

# SHIRE OF BROOMEHILL – TAMBELLUP

Minutes of the Ordinary Meeting of Council of the Shire of Broomehill-Tambellup held in the Broomehill Council Chambers on 18<sup>th</sup> June 2009 commencing at 4.10pm.

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

<b><u>Present:</u></b>	Cr BG Webster	President
	Cr KW Crosby	Deputy President
	Cr MJ Bowman	
	Cr GM Sheridan	
	Cr MR Turner	
	Cr M Sadler	
	Cr SJF Thompson	
	Cr EK Schlueter	
	Cr DCN Kempin	
	JM Trezona	Chief Executive Officer
	JP Bentley	Manager Administrative and Customer Services
	VN Webster	Executive Officer

**Apologies:** Nil

**Leave of Absence:**  
Nil

## 2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors and staff and declared the meeting open at 4.10pm.

## 3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

## 4. PUBLIC QUESTION TIME

Mr Michael White representing the Tambellup P&C entered the meeting at 4.10pm to discuss the provision of water for the new oval at the Tambellup Primary School. He advised that negotiations had been underway with Water Corporation to utilise the water from its No 1 dam. The P&C wish to ascertain if Council would become involved in the proposal to obtain benefit from the water source, allow the P&C to utilise some of the existing water pipe infrastructure that feeds water from the No 2 dam and provide water to the school from the No 2 dam in the interim until such time as an agreement is finalised with the Water Corporation. He was requesting that a meeting take place with representatives from Council, P&C and Water Corp.

The Shire President advised that Council would discuss the matter and thanked Mr White for addressing Council and he left the meeting at 4.20pm.

**5. APPLICATION FOR LEAVE OF ABSENCE**

Cr Sadler requested a leave of absence from the Ordinary Meeting of Council to be held on 16<sup>th</sup> July 2009.

**090601**

*Moved Cr Kempin, seconded Cr Crosby*

*“That Cr Sadler be granted a leave of absence from the ordinary meeting of Council to be held on the 16<sup>th</sup> July 2009.”*

**CARRIED 9/0**

**6. DECLARATION OF INTEREST**

Cr Thompson declared an interest in Item 10.7

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

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

8.1 Minutes of Ordinary Meeting of Council held Thursday 21<sup>st</sup> May 2009

**090602**

*Moved Cr Bowman, seconded Cr Sheridan*

*“That the minutes of the Ordinary Meeting of Council held 21<sup>st</sup> May 2009 be confirmed as a true and accurate record of proceedings.”*

**CARRIED 9/0**

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

Nil

**10. MATTERS FOR DECISION**

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**10.1 FINANCIAL STATEMENTS FOR MAY 2009**

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**Program:** Other Property and Services  
**Attachment:** Monthly Financial Statements for May 2009  
**File Ref:**  
**Author:** KP O’Neill Finance Officer  
**Date:** 11<sup>th</sup> June 2009  
**Disclosure of Interest:** Nil

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**Summary:** Attached are the monthly financial statements for May 2009.

**Background:**

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

**Consultation:** Nil

**Statutory**

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

**Policy Implications:** Nil

**Financial**

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

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *090603*

*Moved Cr Turner, seconded Cr Schlueter*

*“That the Financial Report for the period ending 31<sup>st</sup> May 2009 be adopted.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

**10.2 CREDITORS ACCOUNTS PAID – MAY 2009**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>List of Payments for May 2009</b>	
<b>File Ref:</b>		
<b>Author:</b>	<b>KP O’Neill</b>	<b>Finance Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Attached is a list of payments made from the Municipal and Trust Funds during April 2009.

**Background:** The Local Government Act 1995 - Financial Management Regulation 13 states that a list of accounts paid under delegated authority by the CEO is to be prepared each month, providing sufficient information to identify the transactions. The list is to be presented to the Council at the next ordinary meeting after the list is prepared.

**Comment:** SUMMARY

Municipal Fund	\$258,224.47
Trust Fund	\$550.00
Credit Card Payments	\$1,209.92
<b>TOTAL</b>	<b>\$259,984.39</b>

**Consultation:** Nil

**Statutory**

**Environment:** Local Government Act 1995 - Financial Management Regulation 13.

**Policy Implications:** Nil

**Financial**

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

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **090604**

*Moved Cr Sadler, seconded Cr Kempin*

*“That the list of Creditors accounts paid during April 2009, being:-*

- Municipal Fund cheques numbered 499 to 540 inclusive and EFT payments numbered EFT418 to EFT463 inclusive and totalling \$258,224.47;*
  - Trust Fund cheques numbered 71 and totalling \$550.00; and*
  - Credit Card expenses totalling \$1,209.92,*
- be adopted.”*

**CARRIED 9/0**

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**Reason For Change to  
Recommendation:**

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### 10.3 REQUEST FOR DONATION – VI BARHAM AWARD FOR EXCELLENCE

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**Program:** Education and Welfare  
**Attachment:** Nil  
**File Ref:** ADM0061  
**Author:** JM Trezona Chief Executive Officer  
**Date:** 11<sup>th</sup> June 2009  
**Disclosure of Interest:** Nil

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**Summary:** Council to consider a request from the Narrogin District Education Office for a donation to support the Vi Barham Award for Excellence for 2009.

**Background:** In previous years the former Shire of Broomehill has been approached by the Narrogin District Education Office to offer financial assistance for the above award.

The Vi Barham Award for Excellence provides a scholarship of \$1700 to further the education of a selected Year 7 student from within the district. Vi Barham Award was set up to acknowledge her contribution over twenty three years from 1963 to 1986 to the Upper Great Southern Regional Education Office. Since the inception of the award, no student from The Broomehill Primary School has been a recipient. The Broomehill Primary School is part of the Narrogin District.

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

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Provision can be made in the 2009-2010 budget.

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

**Voting Requirements:** Simple Majority

**Officer Resolution:** *“That Council does not make a donation to the Narrogin District Education Office in support the Vi Barham Award for Excellence for 2009.”*

**Council Resolution:**      **090605**

*Moved Cr Turner, seconded Cr Thompson*

*“That Council makes a donation of \$100 to the Narrogin District Education Office to support the Vi Barham Award for Excellence for 2009 and advise the Broomehill Primary School of this.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

Council was advised that there could be students from the Broomehill Primary School who may be nominated for this award. Broomehill Primary School to be advised that Council has made the donation to the Vi Barham Award.

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## 10.4 APPROVAL FOR PROPOSED FOREST PRODUCT COMMISSION PLANTATION 2009

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<b>Program:</b>	<b>Planning</b>
<b>Attachment:</b>	<b>Two site plans</b>
<b>File Ref:</b>	<b>ADM0259</b>
<b>Author:</b>	<b>Gray &amp; Lewis                      Landuse Planners</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>
<b>Disclosure of Interest:</b>	<b>Gray &amp; Lewis receive planning fees for advice given to Council, therefore declare a Financial Interest – Section 5.65 of the <i>Local Government Act 1995</i></b>

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**Summary:** Council is to determine an application for a plantation on Lots 1212, 1323, 1324, 1484, 5735 and 6934 Johnson Road, Kojonup.

There is no specific landuse classification / definition under the Shire of Tambellup Town Planning Scheme No 2 ('the Scheme') for a 'plantation', therefore it is recommended that it be processed as a 'use not listed'.

This report recommends that the application be advertised for public comment.

**Background:** The subject properties are zoned 'Farming' under the Shire of Tambellup Town Planning Scheme No 2 ('the Scheme').

