPLICANT	Co-Operative Bulk Handling (CBH)
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	7 November 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Economy	
6. Attracted New Businesses 6.4 BT New business This is the Shire making it easy for any new business to be attracted to the area such as a supportive Town Planning Scheme, commercial or industrial land development and encouraging value-adding to current business and industry.	6.4.1 Support existing businesses through innovative methods for Shire support to ensure their continuation and the basic provision of service for both visitors and local residents.

SUMMARY

The purpose of the report is to consider a request from CBH to allow construction of their rapid rail out loading project on Sundays.

BACKGROUND

At its meeting held on 17 August 2023, the Council resolved as follows:

‘that,

- A Accept that the application lodged by CBH to revise condition 8 of the existing Shire approval dated the 16 May 2023 (Reference OPA23511574) as detailed on the application form dated 16 June 2023 is appropriate for consideration in accordance with Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015.
- B. Approve the application lodged by CBH to amend the existing planning approval issued by the Shire on the 16 May 2023 in accordance with Clause 77 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 , and with the provisions of the Shire of Broomehill Town Planning Scheme No 1, for the proposed minor amendment to the approved rail siding and loading infrastructure on railway reserve (Land ID: 3095998) subject to the following modified condition and new footnote:
 - 8. The operator (CBH) shall:
 - (a) Ensure that construction noise is:
 - (i) Limited to between 7am and 7pm Monday to Saturday (excluding Public Holidays) and

- (ii) Limited to between 8am and 5pm on Sundays until 30 November 2023 and is undertaken in compliance with a Noise Management Plan approved by the local government; and
- (b) The works are carried out in accordance with Australian Standard 2436:2010.9.

Footnote:

This approval is not an approval of the Noise Management Plan dated the 13 March 2023. The Shire recommends that the document be modified to better address the minimum requirements of the Environmental Protection (Noise) Regulations 1997 and Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015.

- C. Note that the Shire Chief Executive Officer does not support the Noise Management Plan as lodged with the application. The Shire CEO may refer any revised NMP to the Department of Water, and Environmental Regulation for external expert advice.'

COMMENT

The Council decision given on 17 August 2023 (above) was limited to works between 8am and 5pm on Sundays *until 30 November 2023* and was to be undertaken in compliance with a Noise Management Plan approved by the local government.

The CEO approved an updated Noise Management Plan on 13 October, after which Sunday works then commenced. Residents within 600m were advised in writing of the commencement of Sunday works as required by the *Environmental Protection (Noise) Regulations 2017* and the Noise Management Plan

The applicant has provided a Noise Monitoring Report (attached) which details noise monitoring on two sites adjacent to the project from Monday, 23 October 2023 to Sunday, 29 October 2023. CBH have advised that *“There is a small spike above 65dB (predicted noise emission) on Sunday with the west monitor. We note that the remainder of the day is below the 65dB level. We will continue to monitor to see if this type of spike occurs again.”*

As the approval given above expires on 30 November 2023, the applicant has requested a further approval to undertake Sunday works, via an amendment to their development approval, which would simply delete the following words from modified condition 9:

“until 30 November 2023”

No noise complaints have been received by the Shire Administration since the Sunday works have commenced and, as such, it is recommended that this request be supported.

CONSULTATION

Residents within 600m were advised of the commencement of Sunday works.

STATUTORY ENVIRONMENT

The following legislation is applicable to this item:

- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- *Shire of Broomehill Town Planning Scheme No 1;* and
- *Environmental Protection (Noise) Regulations 1997*

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

Cr White, Cr Barritt, Cr Dewar, Cr Letter and Cr Robinson declared a Financial Interest in Item 11.2.

In order to maintain a quorum the declarations were forwarded to the Department of Local Government, Sport and Cultural Industries for Ministerial approval to allow Councillors White, Barritt, Letter and Robinson to participate in discussion and decision making. Approval was given for Cr White and Cr Barritt to fully participate in the discussion and decision making.

Conditions of the approval are as follows:

- 7. The approval is only valid for the 16 November 2023 Ordinary Council Meeting when agenda item 11.2 is considered;*
- 8. The above-mentioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
- 9. The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries letter of approval to the abovementioned councillors;*
- 10. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
- 11. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to DLGSC, to allow DLGSC to verify compliance with the conditions of this approval; and*
- 12. The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr White, seconded Cr Penny that the Council:

- A Accept that the application lodged by CBH to revise condition 8 of the existing Shire approval dated the 16 May 2023 (Reference OPA23511574) as detailed on the application form dated 16 June 2023 is appropriate for consideration in accordance with Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015.

