

SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup
held in the Tambellup Council Chambers on Thursday 18th March 2010
commencing at 3.35pm

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

| | | |
|------------------------|-----------------|---|
| <u>Present:</u> | 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 of Administrative & Customer Services |
| | GC Brigg | Manager of Works |
| | KP O'Neill | Finance Officer |

Apologies: Nil

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President welcomed Councillors and Staff and declared the meeting open at 3.35pm.

The President reminded Councillors that there will be a teleconference with Councils Auditor, Mr Russell Harrison from Lincolns Accountants, to discuss Councils financial performance from the 2008/2009 year. Council is required to meet with the Auditor at least once in every year, in accordance with the Local Government Act 1995 Section 7.12A(2).

The CEO advised that Anne Lake would be available for a teleconference to discuss the Under Separate Cover item 11.1 with Council prior to 4.15pm, should they wish to do so.

PROCEDURAL MOTION

100301

Moved Cr Turner, seconded Cr Thompson

“That the Under Separate Cover item 11.1 be brought forward for discussion immediately following the teleconference with Councils Auditor.”

CARRIED 8/0

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Mr Phil Birt entered the meeting at 4.03pm.

5. APPLICATION FOR LEAVE OF ABSENCE

Nil.

6. DECLARATION OF INTEREST

Nil.

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil.

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 18th FEBRUARY 2010

100302

Moved Cr Sadler, seconded Cr Crosby

“That the Minutes of the Ordinary Meeting of Council held on the 18th February 2010 be confirmed as a true and accurate record.”

CARRIED 8/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

10. MATTERS FOR DECISION

10.1 FINANCIAL STATEMENTS FOR FEBRUARY 2010

| | | |
|--------------------------------|---|------------------------|
| Program: | Other Property and Services | |
| Attachment: | Monthly Financial Statements for February 2010 | |
| File Ref: | Nil | |
| Author: | KP O’Neill | Finance Officer |
| Date: | 11th March 2010 | |
| Disclosure of Interest: | Nil | |

Summary: Attached are the monthly financial statements for February 2010.

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 Plan

Voting Requirements: Simple Majority

Council Resolution: *100303*

Moved Cr Sadler, seconded Cr Kempin

“That the Financial Report for the period ending 28th February 2010 be received.”

CARRIED 8/0

Reason For Change to Recommendation:

10.2 CREDITORS ACCOUNTS PAID FEBRUARY 2010

| | | |
|--------------------------------|---|------------------------|
| Program: | Other Property and Services | |
| Attachment: | List of Payments for February 2010 | |
| File Ref: | Nil | |
| Author: | KP O’Neill | Finance Officer |
| Date: | 11th March 2010 | |
| Disclosure of Interest: | Nil | |

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

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

Comment: SUMMARY

| | |
|----------------|---------------------|
| Municipal Fund | \$379,439.71 |
| Trust Fund | \$20,858.89 |
| Credit Cards | \$1,127.56 |
| <u>TOTAL</u> | <u>\$401,426.16</u> |

Consultation: Nil

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

Policy Implications: Nil

Financial Implications: List of payments made during the previous month

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

Voting Requirements: Simple Majority

Council Resolution: *100304*

Moved Cr Kempin, seconded Cr Schlueter

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

- Municipal Fund cheques numbered 832 to 871 inclusive, electronic payments numbered EFT993 to EFT1065 inclusive and totalling \$379,439.71;*
- Trust fund cheques numbered 118 to 125 inclusive and EFT1052 totalling \$20,858.89; and*
- Credit card expenses totalling \$1,127.56;*

be adopted.”

CARRIED 8/0

**Reason For Change to
Recommendation:**

10.3 PERMANENT CLOSURE OF ROAD RESERVE – RESERVE 10318 BROOMEHILL VILLAGE

| | | |
|--------------------------------|----------------------------------|--|
| Program: | Transport | |
| Attachment: | Attachment | Map showing proposed road closure |
| File Ref: | ADM0296 & R10318 | |
| Author: | JM Trezona | Chief Executive Officer |
| Date: | 8th March 2010 | |
| Disclosure of Interest: | Nil | |

Cr Bowman entered the meeting at 3.43pm.

Summary: Council to formally request the Minister for Lands to permanently close a road reserve.

Background: Council at its Ordinary meeting held in December 2009 agreed to advertise its intent to permanently close the road reserve that exists between Leven and Indus Streets (Great Southern Highway) Broomehill Village. The road reserve crosses the rail reserve (Reserve 10318) and does not have a road constructed on it.

The notice of intention was advertised on 12 January 2010 and the comment and objection period closed on 16 February 2010. Letters advising of the proposal were written to surrounding landholders, utility providers, Main Roads, WA, Public Transport Authority, WA Planning Commission and the Department of Agriculture.

Council received four responses.

| Organisation | Comments |
|----------------------------------|--|
| WA Planning Commission | No objection to the proposed closure of the Road reserve |
| Western Power | No Objection to the proposed closure of the Road reserve |
| Main Roads WA | No Objection to the proposed closure of the Road reserve |
| Public Transport Authority of WA | No Objection to the proposed closure of the Road reserve |

Comment: Council now has to consider the comments received and formally request the Minister for Lands to close the road reserve and amalgamate it into the railway reserve, Reserve 10318.