The objectives of the Farming zone include:

- To ensure the continuation of broad hectare farming as the principal landuse in the District and encouraging where appropriate the retention and expansion of agricultural activities.
- To consider non rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment.
- To allow for facilities for tourists and travellers, and for recreation uses.

**Comment:** *Description of Application*

The plantation includes trees for commercial farming / harvesting and for carbon sequestration. The applicant has lodged 2 plans – one for each planting type.

The application is summarised below:

- 70.6 hectares of carbon sequestration planting is proposed on Lots 5735, 1323 and 6934. Carbon sequestration trees generally have to be retained for approximately 70 years however if carbon rules change there may be future opportunities for harvesting.
- 48.1 hectares of share tree farming planting is proposed on Lots 5735, 1324, 1212 and 1484. Share tree farming crops are under a Profit a Prendre with the Forest Products Commission. A Profit a Prende simply means that FPC has an interest in the land and a right to resources on the land (ie. timber).
- The combined planting area is 118.7 hectares equating to



approximately 14% of the total combined lot areas.

- The planting compartments range from 1 to 30 hectares and will consist of *Eucalyptus Cladocalyx* (sugar gum), *Eucalyptus Occidentalis* (Flat topped Yate) and *Casuarina Obesa* (Swamp She-oak).

### **Landuse Classification**

There is no specific ‘plantation’ definition under the Scheme therefore it is recommended that the definition under the Model Scheme Text be used for plantation which ‘has the same meaning as in the Code of Practice for Timber Plantations in Western Australia (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers’.

Council has 3 options when dealing with a ‘Use Not Listed’ under the Scheme in accordance with Clause 3.3.2 as follows;

- a) *determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) *determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of Clause 8.3 in considering an application for planning approval; or*
- c) *determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted. ‘*

Under the Scheme the objectives for the farming zone include ‘..to ensure the continuation of broad hectare farming as the principle land use in the District..’ and ‘..to consider non rural uses where they can be shown to be of benefit to the district..’.

The proposed development does not undermine the main objective of the Farming zone as farming can continue on the property.

It is recommended that Council pursue option (b) and determine that the use may be consistent with the objectives of the ‘Farming’ zone and thereafter follow the advertising procedures of Clause 8.3 in considering an application for planning approval.

### **Assessment**

- *Code of Practice for Timber Plantations in Western Australia (as amended)*

The Timber Code of Practice requires a management plan including a plantation establishment plan, plantation tending plan, harvesting plan and fire management plan. All of these documents have been provided by the applicant.

➤ Buffers to waterways

Any buffers / separation between plantation areas and watercourses is to the discretion of Council.

The applicant identifies Gordon River as a sensitive area in their tree farming report and carbon sequestration report, advising that a 20 metre buffer is provided.

It is recommended that Council have regard for the Department of Water (DoW) Water Quality Protection Note on '*Vegetation buffers to sensitive water resources*' which recommends the following minimum buffers;

- 50 metres for permanent water or greater ephemeral streams (intermittent) which can be reduced to 30 metres where the landowner uses a combination of practices (multiple contaminant barriers) to protect water quality.
- 30 metres for ephemeral streams and margins of water supply / drainage which can be reduced to 20 metres where the landowner uses a combination of practices (multiple contaminant barriers) to protect water quality.

In this case the applicant is proposing a 20 metre buffer in lieu of the Department for Water 30 metres for permanent water courses (with good practices).

Council has discretion over buffers and can;

- i. Support 20 metres if they consider it appropriate;
- ii. Refer the application to Department for Water for comment during consultation.
- iii. Place a condition on any future approval requiring all plantation areas to maintain a 30 metre buffer to Gordon River to be consistent with DoW guidelines.

As consultation already has to occur, Gray & Lewis recommends referral to Department for Water, however cannot guarantee a response will be obtained within 21 days. It is recommended that the applicant be requested to provide the 30 metre recommended buffer unless written support for a 20 metre buffer is provided by Department of Water.

The site plan also indicates that there are number of other watercourses on the lots and buffers to these need to be clarified. They may meet the 30 and 20 metre buffers however it is difficult to accurately measure buffers on the plan due to the 1:20,000 scale and it is not known which may only be intermittent.

**Consultation:** Clause 8.3 of the Scheme requires a minimum advertising period of twenty one days.

**Statutory Environment:** Shire of Tambellup Town Planning Scheme No 2

**Policy Implications:** There has been an increase in plantation applications in many Shires, particularly for carbon sequestration. Some Councils support any form of plantation in recognition of its environmental benefits, and others have raised concern over plantations taking over whole farms (eg Shire of Jerramungup). There is a general concern in the Shire of Jerramungup that whole farm plantations have potential to cause population loss, therefore they have developed a local planning policy aimed at supporting plantations which are integrated with continuing agricultural uses.

**Financial Implications:** Nil

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **090606**

*Moved Cr Turner, seconded Cr Schlueter*

*“That Council:*

- 1. Determine that the proposed plantation on Lots 1212, 1323, 1324, 1484, 5735 and 6934 Johnson Road, Tambellup may be consistent with the objectives of the ‘Farming’ zone and thereafter follow the advertising procedures of Clause 8.3;*
- 2. Advertise the application in accordance with Clause 8.3 of the Scheme for twenty one days by:*
  - Writing to immediate surrounding landowners and inviting their comments.*
  - Writing to the Shire of Cranbrook as the application is for land located near their local government boundary.*
  - Refer the application to the Department for Water for comment.*
- 3. Request the applicant (Forest Products Commission) provide further written advice during the advertising period to:*
  - i. Address the buffers the Department of Water (DoW) Water Quality Protection Note on ‘Vegetation buffers to sensitive water resources’;*
  - ii. Provide a 30 metre buffer to Gordon River unless written endorsement of a 20 metre buffer can be secured from Department for Water. Council will refer the application to the Department, however recommends Forest Products Commission liaise with them directly to obtain a response within twenty one days.*
  - iii. Clarify the nature of the watercourses shown on the two site plans (permanent or intermittent) and provide advice on what the buffers are to the other watercourses shown.*

4. *At the close of the advertising period and on receipt of further advice from the applicant, refer a report back to Council for determination of the application and consideration of any submissions.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

## 10.5 PROPOSED AMENDMENT NO 4 TO THE SHIRE OF BROOMEHILL TOWN PLANNING SCHEME NO 1 – LOT 301 TIE LINE ROAD, BROOMEHILL

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<b>Program:</b>	<b>Planning</b>	
<b>Attachment:</b>	<b>Subdivision Guide Plan (amended)</b>	
<b>File Ref:</b>		
<b>Author:</b>	<b>Gray &amp; Lewis</b>	<b>Landuse Planners</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Gray &amp; Lewis receive planning fees for advice given to Council, therefore declare a Financial Interest – Section 5.65 of the <i>Local Government Act 1995</i></b>	

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**Summary:** Council is to consider a request to amend the Shire of Broomehill Town Planning Scheme No 1.

The amendment proposes a text change to existing Scheme provisions relating to Lot 301 Tie Line Road which will essentially remove the limitation on the number of lots that can be created, maintains a minimum lot size of one hectare and requires all lots to be connected to reticulated water.

This report recommends that Council initiate the amendment.

**Background:** Lot 301 Tie Line Road (*'Lot 301' or 'the subject land'*) is currently zoned 'Rural Residential' under the Shire of Broomehill Town Planning Scheme no 1 (*'the Scheme'*). The lot was re-zoned from 'Farming' to 'Rural Residential' in July 2008.