- B. Approve the application lodged by CBH to amend the existing planning approval issued by the Shire on the 16 May 2023 in accordance with Clause 77 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 , and with the provisions of the Shire of Broomehill Town Planning Scheme No 1, for the proposed minor amendment to the approved rail siding and loading infrastructure on railway reserve (Land ID: 3095998) subject to the following modified condition:
 - 8. The operator (CBH) shall:
 - (a) Ensure that construction noise is:
 - (i) Limited to between 7am and 7pm Monday to Saturday (excluding Public Holidays) and
 - (ii) Limited to between 8am and 5pm on Sundays and is undertaken in compliance with a Noise Management Plan approved by the local government; and
 - (b) The works are carried out in accordance with Australian Standard 2436:2010.9.

CARRIED 4/0
Motion No 134/23

Cr Letter, Cr Dewar and Cr Robinson returned to the meeting at 5.51pm.
Cr Barritt advised members of the Councils decision.

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

12.1 GORDON RIVER WALK TRAIL & FACILITIES – PROPOSED 5 YEAR PLAN

ATTACHMENT(S)	12.1.1 - Draft Gordon River Walk Trail & Facilities 5 Year Plan
FILE NO	RES14855
APPLICANT	n/a
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	3 November 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Lifestyle	
<p>7.1 Gordon River advancement This is the upgrading of the Gordon River site, including BBQ stand, grasslands, toilets, benches, children play, signage, storytelling of its historical significance and possible event organisation.</p>	<p>7.1.1 Adopt a plan for the Gordon River weir area clearly showing upgrades to the site and integration with trails, including:</p> <ul style="list-style-type: none"> • BBQ stand; • Grasslands; • Toilets; • Street Furniture; • Children play Facilities; • Signage; and • Storytelling of its historical significance <p>7.1.2 Investigate the development of facilities that encourage natural asset attractions, such as Bird watching hides</p> <p>7.1.3 Restrict all vehicle access to walk trails and repair trail surface</p> <p>7.1.4 Formalise carpark area and access ways</p> <p>7.1.5 Improve directional signage</p> <p>7.1.6 Investigate the construction of a pedestrian bridge on Tambellup West road.</p>
Key Pillar: BT Point-of-Difference	
<p>3.5 BT recreation This is a community and Shire recreation program that stimulates community spirit and maximises interaction (such as orienteering, fun run, wildflower walks, bike rides, Indigenous tours and Gordon River swims).</p>	<p>3.5.3 Support existing groups to develop and deliver alternative activities.</p>

SUMMARY

The purpose of the report is to consider the community feedback received on the draft five (5) year plan for upgrades and improvements to the Gordon River walk trail and facilities.

BACKGROUND

At its meeting held on 21 September 2023, the Council resolved as follows:

‘that the Gordon River Walk Trail & Facilities Draft 5 Year Plan:

- 1. As attached, be endorsed for community consultation;**
- 2. Be advertised for public comment and feedback via The Topics, Shire website and Facebook page for the month of October 2023; and**
- 3. Along with all community feedback received, be considered for adoption at the 16 November 2023 Council Meeting.’**

One (1) member of the public provided feedback.

COMMENT

The attached draft plan has identified potential upgrades and improvements to address the poor state of current infrastructure on site and impacts of flooding. Each item has been allocated a Shire SMT member who is responsible and a proposed financial year in which the upgrade will be completed.

Major features of the draft plan as attached are:

- Formalise and seal carpark area and access ways;
- Install BBQ in, or adjacent to, the gazebo;
- Improve directional signage (from Great Southern Highway to the site)
- Install new Toilet facilities;
- Storytelling of the river’s historical significance;
- Installation of a raised viewing area at the Weir;
- Review solar lighting and upgrade.
- Restrict all vehicle access to walk trails;
- Install directional signage around the trail;
- Install interpretative & Trail Head signage to tell the story of the river along the trail;
- Investigate and cost estimate the construction of a pedestrian bridge on Tambellup West road.
- Construction of pedestrian bridge on Tambellup West road.
- Install culvert & gravel fill to repair wash outs on Trail.
- Increase regular maintenance to ensure trafficability of trail, public safety and functionality of drainage.
- Develop a grassed area for recreation;
- Install picnic tables and chairs;
- Install Deck over the water;
- Investigate the development of facilities that encourage natural asset attractions, such as Bird watching hides.
- Review lot boundaries, ownership, zoning and tenure to protect the river as an asset for future generations.