Consultation: Nil

Statutory**Environment:**

Land Administration Act 1997 and Land Administration Regulations 1998

The Land Administration Regulations 1998 state that:

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

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

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

Policy Implications:

Nil

Financial**Implications:**

Council will have to meet the advertising and Dial Before you Dig costs.

Strategic**Implications:**

This issue is not dealt with in the Plan

Voting Requirements:

Simple Majority

Council Resolution:

100305

Moved Cr Turner, seconded Cr Kempin

“That Council, under section 58 of the Land Administration Act 1997 requests the Minister for Lands to close the unmade road reserve between Leven and Indus (Great Southern Highway) Streets Broomehill Village. Further the land to be amalgamated into Reserve 10318.”

CARRIED 9/0

Reason For Change to Recommendation:

K O'Neill left the meeting at 3.45pm and returned at 3.47pm.
GC Brigg entered the meeting at 3.53pm.

TELECONFERENCE WITH COUNCILS AUDITOR AT 3.47PM

Councils Auditor, Mr Russell Harrison, gave a brief overview of the Audit processes and advised that they were satisfied in all of their testing that there were no issues of concern.

Mr Harrison explained their comments in the Management Letter for 2008/09 regarding the long outstanding debtors and the need for an increase in provision for doubtful debts.

Mr Harrison briefly discussed the financial ratios from the 2008/09 Annual Report and stated that based on this information, Council is in a sound financial position.

Mr Harrison thanked Staff for their assistance in providing the relevant records during the Audit process.

Cr Webster thanked Mr Harrison for speaking with Council, and the teleconference ended at 4.00pm.

PUBLIC QUESTION TIME

Mr Phil Birt entered the meeting at 4.03pm to bring to Councils attention the following matters:-

1. The Tambellup West Road and Albany Highway intersection is extremely hazardous, particularly for heavy haulage vehicles. Could Council investigate as to where the upgrade of this intersection is up to.

Council to investigate what the status of the intersection upgrade and Council representative to the Regional Road Group to liaise with the Kojonup representative at the coming Regional Road Group meeting.

2. The potential fire hazard that is bush land on the northern side of the Tambellup townsite, particularly near the Primary School. Could Council investigate whether some protective burning could be done to reduce the fuel in this area, or other measures to reduce the hazard. Mr Birt was advised that FESA manage the fire risk on Crown Land, and there are rules and conditions for undertaking town burns.

Contact will be made with FESA to bring to their attention the fire hazard. Council will advise Mr Birt of their response.

The President thanked Mr Birt for raising these issues with Council. Mr Birt retired from the meeting at 4.11pm.

UNDER SEPARATE COVER

11.1 RENEGOTIATION OF WORK PLACE AGREEMENT

| | | |
|--------------------------------|---|--------------------------------|
| Program: | Governance | |
| Attachment: | Copies of the Draft Collective Work Place Agreements Report from Anne Lake | |
| File Ref: | ADM0199 | |
| Author: | JM Trezona | Chief Executive Officer |
| Date: | 9th March 2010 | |
| Disclosure of Interest: | Nil | |

JP Bentley, GC Brigg & KP O'Neill left the meeting at 4.15pm.

JP Bentley, GC Brigg and KP O'Neill returned to the meeting at 4.25pm.

10.4 LOCAL GOVERNMENT REFORM – REGIONAL TRANSITION GROUP

| | | |
|--------------------------------|--|--------------------------------|
| Program: | Governance | |
| Attachment: | Copy of the draft RTG Agreement | |
| File Ref: | ADM0112 | |
| Author: | JM Trezona | Chief Executive Officer |
| Date: | 8th March 2010 | |
| Disclosure of Interest: | Nil | |

Summary: Council to advise the Minister for Local Government of its decision on whether or not it will participate in a Regional Transition Group (RTG).

Background: In early February 2010 Council received correspondence from the Minister for Local Government, the Hon John Castrilli, asking Council to consider participating in a Regional Transition Group. A draft of an agreement was included with the Ministers letter which advised that the core elements of the agreement were

- The State will provide funding to assist each group develop a regional business plan. The amount to be provided will be advised following Cabinet consideration of the Ministers funding proposal.
- The content of the regional business plan is outlined in the schedule to the agreement. A detailed template will be developed by the Department of Local Government to assist Councils in the preparation of their plan.
- Any participant can withdraw from the group once the regional business plan is finalised. The Minister stated that he believes this is reasonable as development of the plan requires input from all participants in each group. He anticipates up to nine months would be required to prepare the plan.
- Even after local governments have resolved to participate, the RTG can be terminated if the majority of the group decides that this is the best course of action. The Minister anticipates efforts will be made to resolve concerns before such a decision is made.
- The Local Government Advisory Board statutory processes, including the poll provision, apply once the RTG proposal to amalgamate is received by the Board.

Crs Webster and Crosby and the CEO attended a briefing session in Kojonup on 19 February 2010 presented by representatives from the Department of Local Government. The following further information was provided.

- Regional Collaborative Groups are applicable to those geographically large areas of the state (Councils in the north west and northern parts of the goldfields)
- Regional Transition Groups apply to the remainder of the state. We cannot form a regional collaborative group.
- Changes to the draft agreement can be requested, however the Department of Local Government will also have to agree and sign off on any changes before they can be effected.