There are existing conditions applicable to the subject land listed in Schedule 2 of the Scheme. Any subdivision has to be generally in accordance with a Subdivision Guide Plan endorsed by the Chief Executive Officer.

Currently one of the Scheme conditions states *'Minimum lot size shall be 1.0 hectare, with the number of lots limited to a maximum of twenty seven lots'* and this is proposed to be modified in the amendment.

**Comment:** The amendment is relatively minor and will simply allow flexibility to pursue a modified subdivision plan for thirty two rural residential lots, in lieu of the original twenty seven lots proposed.

The amendment will also include a requirement that all lots to be connected to reticulated water which is supported.

The applicant has included an amended Subdivision Guide Plan which proposes:

- 32 lots ranging from 1 hectare to 2.3 hectares;
- An internal loop road connecting from Garrity Road;
- No access to Tie Line Road;
- A strategic fire break on proposed Lot 32 for emergency fire access; and
- Strategic revegetation areas along lot boundaries.

The applicant has advised that the increased lot yield will make connection to reticulated water viable and this is supported.

**Consultation:**

All amendments (if initiated by Council) are required to be referred to the Environmental Protection Authority (EPA) for advice on whether any formal environmental assessment is required.

If the EPA confirms that no formal assessment is required, the amendment would then be formally advertised for forty two days.

Advertising would generally include writing directly to surrounding landowners, newspaper advertising and liaison with relevant service authorities (eg. Western Power, Water Corporation, Department for Agriculture and Food WA, Health Department etc).

**Statutory**

**Environment:**

All amendments undergo a statutory process in accordance with the Planning and Development Act 2005.

Only the Council can initiate an amendment to its Scheme however final determination is made by the Minister for Planning (on advice of the Western Australian Planning Commission).

**Policy Implications:**

Nil

**Financial**

**Implications:**

The Shire pays planning fees to Gray and Lewis.  
The applicant will need to pay an amendment fee and advertising costs.  
In the longer term Council would receive rates for future lots.

**Strategic**

**Implications:**

The amendment allows flexibility to marginally increase the subdivision potential on this land.

**Voting Requirements:**

Simple Majority

**Council Resolution:**

**090607**

*Moved Cr Turner, seconded Cr Bowman*

*“That Council:*

*1. Initiate Amendment No 4 to the Shire of Broomehill Town Planning Scheme No 1 pursuant to Section 75 of the Planning Development Act 2005 by;*

*a. Modifying the ‘Requirements of the zone’ in ‘Schedule 2 – Rural Residential zones’ applicable to Lot 301 Tie Line Road to;*

*i. Replace Point 2 which currently states*

*‘2 Minimum lot size shall be 1.0 hectare, with the number of lots limited to a maximum of 27 lots’*

*To state:*

*‘2 Minimum lot size shall be 1.0 hectare’*

*ii. Insert a new Point 12 as follows:*

*12. Scheme Water to be connected to all lots’*

2. *Request to applicant lodge an amendment application fee directly to the Shire, prior to referral of the amendment to EPA and advise the applicant that they will be charged additional advertising costs.*
3. *Advise the applicant to lodge five final hardcopy amendment documents and two full pdf copied on CD to Gray and Lewis Landuse Planners for referral to the EPA.*
4. *Authorise Gray and Lewis Landuse Planners to lodge Amendment 4 with the EPA on Councils behalf; and*
5. *Generally support the amended Subdivision Guide Plan proposing 32 lots.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

## 10.6 PROPOSED ANCILLARY ACCOMMODATION – LOT 547 (NO 100) TIE LINE ROAD, BROOMEHILL

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<b>Program:</b>	<b>Planning</b>
<b>Attachment:</b>	<b>Plans and Map</b>
<b>File Ref:</b>	<b>A4074</b>
<b>Author:</b>	<b>Gray &amp; Lewis                      Landuse Planners</b>
<b>Date:</b>	<b>10<sup>th</sup> June 2009</b>
<b>Disclosure of Interest:</b>	<b>Gray &amp; Lewis receive planning fees for advice given to Council, therefore declare a Financial Interest – Section 5.65 of the <i>Local Government Act 1995</i></b>

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**Summary:** Council to consider an application for ‘ancillary accommodation’ on Lot 547 (no 100) Tie Line Road, Broomehill.

**Background:** The property is zoned ‘Rural Residential’ under the Shire of Broomehill Town Planning Scheme No 1 (‘the Scheme’).

The objectives of the ‘Rural Residential’ zone is to *‘select areas wherein closer subdivision will be permitted into lots one hectare and above to provide for such uses as hobby farms, horse breeding and rural residential retreats, and to make provision for the retention or improvement of the rural landscape and environment.’*

**Comment:** Site Description  
The subject lot contains an existing residence and ancillary outbuildings. The lot has an approximate area of 1.9 hectares.

Description of application

The applicant proposes;

- Construction of ancillary accommodation to the side of the existing residence.
- The accommodation measures approximately 6 metres x 10 metres (60m<sup>2</sup>) and includes 1 bedroom, a study, a combined bathroom/laundry and an open living/dining area/kitchen area.
- The accommodation will be located approximately 22 metres from Tie Line Road and 19 metres from the east boundary (shared with adjacent Lot 548).

The applicant has written advising that a family member will be residing in the new accommodation.

Landuse Definition

As there is no definition of ‘ancillary accommodation’ in the Scheme, it is appropriate to use the relevant definition under the Residential Design Codes – *‘Self contained living accommodation on the same lot as a single house that may be attached or detached from the single house occupied by members of the same family as the occupiers of the main dwelling.’*

Process – Options available to Council

As the use is not listed under Table 1 of the Scheme, Council would have to process ‘ancillary accommodation’ as a ‘Use Not Listed’ and follow the procedures set out under Clause 3.2.5 of the Scheme.



Council has two options when dealing with a ‘use not listed’ as follows:

*Option 1*

Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or

*Option 2*

Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 7.2 in considering an application for planning consent.

Option 2 is recommended as it is not considered that ancillary accommodation will undermine the zone objectives.

Clause 5.12.5 9 (c) of the Scheme clearly contemplates ancillary accommodation in the Rural Residential zone as it states that ‘*not more than one dwelling per lot shall be erected. The Council may approve ancillary accommodation in accordance with the R Codes.*’

*Residential Design Codes*

Clause 5.3.3 of the Scheme requires all development to comply with the Residential Design Codes.

There are two options for assessing development using either the ‘deemed to comply’ requirements or ‘performance criteria’. Performance based assessment is more subjective and entails Council deciding whether a development meets a performance criteria.

The Residential Design Codes are not strictly applicable to ‘Rural Residential’ zoned land which has no relevant ‘R Code.’

Notwithstanding the above, the Residential Design Codes have been used as a guide for assessment as they are referenced in the Scheme.

The application complies with all of the ‘deemed to comply’ requirements as summarised below;

<b><i>Requirement Summary</i></b>	<b><i>Officer Comment</i></b>
The occupants of the ancillary accommodation to be related to the people living in the main house.	The applicant has written advising that a family member will be residing in the ancillary accommodation.
The lot is not less than 450sqm.	The lot is over 1002m <sup>2</sup> .
Open space requirements	Not applicable
Maximum floor area of 60sqm	Complies
Two car parking bays to service the existing house and one car parking bay to service the ancillary accommodation.	There is sufficient room for three cars to be accommodated in the existing driveway.

*Effluent Disposal*

It is recommended that advice be sought from Councils Environmental Health Officer to confirm that the requirements to service the new

accommodation.