One (1) member of the public provided feedback as follows:

'I have read the proposal.

I believe one factor has been overlooked.

Since the weir has been installed, silt has been slowly backing up, upstream.

in the past there has been a need to clean up this area.

and I believe dredging in some form is appropriate, if we are to maintain a balanced eco system.

We have changed nature's balance, by not letting the river flush itself. (by installing the weir).

so, we need to assist it, to artificially get the same result.

if we don't, the river will choke and die.'

In addition, the Gillamii Centre have provided the following feedback:

'I just wanted to open up a conversation about the Gordon River Walk Trail and the Shire's plans of improvement over the next 5 years.

Firstly, it's an exciting initiative and definitely needed. I can see some ways Gillamii could potentially collaborate to bring some aspects of this project to life, if not add another layer of social and environmental opportunities through potentially acquiring some funding.

Could we possibly meet with the appropriate people to discuss this further?

The funding round I would like to put in for will open early next year.'

The CEO will be meeting with Gillamii representatives in the near future.

Neither of these items require amendment of the draft plan.

CONSULTATION

Senior Management Team.

Council Meeting 21 September 2023.

Advertised for community input and feedback for the month of October 2023. One member of the public provided feedback.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Individual upgrade or improvement projects contained within the adopted five (5) year plan will be budgeted for in the corresponding year of the life of the plan. Planning in a coordinated and consultative way reduces the chances of wasted money through projects being completed that are not accepted to either the Council or the community.

This year's budget includes \$160,000 for the upgrade of facilities at the Gordon River. It is proposed that the components of the attached plan be completed in this current financial year as follows:

New BBQ	\$15,000
Seal Carpark	\$85,000
Solar Lights	\$12,000
New Bin Surrounds	\$6,000
Signage	\$12,000
Trail Repairs	<u>\$30,000</u>
	\$160,000

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This agenda item deals with a Council asset that is open to the public 24 hours a day, 7 days per week. A robust plan that addresses the issues identified assists in the reduction of possible harm to the public in an area that has the potential to attract large numbers of visitors each week without possible embarrassment or reputational risk to the Shire.

ASSET MANAGEMENT IMPLICATIONS

This agenda item deals with a Council asset that is always open to the public. An improved level of maintenance and upgrade will increase the life of the asset and ensure that it is fit for purpose.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Letter, seconded Cr Penny that the Gordon River Walk Trail & Facilities 5 Year Plan, as attached, be adopted, with the inclusion of the following initiatives –

- Collaborate with key community groups, such as the Tambellup Primary School, Gillamii Centre and Tambellup Aboriginal Progress Association, for the ongoing management, advice and storytelling of the river;
- Collect historical data regarding the health of the River and source updated data collection at regular, long term intervals (eg 5 or 10 years).

CARRIED 7/0
Motion No 135/23

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 FINANCIAL STATEMENTS – OCTOBER 2023

ATTACHMENT(S)	13.1.1 Financial Statements October 2023
FILE NO	ADM0619
APPLICANT	n/a
AUTHOR	Kay Squibb - Manager Finance & Administration
DATE	12 September 2023
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

The Council to consider the monthly financial statements for October 2023.

BACKGROUND

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

COMMENT

Each financial year, the Council is required to adopt a percentage or value to be used in the statement of financial activity for reporting material variances. As part of the 2023/24 budget process, the Council adopted 10% or \$10,000 (whichever is the greater) as the material variance for reporting purposes for the year.

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

Councillors should note that until the audit is finalised for the year ending 30 June 2023 some figures may change which may affect the opening position for the current year. Depreciation for 2023/24 cannot be processed until the audit for the previous year is finalised, this will affect the variances reported in the statement of financial activity.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report

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

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Dewar that the monthly financial statements for the period ending 31 October 2023 be received.

CARRIED 7/0
Motion No 136/23

13.2 MONTHLY LIST OF PAYMENTS – OCTOBER 2023

ATTACHMENT(S)	13.2.1 Monthly Payments Listing October 2023
FILE NO	ADM0619
APPLICANT	N/A
AUTHOR	Kay Squibb - Manager Finance & Administration
DATE	6 November 2023
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

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

BACKGROUND

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

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

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

COMMENT

Summary of payments made for the month –

	\$
Municipal Fund	818,195.63
Trust Fund	0.00
Purchasing Cards	4,074.39
TOTAL	822,270.02

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

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

r13. Lists of accounts

(1) If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared–

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

r13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared –

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment;*
- (d) sufficient information to identify the payment.*

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

Council Policy '3.1 Purchasing Policy' provides guidance and restrictions relative to purchasing commitments.