- Funds are available to an RTG to prepare a regional business plan. The business plan is to be developed within 9 months after the agreement has been signed.
- The RTG shall make any amendments to the regional business plan as suggested by the Department of Local Government.
- Half the administrative costs of the RTG would have to be met by the member Councils
- State Government funding is available to implement the regional business plan
- One Council will be required to act as the secretariat and banker

Comment:

In reading the Draft agreement, Councils that sign up and enter into a Regional Transition Group are agreeing to implement common service arrangements and move towards amalgamation. The amalgamation date as per the draft agreement is to be 1 July 2013. The agreement also includes the structure of the RTG, financial contributions and the development and content of a regional business plan.

In discussing what options it should pursue Council may wish to consider the following

- Council has previously advised the Minister for Local Government in its Reform Submission that after consultation with the Broomehill-Tambellup community, the community did not wish to pursue a further amalgamation at this time
- The Minister was advised in our submission that our preferred regional partners were the members of the Southern Link VROC – Cranbrook, Kojonup and Plantagenet Shires
- Council also advised the Minister that it was prepared to investigate and participate in a due diligence process to explore a future merger with members of the Southern Link VROC
- What the implications might be in agreeing to enter into an RTG when it is likely that some of the other members of the Southern Link VROC are opposed to joining an RTG.
- Council may wish to propose to the Minister that the State provides the funds for the development of a business plan before entering into an agreement to form an RTG. This would provide for a much better decision to be made by Councils and their communities.
- Dissemination of information on the proposed RTG's to the community

If Council determines to participate in the development of a business plan with the members of the Southern Link VROC and there is an outcome of a nett benefit for the proposed merged district, then it would be difficult not to follow through with a further amalgamation. The interests of Councillors and staff should become secondary and the estimated benefits as highlighted in the business plan should be championed to the whole of the community.

The Minister requires a response from all Councils by 26th March 2010. It is understood from the briefing session on 19 February 2010 that the Minister will be briefing Cabinet in early April with the feedback and findings. It is expected that Cabinet will then give further guidance on the next steps in Local Government Reform.

For Council discussion and decision.

Consultation:

Contact has been made with the following

- Shire of Kojonup who at the time of writing this report have indicated that they would consider participating in a Regional Business Plan
- Shire of Plantagenet have also indicated that they would consider participating in a Regional Business Plan

The Shire of Katanning sent a letter to the President, Cr Webster and the CEO inviting them to participate in a meeting with all their neighbouring Councils to consider a proposal to form a Regional Transition Group. The President and CEO did not attend. We thanked them for their invitation and stated that at this time Broomehill-Tambellup is working with the members of the Southern Link VROC and until these discussions reached a conclusion it would be inappropriate to enter into further discussions on RTG's outside that group.

Statutory**Environment:**

Local Government Act 1995

Policy Implications:

Nil

Financial**Implications:**

The State Government is making funding available to Councils who form an RTG. There is an expectation that Councils will contribute equally with the state towards the cost of administration of the RTG. State Government funding is also available for the creation of the Regional Business Plan and the implementation of the Regional Business Plan.

Strategic**Implications:**

Council has identified Structural Reform as a strategic objective in its "Strategic Directions – Plan for the Future 2009-2019"

Voting Requirements:

Simple Majority

Officer Resolution:

"That Council responds to the Minister for Local Government and advises that it is willing to consider entering into a Regional Transition Group agreement subject to the following conditions

- *Adequate consultation has been had with the residents of the Shire of Broomehill-Tambellup which includes an explanation of what a Regional Transition Group is, clarifying what the implications are should Council become a partner in one, and gain community support to do so*

- *That our preferred regional partners being Cranbrook, Kojonup and Plantagenet are also willing participants to enter into an agreement to form a Regional Transition Group*
- *That Council requests that the Minister for Local Government considers providing funding for the development of the proposed business plan prior to Council making its final decision to enter into an agreement for the establishment of a regional transition group”*

Council Resolution: **100307**

Moved Cr Turner, seconded Cr Sheridan

“That Council responds to the Minister for Local Government and advises that it is willing to consider entering into a Regional Transition Group agreement subject to the following conditions

- *Adequate consultation has been had with the residents of the Shire of Broomehill-Tambellup which includes an explanation of what a Regional Transition Group is, clarifying what the implications are should Council become a partner in one, and gain community support to do so;*
- *That our preferred regional partners being Cranbrook, Kojonup and Plantagenet are also willing participants to enter into an agreement to form a Regional Transition Group;*
- *That Council requests that the Minister for Local Government provides funding for the development of the proposed business plan, and the business plan is presented to and endorsed by the Community, prior to Council making its final decision to enter into an agreement for the establishment of a Regional Transition Group”*

CARRIED 6/3

Reason For Change to Recommendation:

The Council wanted it clearly stated that funding should be provided for development of the business plan prior to entering into an RTG agreement as this would allow the Council and community to make a decision about the future, with the appropriate information at hand.

| | | |
|--------------------------------|---|--|
| 10.5 | LOT 328 GNOWANGERUP TAMBELLUP ROAD | |
| Program: | Housing | |
| Attachment: | Nil | |
| File Ref: | ADM008 | |
| Author: | Peter Bentley | Manager of Administrative & Customer Services |
| Date: | 10 March 2010 | |
| Disclosure of Interest: | Nil | |

Summary: To consider what action should be taken with Lot 328 Gnowangerup Tambellup Road (Formerly Owen Street) Tambellup.