The site plan indicates there is an existing septic system and the accommodation will be serviced by leach drains.

Recommendation

It is recommended that Council pursue Option 2 and advertise the application. It is also recommended that the applicant be requested to confirm in writing that the accommodation is for a family member and explain the relationship between the proposed occupier and the family members living in the main dwelling.

**Consultation:** It is recommended that the application be referred to surrounding landowners for comment.

**Statutory**

**Environment:**

Relevant Scheme requirements

The main Scheme requirements are explained in this report. In accordance with Clause 5.12.6 of the Scheme, Council can also have regard for matters such as colour, materials, building height, setbacks, etc.

**Policy Implications:** Nil

**Financial**

**Implications:**

This issue has no financial implications for Council

**Strategic**

**Implications:**

This issue is not dealt with in the Plan

**Voting Requirements:** Absolute Majority

**Council Resolution:** *090608*

*Moved Cr Turner, seconded Cr Kempin*

*“That Council;*

- 1. Determine by absolute majority that the proposed ‘ancillary accommodation’ use may be consistent with the objectives and purpose of the Rural Residential zone and thereafter follow the advertising procedures of Clause 7.2 of the Scheme.*
- 2. Write to surrounding and nearby landowners seeking comments within twenty one days.*
- 3. Write to the applicant and advise of Councils decision.*
- 4. Seek confirmation from Councils Environmental Health Officer that the accommodation can be adequately serviced by on site effluent disposal.”*

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

**Reason For Change to Recommendation:**

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## 10.7 EXTENSION OF PLANNING APPLICATION – CBH TEMPORARY STORAGE

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**Program:** Community Amenities  
**Attachment:** Nil  
**File Ref:** ADM0284  
**Author:** JM Trezona Chief Executive Officer  
**Date:** 10<sup>th</sup> June 2009  
**Disclosure of Interest:** Cr Thompson declared a Financial Interest in this matter as he leases the land to CBH for the Emergency Storage facility and left the meeting at 4.40pm.

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

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**Summary:** Council to consider an extension to planning approval for CBH’s Emergency Storage facility at Lot 531, Nardlah Road Broomehill West.

**Background:** In September 2008, Council received a planning application from Bulkwest Engineering on behalf of Cooperative Bulk Handling (CBH) to establish two emergency open bulkheads on Lot 531 Nardlah Road, Broomehill West.

The application for planning consent was granted for a twelve month period which expires on 23<sup>rd</sup> September 2009 and the building licence expires on 25<sup>th</sup> September 2009. Bulkwest Engineering are requesting that the planning application be extended to 23<sup>rd</sup> September 2010 and the building licence to 25<sup>th</sup> September 2010 for the following reasons:

- The planning consent and building application to develop Lot 530 Nardlah Road opposite the emergency storage site will take time to develop;
- If and when planning consent and request are approved and conditions of approval cleared, the time taken to approve the building licence application; and
- If and when the planning consent and building licence are issued, the time required to complete construction of the infrastructure.

Council advised all residents in close proximity to the bulkheads and during the 2008-2009 grain season, no complaints were received by Council regarding this facility.

**Comment:** For Council discussion and comment

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *090609*

*Moved Cr Kempin, seconded Cr Bowman*

*“That Council advises Bulkwest Engineering on behalf of Cooperative Bulk Handling’s Broomehill Temporary Storage Unit that:*

- An extension to the planning consent application be granted to 23<sup>rd</sup> September 2010; and*
- An extension to the building licence be granted to 25<sup>th</sup> September 2010.”*

**CARRIED 8/0**

**Reason For Change to Recommendation:**

Cr Thompson returned to the meeting at 4.42pm.

10.8	EXECUTIVE STYLE HOUSE CONSTRUCTION	–
EXPRESSIONS OF INTEREST		
<b>Program:</b>	<b>Housing</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>		
<b>Author:</b>	<b>JP Bentley</b>	<b>Manager Administrative &amp; Customer Service</b>
<b>Date:</b>	<b>10<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

**Summary:** To consider submissions received for the construction of the executive style house at Lot 104 Henry Street, Tambellup.

**Background:** Council has called for Expressions of Interest (EOI) for the construction of an executive style house for a future Chief Executive Officer at Lot 104 Henry Street, Tambellup. The EOI closing date was 22<sup>nd</sup> May 2009 and four submissions were received.

The EOI requested that the prospective candidates provide an indicative price base on the following information:

*The Shire of Broomehill-Tambellup is seeking expressions of interest for the construction of an executive style residence in Tambellup at lot 104 Henry Street. The base residence guidelines are as follow:*

- *Four Bedrooms and a study near the main bedroom,*
- *Double brick and Iron, single storey insulated construction,*
- *Two car fully enclosed garage,*
- *Two living areas, dining room, outdoor/alfresco area,*
- *Activity room/Computer nook,*
- *All bedrooms to have built in or walk in robes,*
- *Large walk in linen/storage or at least large cupboard areas,*
- *Gas hotplates with fan forced electric oven & solar HWS,*
- *Built in provision for TV and internet access,*
- *The residence is to be fully paved and landscaped,*
- *Ducted reverse cycle air conditioning.*
- *Garden shed (storage for lawn mowers etc)*

*The lot is a level block, 652 sq metres in area and is in an existing residential area, with water and power readily available, and has an 18 metre street frontage. Gas is to be supplied via 45kg bottle (2 of, with pigtails) as reticulated supplies are not available and gas appliances need to be fitted for bottled gas.*

*The response should provide the basic design work and site placement drawings as well as a preliminary estimate of the cost of construction in Tambellup. A copy of the title and diagram is attached. If the home is an existing design with a brochure available this should be provided as should the location of a display home if available.*

*Being and executive house it is expected that good quality fittings are used however not necessarily top of the range products. Such fittings as china basins would be expected as would flick-mixer style taps.*

Four submissions were received from the following builders:

- Alternative Living – Embleton
- Countryside Homes – Broomehill
- Kendan Builders – Gnowangerup
- Camulos FE – Albany

Of the four submissions received only one has complied with all of the primary guidelines for the construction.

**Comment:**

The following is an assessment of each proposal to assist Council in its decision making process. While all of the houses proposed are acceptable homes, they do not meet the criteria of being executive style homes.

**Alternative Living** has proposed a modular home – pre constructed in Perth and delivered in Tambellup and erected on site. This home has not complied with the following criteria:

- Has only provide one internal living area
- Not double brick construction
- Does not provide for a large linen cupboard
- Does not specify if garden shed is provided
- Does not specify Internet or TV points provided
- Multi split system air conditioning not ducted

The meals area is small in this residence and without the secondary living area, the house is quite small. Two of the three secondary bedrooms are of reasonable size however the third is small. The main bathroom contains the toilet and this should be a separate room in an executive home. The laundry and ensuite are also quite small and the kitchen lacks bench and cupboard space. This home is not of an executive standard style or size.

**Countryside Homes** proposal complies with all of the primary criteria, however at 218 square meters of living space, the house is not considered an executive style (or size) home. The main bedroom and ensuite are small although the walk in robe to the main bedroom is adequate. The two living areas are smaller than would be expected and while the family/meals/dining area is reasonably large it takes the place of two rooms.

The minor bedrooms are adequate as are the main bathroom, laundry, toilet and linen cupboards. The kitchen is adequate although slightly small and would be better served with greater bench, pantry and cupboard space. The computer nook, while innovative, is smaller than expected and this was to be a computer nook/activity room. The study is well located and a good size.