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Robinson that, in accordance with regulations 13(1) and 13A(1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments paid under delegated authority or with Shire purchasing cards be noted for October 2023; comprising

- Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$818,195.63; and
- Credit/Purchasing Card payments totalling \$4,074.39.

CARRIED 7/0
Motion No 137/23

13.3 COUNCIL MEETING DATES 2024

ATTACHMENT(S)	Nil.
FILE NO	ADM0091
APPLICANT	n/a
AUTHOR	Tash Korthuis – Governance & Executive Assistant
DATE	6 November 2023
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

The council is required to determine and advertise its Ordinary Council Meeting dates, time/s and venue/s for the 2024 calendar year.

BACKGROUND

The *Local Government (Administration) Regulations 1996 reg 12 (1)* requires that at least once a year, 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 (12) month period (2024).

COMMENT

The 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.

It is proposed the July 2024 meeting be pushed out a week to allow additional time to compile and adopt the budget and that the December meeting be held on the second Thursday of the month to avoid being too close to Christmas for those who may be travelling. Meeting dates recommended for 2024 are as follows:

15 February 2024	21 March 2024
18 April 2024	16 May 2024
20 June 2024	25 July 2024 <i>(one week later to allow for Budget)</i>
15 August 2024	19 September 2024
17 October 2024	21 November 2024
13 December 2024 <i>(one week earlier and on a Friday to align with Christmas Function)</i>	

Historically all Council meetings are held in the Tambellup Council Chambers.

CONSULTATION

CEO
Senior Management Team

STATUTORY ENVIRONMENT

Local Government Act 1995 s5.25(g)

Local Government (Administration) Regulations 1996 r12(1)

FINANCIAL IMPLICATIONS

The Council is required to advertise the dates. Advertising costs are allowed for in the annual budget (GL account 04101.19)

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Nil.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Dewar that the 2024 Ordinary Council Meetings be held in the Tambellup Council Chambers commencing at 4.30pm on the following dates:

15 December 2023

15 February 2024

18 April 2024

20 June 2024

15 August 2024

17 October 2024

13 December 2024

21 March 2024

16 May 2024

25 July 2024

19 September 2024

21 November 2024

CARRIED 7/0
Motion No 138/23

13.4 INFORMATION STATEMENT 2023-2024

ATTACHMENT(S)	13.4.1 Information Statement 2023-2024
FILE NO	ADM0274
APPLICANT	n/a
AUTHOR	Kay Squibb – Manager of Finance & Administration
DATE	6 November 2023
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

The Council to review, prior to publishing, the Shire of Broomehill-Tambellup Information Statement.

BACKGROUND

Section 96(1) of the *Freedom of Information Act 1992* requires each government agency, which includes local governments, to prepare and publish annually an Information Statement.

Section 94 of the *Freedom of Information Act 1992* states that the Information Statement must set out –

- The agency’s Mission Statement;
- Details of legislation administered;
- Details of the agency structure;
- Details of decision making functions;
- Opportunities for public participation in the formulation of policy and performance of agency functions;
- Documents held by the agency;
- The operation of Freedom of Information (FOI) in the agency.

COMMENT

The Shire of Broomehill-Tambellup Information Statement 2023-2024 is attached. The document complies with the requirements of the *Freedom of Information Act 1992*, as outlined above.

Once adopted, a copy of the Information Statement will be forwarded to the Information Commissioner as required and published on the Shire’s website.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Freedom of Information Act 1992

s94. Term used: information statement

*A reference in this Act to an **information statement**, in relation to an agency, is a reference to a statement that contains —*

- (a) a statement of the structure and functions of the agency;*
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;*
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;*
- (d) a description of the kinds of documents that are usually held by the agency including —*
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and*
 - (ii) which kinds of documents can be purchased; and*
 - (iii) which kinds of documents can be obtained free of charge;*
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;*
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —*
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and*
 - (ii) the address or addresses at which access applications can be lodged;*
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —*
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and*
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.*

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This review of the Shire's Information Statement ensures compliance with relevant legislation.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Letter, seconded Cr Dewar that the Information Statement 2023-2024 be adopted, as attached, and published in accordance with the requirements of the *Freedom of Information Act 1992*.

CARRIED 7/0
Motion No 139/23

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

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

Nil

16. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

18. CLOSURE

There being no further business to discuss, the Presiding Member, Cr Barritt, declared the meeting closed at 6.05pm.