Background: The old Shire of Tambellup entered into an arrangement 35 years ago with the Government Employees Housing Authority (GEHA) regarding the house at Lot 328 Gnowangerup Road where the Authority leased the premises for housing police officers transferring to Tambellup for work.

Recently the body which has replaced GEHA, GROH, has contacted council staff to advise that the house is no longer required and would like to pay out the lease. The payout requirements have been provided to GROH and a final payment will be forth coming in the near future.

Council adopted a Land and Housing Strategy which had the following comment regarding this property:

“The Housing Committee recommended that the Council seek to remove itself from residential tenancies outside of staff requirements. This property is currently leased to the GEHA until January 2011.

It is recommended that the house be disposed of as soon as practical thereafter or that alternative plans be investigated.

The Committee recommended that the Council write to GEHA seeking what intentions the organisation may have at the expiry of the lease.”

The Council will need to make a decision on what it may wish to do with this property now that the lease is to be terminated.

Comment: There are a number of options to the Council regarding this property.

- **Outright sale as is by tender.**
Council is currently in the process of selling 7 Howard Street by tender which may prejudice the sale of another property if demand is not high.
- **Outright sale by tender after minor refurbishment.**
Council could undertake some internal fit out of the property in hope of increasing the return for the property from sale.

- **Retain and refurbish for staff housing.**
Council could refurbish this house to a higher standard and retain it for staff housing.
- **Demolish and subdivide for future development.**
Council may wish to consider a multi unit development on this site in the future as either staff housing or external residential rental accommodation.
- **Demolish and incorporate into future Senior Citizens housing plans.**
Given that the adjacent lot is a Senior Citizens housing lot, there is scope to incorporate this cleared lot into a future multi unit development.

These are a few suggestions which could be relevant for this property however Council will need to give some direction as to where its preferences lie. It may be prudent to refer the matter to the Building Committee for further investigation and for a more detailed report to be brought back to Council at a later date.

Consultation: Chief Executive Officer

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: There will be financial implications depending on Councils decision. Provisions can be made in future budgets.

Strategic Implications: Councils Strategic Directions Plan has a Strategic objective to Manage the Built and Natural Environment.

Voting Requirements: Simple Majority

Council Resolution: *100308*

Moved Cr Crosby, seconded Cr Thompson

“That Council refer this matter to the Building Committee for further investigation.”

CARRIED 9/0

Reason For Change to Recommendation:

10.6 ASSOCIATION HONOURS 2010

| | |
|--------------------------------|--|
| Program: | Governance |
| Attachment: | List of Association Honours Policy |
| File Ref: | ADM0159 |
| Author: | JM Trezona Chief Executive Officer |
| Date: | 10th March 2010 |
| Disclosure of Interest: | Nil |

Summary: The Western Australian Local Government Association (WALGA) is calling for nominations for the 2010 Association Honours.

Background: Nominations for the 2010 WALGA Honours Program are now open and members of local governments, zones and state councillors are invited to submit nominations.

There are five categories:

Local Government Medal – recognises outstanding achievement and significant contribution by elected members and officers to the Association and/or to Local Government. *Available for nomination by State Councillors.*

Life Membership – Recognises the long and outstanding service of elected members and officers to the Association and/or to Local Government. *Available for nomination by State Councillors, Zones and Local Governments.*

Certificate of Appreciation – recognises personal commitment, eminent service and contribution to Local Government or the Association. *Available for nomination by State Councillors and Local Government Zones.*

Long and Loyal Service Award – this Honour recognises elected members who have provided long service of a high degree as an executive member of the Association for eight or more years, or as an elected member for twelve or more years. *Available for nomination by State Councillors, Zones and Local Governments.*

Distinguished Service Award – recognises elected members who have provided distinguished service to the community through their Local Government. *Available for nomination by State Council Members, Zones and Member Local Governments.*

Comment: Does Council wish to make a nomination for Association Honours?

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

Officer Resolution: *“That Council nominates for a
..... Associations Honour.”*

Reason For Change to

Recommendation: Council did not wish to nominate anyone for the Association Honours.

10.7 PROPOSED RELEASE OF LOTS IN BROOMEHILL TOWNSITE

| | |
|--------------------------------|--|
| Program: | Housing |
| Attachment: | Map showing Lots under consideration |
| File Ref: | ADM0253 |
| Author: | JM Trezona Chief Executive Officer |
| Date: | 10th March 2010 |
| Disclosure of Interest: | Nil |

Summary: Council to consider if it is willing to enter into the process to acquire land in the Broomehill Townsite under the Department of Regional Development and Lands “Super Lot Policy”.

Background: In October 2006 the former Shire of Broomehill wrote to the then Department for Planning and Infrastructure (now known as the Department of Regional Development and Lands – State Land Services) asking for additional crown lots within the townsite to be released for housing. The proposed land for release at that time were Lots 1, 2, 3, 9, 10, 13, 14, 21, 22, 24, 25, 31, 43, 74, 75, 558-565, 571, 642, 650, 680, 681, 684, and 717 for residential purposes. (Map attached)

The request was forwarded onto Landcorp for them to determine if they were prepared to develop and sell the land. State Land Services have recently advised that Landcorp have responded and they are not interested in purchasing any of the lots.