**Kendan Homes** from Gnowangerup provided a letter stating that they can build homes from between \$1,100 to \$1,400 per square metre, but did not provide any further detail for design or otherwise.

**Camulos F.E** provided a standard drawing and building construction specification. The plan submitted did not comply with the original guidelines in the following areas:

- Brick veneer not double brick construction
- No study provided
- No computer nook or activity room
- Not fully landscaped
- No air conditioning provided for
- No garden shed provided for
- Limited alfresco area provided

After further discussion with this company the proposal put forward was for brick veneer and not double brick as could be assumed from the covering letter with the proposal. The specification and plan were for a standard house with little consideration for the criteria or guidelines requested by Council. This house is a basic style house and is not of a standard associated with an executive home.

While one builder complies with the guidelines of the EOI, it has provided a home of a standard specification rather than an executive residence. Copies of the submissions are available for Councillors perusal.

Council can now either negotiate with the complying builder or revisit the EOI process in hope of attracting further complying proposals.

<b>Consultation:</b>	Chief Executive Officer
<b>Statutory Environment:</b>	Nil
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	This issue has no financial implications for Council
<b>Strategic Implications:</b>	This issue is not dealt with in the Plan
<b>Voting Requirements:</b>	Simple Majority
<b>Council Resolution:</b>	<b>090610</b>

*Moved Cr Crosby, seconded Cr Bowman*

**“That Council:**

- 1. Accepts no Expressions of Interest at this time;**
- 2. Re-advertises for Expressions of Interest for the construction of an executive style home in Tambellup; and**
- 3. Advise all proponents that their submissions do not comply with all the requirements of the Expressions of Interest and invite them to resubmit.”**

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**



**10.9 SMALL BUSINESS CENTRE WHEATBELT**


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<b>Program:</b>	<b>Other Economic Services</b>	
<b>Attachment:</b>	<b>Copy of Submission</b>	
<b>File Ref:</b>	<b>ADM0061</b>	
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** The Wheatbelt South Business Centre is seeking support from Council.

**Background:** Attached is a funding submission that outlines the request and covers what Council can expect if it makes a contribution. It also gives a brief overview of the committee structure and the area that the Small Business Centre Wheatbelt covers.

**Comment:** The submission is seeking a financial contribution on an ongoing basis commencing in the 2009-2010 year. Does Council wish to make provisions in the coming budget?

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** The contribution sought is \$1,000. Provision can be made in the 2009-2010 budget and would be up for review on an annual basis.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *090611*

*Moved Cr Kempin, seconded Cr Turner*

*“That Council does not make provisions in the 2009-2010 draft to provide financial support to the Small Business Centre Wheatbelt South.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.10 LGMA COUNCIL CORPORATE MEMBERSHIP**


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<b>Program:</b>	<b>Governance</b>		
<b>Attachment:</b>	<b>Letter from Stephen Cole LGMA Chief Executive Officer</b>		
<b>File Ref:</b>	<b>ADM0041</b>		
<b>Author:</b>	<b>JP Bentley</b>	<b>Manager</b>	<b>Administrative and Customer Service</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>		
<b>Disclosure of Interest:</b>	<b>Nil</b>		

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**Summary:** Council to consider a proposal to take up Council Corporate Membership of the Local Government Managers Australia (LGMA).

**Background:** The LGMA is the state and national professional body representing Local Government Officer's. Both the Chief Executive Officer and Manager of Administrative and Customer Services are members of the LGMA.

In each of the last two years the LGMA has approached all Councils in Western Australia offering a Council Corporate Membership. The membership fees charged are split between a contribution to the local LGMA Branch, a portion is used by the state body and the majority goes to funding special projects relating to Local Government.

In the past issues such as the skills shortage workshops and policy development have been funded through the Council Corporate Membership fees.

Local Governments are offered a membership fee based upon size and the fee applicable to the Shire of Broomehill-Tambellup is \$710 with \$460 being allocated to the special projects pool, \$125 to the local branch and \$125 used by the state body.

On previous occasions Council has opted not to take up this membership.

**Comment:**

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Provision would be made in the 2009-2010 budget if Council wished to take up this offer.

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

**Voting Requirements:** Simple Majority

**Council Resolution:**      **090612**

*Moved Cr Turner, seconded Cr Schlueter*

*“That Council accepts the offer of Council Corporate Membership of  
Local Government Managers Australia for 2009-2010.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

**10.11 BROOMEHILL RECREATIONAL COMPLEX**


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<b>Program:</b>	<b>Recreation and Culture</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>ADM0286</b>	
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Council to consider a request from the Broomehill Recreational Complex Management Committee to waive the overhead costs of the groundsman.

**Background:** On 22<sup>nd</sup> October 2008, Council entered into an agreement with the Broomehill Recreational Complex Management Committee to employ a groundsman to maintain the golf course, bowling greens and complex gardens located on Reserve 22820.

The employee would be paid fortnightly through Councils payroll and on receipt of an invoice the Committee pays an amount equal to 35% of the employee costs.

In the wage component there is allocated 85% of overheads which includes workers compensation, superannuation, insurance and protective clothing and equipment.

Since the inception of the agreement and the amount of work that the groundsman has undertaken, the wages component for the Committee has increased significantly and has imposed a burden on the Committees resources. From January to May 2009 the Committee has reimbursed to Council approximately \$6,500 of which \$2,800 are overheads.

To help with the running costs of the complex, the committee has just increased the bar prices, but does not wish to increase the membership subscription as they are trying to attract more members to use the complex's facilities. Council may be aware that the Broomehill Tennis Club has gone into recess and the committee are endeavouring to keep membership costs at a reasonable rate so other clubs do not follow suit.

The Committee wishes to acknowledge the work that the groundsman has done and is appreciative of Councils support.

**Comment:** The complex is a council owned facility and as such are responsible for. The Committee over the years have done an outstanding job in running the facility and have undergone major capital upgrades of which they have contributed financially.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial**

**Implications:** Provision will be made in the 2009-2010 budget for Council to be reimbursed for the wages component. The reimbursed wages are placed in the Broomehill Recreation Complex Reserve to assist with the maintenance and upgrade of the building.

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *090613*

*Moved Cr Sadler, seconded Cr Kempin*

*“That Council agrees to amend the agreement with the Broomehill Recreational Management Complex Committee and not recoup the overheads component of the salary for the Groundsman.”*

*CARRIED 9/0*

**Reason For Change to Recommendation:**

**10.12****HOLLAND PARK**


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<b>Program:</b>	<b>Community Amenities</b>
<b>Attachment:</b>	<b>Copies of designs – included separately with agenda</b>
<b>File Ref:</b>	<b>ADM0297</b>
<b>Author:</b>	<b>JM Trezona                      Chief Executive Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to consider Holland Park playground redevelopment options.

**Background:** In December 2008 the Australian Government announced a one-off funding program of \$250 million to local communities to stimulate additional growth and economic activity in Australia as part of the Australian Government's contribution to address the global economic crisis.

The Shire of Broomehill-Tambellup has received a one-off payment of \$100,000. Council determined at that time that part of the funding would be put towards the redevelopment and expansion of the playground at Holland Park.

Four prominent play equipment suppliers have each provided design options for the area available, which initially is the site of the existing playground. The quotes included supply and installation of the equipment.

For Council discussion and decision.