Council is now being offered the opportunity to acquire the lots under the Department of Regional Development and Lands “Super Lot Policy”.

This process will require the Shire to be involved in the Native Title negotiations and heritage issues. Upon completion of the Native Title Process, the lots would be reserved.

Subject to the demand and the installation of service the Shire would then be able to purchase the lots in a stage process. The purchase price for each lot would be assessed by the Valuer General and would take into account any costs incurred by the Council to provide services to the lots.

Comment: Since the initial enquiry and now, the demand for residential land in Broomehill has eased slightly, however there is still a demand.

Acquiring the land under the “Super Lot” policy and having the land reserved, allows Council to plan for the development and purchase of the lots as well as the opportunity to respond more effectively to the peaks and troughs in demand.

In considering the “Super Lot” proposal Council is reminded that it is currently developing Lot ... Lathom Street, Broomehill which will result in 12 residential lots for sale. At the same time there is a private proposal to do a subdivision on the Tieline Road that will result in approximately 30 Rural Residential Lots with a minimum size of 1hectare being available. It is likely to be some time before this subdivision is completed and the land becomes available.

For Council consideration.

Consultation: Ken McCrackan – Department of Regional Development and Lands

Statutory

Environment: Councils plan has a Strategic Objective to Promote and Support Sustainable Development. This objective includes actions of promoting and supporting local employment and encouraging economic development initiatives. Providing residential land for housing is a key factor in achieving these objectives

Policy Implications: Nil

Financial

Implications: There will be costs associated with the Native Title and Aboriginal heritage survey. Council is currently undertaking a heritage survey in the Tambellup Townsite for a similar number of lots that will cost approximately \$20,000. Provision can be made in future budgets to cover the cost of purchasing and developing the blocks. It is anticipated that, but will need to be confirmed with further investigation, a number of these lots have services passing by or close to them. This should assist in lesser costs for development and a quicker turn around

Strategic

Implications: This issue is not dealt with in the Plan

Voting Requirements: Simple Majority

Council Resolution: *100309*

Moved Cr Sheridan, seconded Cr Turner

“That Council advises the Department of Regional Development and Lands that is willing to acquire the following Broomehill townsite Lots under their Super Lot Policy

- *Lots 1, 2 and 3 Javelin Street*
- *Lots 9, 10, 13, 14, and 684 Jewell Street*
- *Lots 21, 22, 24, 25, 74, 75, 680 and 681 India Street*
- *Lots 31 and 43 Janus Street*
- *Lots 642 and 650 Journal Street*
- *Lots 558-565, 571 and 717 Ivy Street”*

CARRIED 9/0

Reason For Change to Recommendation:

10.8 2009/2010 BUDGET REVIEW as at 31st JANUARY 2010

| | | |
|--------------------------------|--------------------------------------|------------------------|
| Program: | Other Property & Services | |
| Attachment: | Budget Review | |
| File Ref: | ADM0163 | |
| Author: | KP O'Neill | Finance Officer |
| Date: | 11th March 2010 | |
| Disclosure of Interest: | Nil | |

Summary: Review of the 2009/2010 Annual Budget for the period 1st July 2009 to 31st January 2010.

Background: A review of the annual budget for the year is to be undertaken between 1st January and 31st March in each financial year, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996. The review is to be submitted to Council within 30 days of completion.

Enclosed separate to the agenda is a copy of the 2009/2010 Budget Review. All information and comments that were originally printed in the Budget have been included, with additional comments on actual figures at the 31st January shown highlighted in a box and italic.

Comment: A revised budget has been included of projected revenue and expenditure at the 30th June 2010. A balanced budget has been presented.

Significant variances have been identified in the following areas:-

RATES03005 - Discount

Reduced from \$125,000 to \$111,000, saving \$14,000.

GENERAL PURPOSE FUNDING03233 - RLCIP

Increased from \$0 to \$30,000.

Funding was not announced at time of preparing original budget. Funding to be utilised on fencing at Broomehill Tip (Capital).

03234 - Royalties for Regions

Reduced from \$439,700 to \$0.

Funding has been deferred until 2010/2011. All expenditure utilising these funds has been reduced to \$0.

03240 - Interest on Investments – Municipal Fund

Increased from \$25,000 to \$35,000, additional revenue \$10,000.

Surplus funds held in NCD \$933,113, which is mainly grant funds.

MEMBERS OF COUNCIL

REVENUE

04001 - Other Sundry Income

Increased from \$0 to \$2,400.

LGIS motor vehicle insurance rebate – good claims rebate.

04002 - Contributions

Increased from \$0 to \$5,800.

LGIS Members Experience rebate.

04002 - Other Sundry Income

Increased from \$0 to \$3,500.

Hollow Log Golf Day registrations and donations. Offset by expense in 04101 Members.

EXPENSE

04101 – Other Sundry Expenses

Increased from \$2,500 to \$5,000.

Payment of Hollow Log Golf Day registrations & contributions to Broomehill Golf Club, purchase of trophies.

ELECTIONS

04102 – Elections

Reduced overall elections expense from \$10,200 to \$4,400.

Electoral Commission undertook postal election.

AUDIT

04104 – Audit

Increased Audit expenses by \$5,000 to \$15,000.

ADMINISTRATION

04301 – Computer & Internet Expenses

Increased from \$35,000 to \$40,000.

AMALGAMATION

04105 – Professional Services

Reduced from \$230,300 to \$215,700 to be consistent with the actual amount carried forward on 1 July 2009.

OTHER WELFARE

Application for funding for “Business Plan” into Aged Accommodation has been withdrawn at this stage.

PUBLIC HALLS & CIVIC CENTRES

11080 – Tambellup Hall

Insurance increased from \$3,500 to \$7,400 as a result of the revaluation on Tambellup Buildings.

11241 – Tambellup Pavilion

Insurance increased from \$1,800 to \$5,000 as a result of the revaluation on Tambellup Buildings.

OTHER RECREATION & SPORT

11228 – Oval Broomehill

Minor Equipment increased from \$0 to \$2,000 for the purchase of a pump for the Broomehill Oval dam.

Repairs & Maintenance increased from \$800 to \$6,500 for Councils contribution towards fencing of the oval (which is funded from the Complex Reserve).

11229 – Oval Tambellup

Repairs & Maintenance increased from \$2,000 to \$7,500 partly due to insurance claim for repairs to the tennis court fencing \$2,590 (offset by revenue of \$1,590). Purchase of bins & lockposts for oval surrounds.

11246 – Crawford Street Basketball Courts

Increased from \$0 to \$7,000 utilising Crime Prevention Funding. It was expected that this project would be complete at the time of preparing the budget, but the balance of funds were carried over unspent at the end of the year (08/09 expense \$5,714).

Parks & Gardens generally

Provision has increased overall following significant works undertaken to beautify the Broomehill and Tambellup townsite gardens.

LIBRARIES

11377 – Tambellup Library & Telecentre

Contract Services increased from \$20,000 to \$24,700 per Council meeting Sept 09. Increased provision to cover shortfall in funding from 08/09.

Insurance increased from \$900 to \$1400 due to revaluation of Tambellup Buildings.

TRANSPORT

12003 – Bridge Funding

Increased from \$0 to \$19,000. Funds for repairs to Bridge were not claimed at the end of 2008/2009.

12262 – Chemical Shed

Increased from \$0 to \$9,000 – Council agreed to purchase chemical shed. Building is in the capital section.

PUBLIC WORKS OVERHEADS

14100 – Revenue Reimbursements

Increase from \$2,000 to \$23,000 resulting from Workers Compensation claims.

UNCLASSIFIED

14756 – Lease Reserve 22607 Tambellup

Lease fees for Lot 500 Garrity Street Tambellup for the proposed CSBP Depot.

CAPITAL

Bhill Admin Building – replace windows

Was to be funded from R4R which has been deferred.

Executive Housing – Henry Street

Increased to equal the contract. Funding reallocated from Holland Park R4R.

Broomehill Tip Fencing

To be funded from RLCIP.

Tambellup Pavilion Refurbishment

Deferred R4R

Public Toilets – Broomehill

Deferred R4R

Diprose Park

Increased – Community Facilities \$21,949 and Crime Prevention \$10,000 grants not carried over.

Holland Park Reticulation

Reallocated to Henry Street house. Funded as part of Holland Park upgrade.

Leave Reserve

Increased transfer from - \$30,000 to \$38,000 to cover payout of LSL.

Complex Reserve

Increased transfer from - \$0 to \$4,000 for payment to erect fence around Bhill Oval.

Consultation: Chief Executive Officer
Manager Administration & Customer Services
Manager of Works

Statutory

Environment: Local Government Act 1995
Local Government (Financial Management) Regulations 33A

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 – as Council is amending its original budget.

Council Resolution: *100310*

Moved Cr Schlueter, seconded Cr Turner

“That the 2009/2010 Annual Budget Review for the period 1st July 2009 to 31st January 2010, including amendments to the original budget, be adopted.”

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

**Reason For Change to
Recommendation:**

10.9 DEBTORS ACCOUNT WRITE OFF – AUSTRALIAN TAXATION OFFICE

| | | |
|--------------------------------|--------------------------------------|------------------------|
| Program: | Other Property & Services | |
| Attachment: | Nil | |
| File Ref: | ADM0063 | |
| Author: | KP O'Neill | Finance Officer |
| Date: | 12th March 2010 | |
| Disclosure of Interest: | Nil | |

Summary: Council to consider writing off an outstanding debtor for the Australian Taxation Office (debtor 95).

Background: On submission of the former Shire of Broomehill's final Business Activity Statement for the 30th June 2008, and subsequent cancellation of the ABN, the Australian Taxation Office (ATO) reviewed the Pay As You Go (PAYG) taxation payments made over the years for wages and salaries.

The ATO has determined that there is an outstanding amount of PAYG taxation of \$14,262 which is made up of the following:-

| | |
|-----------|---------|
| 2003/2004 | \$3,552 |
| 2004/2005 | \$8,344 |
| 2005/2006 | \$2,366 |

The ATO withheld this amount (plus penalties) from their payment of the final Business Activity Statement for June 2009, and consider the matter closed. Council has \$16,762.02 outstanding against the ATO.

This matter was raised with Councils Auditors to determine the correct manner to treat the outstanding debt. Their recommendation was that the provision for doubtful debts be increased to sufficiently cover this debt should it be required to be written off. Subsequently, staff made the appropriate adjustments in the accounts as part of the end of year process at 30th June 2009. The provision for doubtful debts was at that point increased to \$17,300.