**Comment:** Broomehill Primary School staff and students, and members of the Broomehill Community were invited to indicate their preferred design. From that consultation, the top three preferences and costings for supply and installation (excluding GST) are shown below:

Option 9	Forpark Aust.	\$44,610
Option 6	Forpark Aust.	\$42,558
Option 3	Forpark Aust.	\$43,222

\$45,000 from the Regional and Local Communities Infrastructure Funding has been allocated to the purchase of playground equipment for Holland Park. All costs relating to earthworks and equipment installation are able to be met through the Royalties for Regions funds allocated to this project.

**Consultation:** Broomehill community  
Broomehill Primary School staff and students

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial**

**Implications:** \$45,000 has been allocated from Regional and Local Communities Infrastructure Funding Program.

**Strategic**

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

**Voting Requirements:** Simple Majority

**Officer Resolution:** *“That the quote of \$44,610 (excluding GST) from Forpark Australia for the supply and installation of playground equipment at Holland Park (Option 9) be accepted.”*

**Council Resolution:** *090614*

*Moved Cr Kempin, seconded Cr Bowman*

*“That the quote of \$44,610 (excluding GST) from Forpark Australia for the supply and installation of playground equipment at Holland Park (Option 9) be accepted subject to changes to the climbing structure and access to slides.”*

**CARRIED 7/2**

**Reason For Change to Recommendation:**

<b>10.13</b>	<b>GREAT SOUTHERN COMMUNITY FINANCIAL SERVICES LTD – LEASE OF THE BENDIGO BANK PREMISES</b>
<b>Program:</b>	<b>Other Economic Services</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>CLAF</b>
<b>Author:</b>	<b>JM Trezona                      Chief Executive Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Summary:</b>	The Great Southern Community Financial Services Ltd are seeking written confirmation of the lease of the building at Lot 13 Norrish Street, Tambellup.
<b>Background:</b>	<p>In January 2000 the former Shire of Tambellup entered into a lease agreement with the Great Southern Community Financial Service Ltd for the establishment of the Tambellup Cranbrook Community Bank at Lot 13 Norrish Street, Tambellup.</p> <p>The terms of the lease agreement state that the date of expiration was the 11<sup>th</sup> January 2005 with two further terms of renewal of five years each.</p> <p>In order for the Great Southern Community Financial Service Ltd to comply with the Franchise agreement with Bendigo Bank Ltd, the Board are seeking a commitment from Council that the lease for the building will be renewed for the last five years. The expiration of the lease would be January 2015.</p>
<b>Comment:</b>	<p>Since the opening of the Bendigo Bank in Tambellup in 2000, the Community Bank have made a significant contribution to the economic viability to Tambellup and the surrounding districts.</p> <p>For Council discussion and comment.</p>
<b>Consultation:</b>	Nil
<b>Statutory Environment:</b>	Nil
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	Council receives rent for the lease of the building to Great Southern Community Financial Services Ltd.
<b>Strategic Implications:</b>	This issue is not dealt with in the Plan
<b>Voting Requirements:</b>	Simple Majority



**Council Resolution:**      **090615**

*Moved Cr Schlueter, seconded Cr Thompson*

*“That Council advise the Board of the Great Southern Community Financial Services Ltd that the lease of the premises at Lot 13 Norrish Street, Tambellup for the Community Branch of Bendigo Bank Ltd, will be renewed for a further five years as per the lease agreement.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

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## 10.14 FINANCIAL REPORTS – SIGNIFICANT ACCOUNTING POLICIES

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<b>Program:</b>	<b>Governance</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>		
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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### Summary:

**Background:** Included in all statutory financial reports prepared by Council is a note “significant Accounting Polices”. This is more of a description of the accounting treatments used in preparing the statements than a policy. Two issues have arisen that makes it appropriate for Council to make a determination. These are:

1. Recognition of the value of land under roads; and
2. Depreciation of non-current assets.

#### Land under Roads

Since July 1984, Local Government financial reports have been presented in accordance with the Australian Accounting Standard number 27, “Financial Reporting by Local Governments” (AAS 27) and the Local Government (Financial Management) Regulations.

In 2006 the Australian Accounting Standards were aligned to the International Financial Reporting Standards (IFRS) which saw further modifications to the way local governments reported as at 30 June 2006. Since then AAS 27 will be withdrawn and local governments are now required to comply with the form, content and principles contained in a range of Accounting Standards.

Up until the withdrawal of AAS 27, local governments in Western Australia have been treating the accounting for land under roads in accordance with Regulation 16 of the Local Government (Financial Management) Regulations 1996 which precludes the recognition of the land under roads that are Crown Land vested in and managed by a local government.

With the withdrawal of AAS 27 the Accounting Standard AASB 1051 – “Land under Road” became the ruling standard. Clause 7 states that “Other Australian Accounting Standards (including AASB 116 Property, Plant and Equipment) apply to land under roads, except to the extent that this Standard requires or permits “otherwise”. In other words land under local roads could be considered an asset and assigned a value.

The standard provides that a local government may elect to recognise (including to recognise or to recognise for the first time), subject to satisfaction of the asset recognition criteria, or not to recognise (including continue not to recognise or to derecognise) as an asset, land under roads acquired before the end of the first reporting period ending on or after 30 June 2008.

In order to comply with the Accounting Standards, due to the lapse in the transitional provisions and the new requirement to comply with AASB 116, Council needs to make an election not to recognise any value for land under roads acquired on or before 30 June 2008. This was previously covered under the Accounting Standard AAS 27.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset. Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Depreciation of non-current assets

In December 2008 the Department of Local Government and Regional Development released the first part of an industry accounting manual. The manual is intended to provide guidance to local governments in the accounting treatments used in preparing financial reports. The information will standardise the accounting treatment, such as, depreciation across the industry.

Chapter 9 – Asset Accounting provides a comprehensive depreciation for the region with guidelines for useful life and residual values. Those depreciation rates have been reviewed and provide Council with a more comprehensive and informative set of depreciation rates. Accordingly, it is appropriate that Council applies those rates in the preparation of its financial reports. These rates will be acceptable to the auditor.

**Comment:**

Land Under Roads

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government. The proceeds of any land disposal of road reserve belong to the State of WA.

The recommended course of action is to continue with the accounting treatment of not recognising crown land under roads as an asset and assigning a value to it.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

**Consultation:**

Nil

**Statutory**

**Environment:**

Disclosure required in statutory financial reports.

**Policy Implications:**

Modification in accounting treatment disclosures

**Financial**

**Implications:**

This issue has no financial implications for Council

**Strategic****Implications:** This issue is not dealt with in the Plan**Voting Requirements:** Simple Majority**Officer Resolution:** “*That Council resolve:**Land Under Roads*

- *That Council elects not to recognise any value for land under roads acquired on or before 30 June 2008;*
- *In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset. Whilst treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail; and*

*Depreciation of non-current assets*

*That Council applies the depreciation rates for non-current assets consistent with the Western Australian Accounting Manual (as amended) as detailed for the South West Region (Appendix Chapter 9). Any variation to those rates due to specific local conditions / redundancy and / or obsolescence shall be disclosed in the notes to the financial reports.”*

**Council Resolution:** **090616***Moved Cr Kempin, seconded Cr Crosby**“That Council resolve:**Land Under Roads*

- *That Council elects not to recognise any value for land under roads acquired on or before 30 June 2008;*
- *In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset. Whilst treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail; and*

*Depreciation of non-current assets*

*That Council applies the depreciation rates for non-current assets consistent with the Western Australian Accounting Manual (as amended) as detailed for the Mid West and Wheatbelt Region (Appendix Chapter 9). Any variation to those rates due to specific local conditions / redundancy and / or obsolescence shall be disclosed in the notes to the financial reports.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

**10.15****NOTICE OF INTENT TO DRAIN**


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<b>Program:</b>	<b>Protection of the Environment</b>	
<b>Attachment:</b>	<b>Copy of application and map</b>	
<b>File Ref:</b>		
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>17<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Council comment is sought on a proposed Notice of Intent to Drain (NOI).

**Background:** The Commissioner of Soil and Land Conservation is seeking Council comment on a Notice of Intent to Drain (NOI). Attached for Councillors information is a copy of the NOI to drain Plantagenet Location 3647. The land is owned by Mr Richard House. Should Council wish to provide any comments on the proposal it must do so by 22<sup>nd</sup> June 2009.

The water will have to cross a road reserve on the western side of Location 3289. While there is no formed road in the reserve it may be appropriate to advise that if the road is ever developed, Council may seek to recover the cost of installing culverts as per its existing policy.

**Comment:** It is proposed to install 3kms of drains on location 3647 which will join up with an existing drain that moves water in an easterly direction finishing up in an area shown on the attached map as Waikelongup Flat. Land owners affected by the proposal have no objection to it.

The existing drain crosses Tallents Road. An increase in drain length will increase the volume of water that flows through the existing culverts on Tallents Road. Council needs to consider its options if the culverts cannot handle the increased volume of water.

Council may wish to inform the Commissioner of Soil and Land Conservation that it has no objection to the Notice of Intention to Drain, however the landowner needs to be aware that as a result of the drainage works, Council will seek to recover the costs to upgrade the culverts on Tallents Road should they require upgrading / enlarging and will also seek to recover the costs of any damage caused to the road as a result of the drainage works and subsequent increase in water volumes.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

**Council Resolution:** 090617

*Moved Cr Sheridan, seconded Cr Turner*

*“That Council advises the Commissioner of Soil and Land Conservation that it has no objection to the Notice of Intention to Drain, however the landowner needs to be aware that as a result of the drainage works Council will seek to recover the costs to upgrade the culverts on Tallents Road should they require upgrading / enlarging and will also seek to recover the costs of any damage caused to the road as a result of the drainage works and subsequent increase in water volumes.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

**10.16****OCEAN BROADBAND – USE OF FAIRFIELD TOWER****Program:****Law, Order and Public Safety / Economic Services****Attachment:****Email request from Ocean Broadband****File Ref:****Author:****JP Bentley****Manager Administrative and Customer Services****Date:****18<sup>th</sup> June 2009****Disclosure of Interest:** Nil**Summary:**

Council to consider a proposal by Ocean Broadband to use the Fairfield Tower to provide an alternative wireless broadband service to the Shire.

**Background:**

Council has in the past provided space on the Fairfield Tower for Bushfires radio equipment and of late BBNet for the provision of Broadband services in both Broomehill and Tambellup. BBNet was sold to Intelligent IP who now operates the network and is currently in negotiations to formalise its agreement with Council over the arrangement.

Council has provided the Fairfield Tower location and has allowed the erection of a smaller tower on the Broomehill office roof in exchange for a dedicated 2MBit connection between the Broomehill and Tambellup offices to provide access to our corporate software from one server located in Tambellup and to make contributions to the ongoing maintenance of the Fairfield Tower.

Historically BBNet allowed other service providers to utilise its network to deliver services to customers in a variety of locations including Broomehill and Tambellup. Ocean Broadband has suggested that since taking over the infrastructure, Intelligent IP has not been as keen for this arrangement to continue.

**Comment:**

Council has received a request from Ocean Broadband to co-locate equipment at the Fairfield Tower to provide broadband internet services to Broomehill and Tambellup. In other locations where approval has been given for such co-location, Ocean Broadband has installed synchronisation devices to ensure there is no interference with other providers including BBNet/Intelligent IP sites.

The equipment will consist of two small reflector dishes of around 600mm in diameter and two pieces of equipment in the equipment shelter.

The reference sites provided by Ocean Broadband have been checked by staff and they have supported the statement that there is little or no interference from the co-location of services.

Ocean Broadband has indicated that they would be willing to share ongoing maintenance costs for the tower and would do this via a lease or rental charge.



The tower is in need of some work to upgrade the two of the three existing guy wire footings and to re-tension the guy wires of the footing already replaced.

BBNet/Intelligent IP has provided the Council with a dedicated connection between the two sites at no cost which has a significant commercial value and was a condition of the use of the tower. There are no ongoing costs to Council to download/upload costs for the service.

To this end the current operator has paid a significant premium to use the facility and is still prepared to contribute to the ongoing maintenance of the tower. Negotiations with Ocean Broadband will reflect that the existing carrier has invested a significant sum in obtaining the right to use the facility.

<b>Consultation:</b>	Nil
<b>Statutory Environment:</b>	Nil
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	This issue has no financial implications for Council
<b>Strategic Implications:</b>	This issue is not dealt with in the Plan
<b>Voting Requirements:</b>	Simple Majority
<b>Council Resolution:</b>	<b>090618</b>

*Moved Cr Bowman, seconded Cr Kempin*

*“That Council grant permission for Ocean Broadband to co-locate its wireless internet equipment at the Fairfield Tower site subject to the following conditions:*

- 1. Location of its equipment does not degrade or interfere with existing network infrastructure operated by Intelligent IP;*
- 2. That the equipment placed on the mast will not exceed the height of the existing Intelligent IP equipment and be sufficiently spaced so as not to interfere with that equipment;*
- 3. Ocean Broadband contribute to a split of ongoing maintenance of the tower with the Shire of Broomehill-Tambellup and Intelligent IP in a manner and at a rate to be negotiated with the Shire of Broomehill-Tambellup; and*
- 4. The Chief Executive Officer to negotiate a fair and reasonable contribution rate for all parties.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**12.1 PLANT REPORT FOR MAY 2009**

**Program:** Transport  
**Attachment:** Nil  
**File Ref:** Nil  
**Author:** GC Brigg Manager of Works  
**Date:** 11<sup>th</sup> June 2009  
**Disclosure of Interest:** Nil

Reg No.	Description	Kms/Hrs	Year of Manufacture	Year of Purchase	Changeover	Comments
BH000	Nissan Murano		2009	2009	2 yrs / 40,000km	OK
BH00	Ford Ranger Dual Cab	27940	2008	2008	2 yrs / 40,000km	OK
BH001	ISUZU 6 Wheel Tipper	30800	2007	2007	7 yrs / 151,000km	30k service done
BH002	ISUZU 6 Wheel Tipper	13092	2008	2008	7 yrs / 151,000km	OK
BH003	Mitsubishi Canter Crew Cab		2004	2004	5 yrs / 100,000km	OK
BH004	JD 670B Grader	9951	1996	1996	10 yrs / 10,000 hrs	OK
BH005	Bomag Multi-Tyred Roller	3744	2002	2002	10 yrs	OK
BH006	Volvo 710	3535	2004	2004	10 yrs / 10,000 hrs	3500k service done
BH007	John Deere Ride on Mower	33	2003	2003	5 yrs / 5,000 hrs	OK
BH008	VOLVO L70D Loader	4775	2001	2001	7 yrs / 7000 hrs	Windscreen cracked
BH009	Holden Rodeo	37097	2004	2004	5 yrs / 100,000kms	OK
BH010	6x4 Fuel Trailer		1981	1981		OK
BH012	Isuzu Fire Truck		1995	2004	14 yrs	Due for service
BH013	John Deere 315SG Backhoe	1761	2003	2003	10 yrs / 10,000 hrs	OK
BH813	Multi Tyre Roller		1960	1980		OK