The Department of Local Government has written requesting information in relation to the amount of outstanding debtors at the 30th June 2009 and the comment made by the Auditors in their Management Report. A response has been given outlining the situation with the ATO and the likelihood that this debt will need to be written off.

Comment: Staff have had difficulty in retrieving old records for the former Shire of Broomehill, and sufficient evidence is required to prove that the payments have been made.

A considerable amount of time has been spent investigating the limited records available and staff have not been able to confidently ascertain that these amounts have been paid.

Council is requested to now consider writing this outstanding debtor off to Provision for Doubtful Debts.

Consultation: Chief Executive Officer
Lincoln’s Accountants & Business Advisors

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: A reduction in revenue as this amount will not be received from the ATO.

Provision to write off the debt has already been made as part of the 2008/09 end of year processes, with the increase in “Provision for Doubtful Debts”.

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

Voting Requirements: Absolute Majority

Council Resolution: *100311*

Moved Cr Sheridan, seconded Cr Thompson

“That Council writes off the outstanding debt against Debtor 95 for the Australian Taxation Office for \$16,762.02 to the Provision for Doubtful Debts.”

*CARRIED 9/0
By Absolute Majority*

Reason For Change to Recommendation:

10.10 A 6035 PLANNING LOT 407 (77) NELSON ST, BROOMEHILL

| | |
|--------------------------------|--|
| Program: | Economic Services |
| Attachment: | Block Plan |
| File Ref: | A6035 |
| Author: | Darryle Baxter Building Surveyor |
| Date: | 4 March 2010 |
| Disclosure of Interest: | Nil |

Summary: Mr. Doug Hinchcliffe is applying to Council for approval to construct a 51.8m² Shed at Lot 407 (77) Nelson Street, Broomehill Village.

Background: Mr. Hinchcliffe has supplied a block plan and plans for this shed. As can be noted on the aerial photograph there is already a number of substantial sheds on this lot, Mr. Hinchcliffe is seeking permission to build a car shed or garage for the purpose of housing his vehicles next to the residence.

Comment: Mr. Hinchcliffe is the builder for this project.

Consultation: Mr. Hinchcliffe has supplied all the necessary documentation for this project.

Statutory Environment: Nil

Policy Implications: Shire of Broomehill Town Planning Scheme No 1. requires that Council grant Planning Permission for any development on land zoned Rural Residential. Lot 407 is zoned Rural Residential

Financial Implications: Planning Fees will be paid.

Strategic Implications: Nil

Voting Requirements: Simple Majority

Council Resolution: *100312*

Moved Cr Kempin, seconded Cr Turner

- 1. That Council grants Planning Approval for Mr. Doug Hinchcliffe to construct the 51.8m² shed on Lot 407 Nelson Street, Broomehill.*
- 2. That Mr. Hinchcliffe constructs the shed in keeping with the approved drawings as approved by Councils Building Surveyor.*
- 3. That Mr Hinchcliffe be advised that the approval is for a Shed for Domestic Storage Purposes only.*

CARRIED 9/0

Reason for Change to Recommendation:

12.1 PLANT REPORT FOR MARCH 2010

Program: Transport
Attachment: Nil
File Ref: Nil
Author: GC Brigg Manager of Works
Date: 10th March 2010
Disclosure of Interest: Nil

| Reg No. | Description | Kms/Hrs | Year of Manufacture | Year of Purchase | Changeover | Comments |
|---------|-----------------------------|---------|---------------------|------------------|---------------------|--|
| | Nissan Murano | | 2009 | 2009 | | |
| BH00 | Ford Ranger Dual Cab | 3411 | 2010 | 2010 | | ok |
| BH002 | ISUZU 6 Wheel Tipper | 27538 | 2008 | 2008 | 7 yrs / 250,000km | ok |
| BH003 | Isuzu NPR300 crew cab truck | 5936 | 2009 | | 5 yrs / 100,000km | first service and warranty done. Stone chip w/screen |
| BH004 | JD 670B Grader | 9951 | 1996 | 1996 | 10 yrs / 10,000 hrs | oil leak repaired electrical faults |
| BH005 | Bomag Multi-Tyred Roller | 4214 | 2002 | 2002 | 7 yrs / 8000 hrs | ok |
| BH006 | Volvo 710 | 4289 | 2004 | 2004 | 7 yrs / 8,000 hrs | loose ex manifold service due |
| BH007 | John Deere Ride on Mower | | 2003 | 2003 | 5 yrs / 5,000 hrs | ok |
| BH008 | VOLVO L70D Loader | 5198 | 2001 | 2001 | 7 yrs / 8000 hrs | a/c clutch u/s |
| BH009 | Toyota Hilux | 3322 | 2009 | | | ok |
| BH010 | 6x4 Fuel Trailer | | 1981 | 1981 | | ok |
| BH012 | Isuzu Fire Truck | 5000 | 1995 | 2004 | | ok |
| BH013 | John Deere 315SG Backhoe | 2023 | 2003 | 2003 | 10 yrs / 8,000 hrs | 2000hr service done |
| BH813 | Multi Tyre Roller | | 1960 | 1980 | 8 yrs / 8,000 hrs | |
| 0TA | Holden Statesman | | 2010 | | | |
| TA052 | Toyota Hilux 4x4 | 5464 | 2009 | | | stone chip w/screen |
| TA001 | Ford Ranger Dual Cab | 4254 | 2009 | | | first service done |
| 1TA | Ford Ranger Dual Cab | 11145 | 2009 | 2009 | 1 yr / 40,000 kms | due for service |
| TA1880 | Isuzu Gigamax Truck | 26090 | 2008 | 2008 | 5 yrs / 250,000 km | fuel tank replaced (warranty) |
| TA092 | Isuzu Gigamax Truck | 49225 | 2007 | 2007 | 5 yrs / 250,000 km | due service |
| TA386 | Mitsubishi Fuso Truck | 55702 | 2007 | 2007 | 5 yrs / 250,000 km | stone chip w/screen |
| TA18 | 12H Grader | 3291 | 2006 | 2006 | 7 yrs / 8,000 hrs | ok |
| TA1835 | 12H Grader | 4024 | 2002 | 2003 | 7 yrs / 8,000 hrs | change board shims |