0TA	Holden Statesman		2009	2009		OK
TA052	Toyota Hilux 4x4	34427	2007	2007	2yrs	OK
TA001	Ford Ranger Dual Cab	21000	2008	2008	40,000km	20k service done
ITA	Nissan Navaro		2008	2008	40,000km	OK
TA1880	Isuzu Gigamax Truck	12425	2008	2008	5 yrs	Damage to bumper
TA092	Isuzu Gigamax Truck	32899	2007	2007	5 yrs	30k service done
TA1855	Mitsubishi 4.5 Ton Truck	110371		2000	4 yrs	Rear tyres replaced
TA386	Mitsubishi Fuso Truck	44238	2007	2007	4 yrs	OK
TA18	12H Grader	2478	2006	2006	8 yrs	OK
TA1835	12H Grader	3212	2002	2003	8 yrs	OK
TA281	930G Loader	1417	2007	2007	8 yrs	OK
TA392	Tractor Mower	1678			4 yrs	Replace deck drive gearbox
TA1221	John Deere Tractor			1987	15 yrs	OK
TA2180	Evertrans Trailer		2000	2000	8 yrs	OK
TA017	JCB 3CX-E Backhoe	823		2004	10 yrs	Brakes, service, water and hydraulic leak
TA219	Multipac Multi-tyred Roller			2004	10 yrs	Air conditioner needs service
TA1196	Large Roller				Retain	OK
TA2015	Vibrating Roller			1977	7 yrs / 8000 hrs	OK
	Slasher				10 yrs	OK
XTR579	Road Broom				10 yrs	New brooms
	Mobile Fuel Tanker				10 yrs	OK
IAZJ510	Bomag Vibrating Roller			2001	7 yrs / 8000 hrs	Oil leaks
TA005	John Deere Tractor	209	2008	2008	10 yrs / 8000 hrs	OK

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**12.2 WORKS REPORT FOR MAY 2009**

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<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>GC Brigg</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>10<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Broomehill**

- Gardeners have carried out work at the information bay and planted a large number of various plants there and at the administration office.
- Drainage work is complete around the administration office and pavers will be laid along the wall where the excavation took place to complete the job.
- A new larger electric pump is to be installed at the Broomehill Town Dam as the current one has failed.
- Community works have been cleaning up at the cemetery and Holland Park after the inclement weather.
- Onesteel has removed steel from the rubbish tip. After a recent fire Council has at least two months lead way for rubbish before requiring a new trench.

**Tambellup**

- Gardeners have been replacing pop up sprinklers on the oval. There is still a problem with one solenoid. Katanning Irrigation are working with Council staff to rectify the problem.
- Community workers have cleaned up along Norrish Street. After recent windy weather, it needs doing again.
- Community workers will carry out works on the basketball court on the northern end of town. This will include painting the concrete and installing rails to prevent vehicles accessing the court.
- Onesteel have removed steel from the rubbish tip. They have also removed scrap steel from within the depot.
- Sealing has taken place in front of the fire shed.
- Crews have been patching bitumen around town streets.

**Roads**

- Widening and sealing is complete on the Gnowangerup Road. The overrun on this job was forecast at \$10,000, but will be contained to approximately \$4,000.
- Resealing took place on the 940m gap that was left earlier in the year on the Broomehill-Kojonup Road. It has been completed with 14mm aggregate where the earlier seal was carried out with 10mm aggregate. The 10mm stone could not be delivered and precoated in time.
- 450m of sealing was carried out on Javelin Street, Broomehill.
- Nookanellup Road is complete and with recent rains, has settled down well.
- Spray truck was used to repair bitumen on Pallinup Road.
- Birt Road is complete – currently under budget and more work is programmed for this project.
- Two bitumen repairs that were not carried out due to time constraints with the spray truck were Punchmirup culvert and repairs to Tambellup West Road. Whilst the spray truck is working with Main Roads, it will be utilised to complete the work.
- Brassey Road is well underway with most of the clearing complete. Gravel carting will commence before the end of the week.
- Two graders are now allocated to road maintenance grading full time. It will take approximately seventy working days to get around all the roads within the Shire. Currently, there are a number of roads which require grading which will be graded in due course.

- The Maintenance Crew have been working on bitumen repairs, signage and guideposts on rural roads.

### **Plant**

- Council is currently tendering for a new smooth drum vibrating roller. This tender will close on the 6<sup>th</sup> July 2009.
- Lake Grace Engineering is currently building the new float. Delivery is still predicted at the end of July.
- The JCB Backhoe was sold to a private contractor in Denmark.
- The new 5.0 tipper is in Albany. It is currently at Evertrans in Albany where flashing lights, towbars and toolboxes are being fitted. Delivery is still expected to be before the end of June.

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**12.3 BUILDING SURVEYORS REPORT FOR MAY 2009**

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**Program:** Economic Services  
**Attachment:** BSR Report and Activity Statement  
**File Ref:** ADM0076  
**Author:** D Baxter Building Surveyor  
**Date:** 10<sup>th</sup> June 2009  
**Disclosure of Interest:** Nil

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**Summary:** Attached are the BRS Report and the Activity Statement for the month of May 2009 that have been sent to all the relevant authorities that are required by legislation.

**Background:** These reports advise of the building approvals and the activity of the Building Surveyor for the month of May 2009.

**Comment:**

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

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

**Reason For Change to Recommendation:**

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**12.4 BUILDING MAINTENANCE PROGRAM**

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<b>Program:</b>	<b>Various</b>
<b>Attachment:</b>	<b>Building Maintenance Program for May 2009</b>
<b>File Ref:</b>	
<b>Author:</b>	<b>JP Bentley</b> <b>Manager Administrative and Customer Service</b>
<b>Date:</b>	<b>10<sup>th</sup> June 2009</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Update of the Building Maintenance Program for 2008-2009.

**Background:**

**Comment:** The Building Maintenance Program is updated on a regular basis and presented for Councils information, comment and discussion if required.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Provision has been made in the 2008-2009 budget to meet the building maintenance program costs.

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

**Voting Requirements:** Simple Majority

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

**Reason For Change to Recommendation:**

**12.5 AMALGAMATION PROJECT REPORT**

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<b>Program:</b>	<b>Governance</b>	
<b>Attachment:</b>	<b>Project Report</b>	
<b>File Ref:</b>	<b>ADM0112</b>	
<b>Author:</b>	<b>Ron Back</b>	<b>Consultant – Amalgamation of the Shires of Broomehill and Tambellup</b>
<b>Date:</b>	<b>10<sup>th</sup> June 2009</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Attached is a progress report on the amalgamation for the Shire of Broomehill-Tambellup.

**Background:**

**Comment:**

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

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

**Reason For Change to Recommendation:**



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

Cr Thompson requested a Leave of Absence for the Ordinary Meeting of Council on 16<sup>th</sup> July 2009.

*090620*

*Moved Cr Bowman, seconded Cr Sheridan*

*“That Cr Thompson be granted a Leave of Absence from the Ordinary Meeting of Council to be held on the 16<sup>th</sup> July 2009.”*

**CARRIED 9/0**

**14. DATE OF NEXT MEETING**

Thursday 16<sup>th</sup> July 2009

**15. CLOSURE**

There being no further business, Cr Webster thanked Councillors and staff for their attendance and declared the meeting closed at 6.23pm.