| | | | | | | |
|-------------|-----------------------------|-------|------|------|-------------------|--|
| TA281 | 930G Loader | 2197 | 2007 | 2007 | 7 yrs / 8,000 hrs | ok |
| TA392 | Tractor Mower | 1886 | | | 5 yrs / 5,000 hrs | ok |
| TA417 | John Deere Gator | 23 | 2009 | | | ok |
| 1DDA893 | CAT vibe Roller | 277 | 2009 | | | ok |
| TA017 | Isuzu Tipper | 22671 | 2009 | | | ok |
| TA219 | Multipac Multi-tyred Roller | 7488 | | 2004 | 7 yrs / 8,000 hrs | air con needs service brake repairs |
| TA1196 | Large Roller | | | | | |
| TA2015 | Vibrating Roller | | | 1977 | 7 yrs / 8000 hrs | ok |
| | Slasher | | | | 10 yrs | ok |
| XTR579 | Road Broom | | | | 10 yrs | broken drive shaft |
| | Mobile Fuel Tanker | | | | 10 yrs | ok |
| 1DCF 535 | TORO 3500D | 113 | 2009 | 2009 | | ok |
| TA005 | John Deere Tractor 6330 | 581 | 2008 | 2008 | 10 yrs / 8000 hrs | ok |

RECEIVED

12.2 WORKS AND MAINTENANCE REPORT FOR MARCH 2010

| | | |
|--------------------------------|-----------------------------------|-------------------------|
| Program: | Transport | |
| Attachment: | Nil | |
| File Ref: | Nil | |
| Author: | GC Brigg | Manager of Works |
| Date: | 10th March 2010 | |
| Disclosure of Interest: | Nil | |

Broomehill

- Westrail and the shire have cleaned up the existing railway crossing.
- Work on the new crossing will start next month.
- We have a problem establishing plants at the rest stop. We have removed some plants to hopefully revive them. Some of the older plants have been dying off as well.
- Being an old railway stop there maybe some contaminants in the soils. Currently carrying out soil testing.
- Skid steer has cleaned up rock gardens in Holland Park ready for the installation of the new gazebo.

Tambellup

- Gardeners doing general duties around town. They have spent quite some time picking up rubbish in the dump area that has blown out of the hole.
- Gardeners will have a busy time over the next few weeks establishing gardens and grass in Diprose Park.
- Work crew, are currently getting pathways ready for asphalt to be laid in Diprose Park.
- Garden blocks have been ordered but not yet received.
- Thinkwater will arrive next week to install reticulation in Diprose Park
- Water fountain has arrived to be installed at Diprose Park when plumber is available.

Roads

- 2.4 km of shoulders have been sealed on the Tambellup West Road. This project was originally 4 km in length but was cut back due to insufficient funding.
- There is still 1.6 km widened and shoulders gravelled but not sealed. We are waiting for all costs to come in before any decision can be made to lengthen the seal.
- 1.3 km reconstruction work on Tambellup West Road has been primer sealed. This is a temporary seal until the reseal takes place. Budget allocation was for a 2 coat seal. Gravel work isn't up to standard and crew need to do more work to complete this project.
- The construction crew is currently working on the Broomehill-Kojonup Road. 3 km of this section were ready to be sealed now but due to spray trucks being unavailable seal can't take place until next week. Hopefully by then crews will have another one kilometre ready for sealing. This would then total 4 km sealed.
- Maintenance crew, have been working on capital works projects. They have re-build a head wall on culvert on North Nookanellup Road which caved in some time ago. They have been widening a culvert on Broomehill-Kojonup Road. Placed new shire entry signs on regional roads.
- Work coming up is graders back to maintenance grading.
- Drainage work on Tambellup West Road widening.
- Extending shoulders on Tambellup West Road to meet standards and reconstruct intersection with Paul Valley Road and Tambellup West Road.

Plant

- A new Caterpillar 12M has been ordered and will arrive approximately 15 weeks time. We need to take the operator to Perth and get him to operate both machines and size up whether he wants the 14 foot or 12 foot blade.
- I have no problems giving the operator which ever blade he prefers. There is no cost difference to council.
- Tenders have been called for a second hand bitumen repair truck. These tenders don't close until the end of March.
- Any decision wouldn't be made until April meeting which is very close to a new financial year.
- At this stage there is only one piece of major plant in the plant replacement program. The Volvo grader (only 5,000 hours) isn't really due for replacement until the following year. The purchase of this grader could be deferred. By reworking the plant replacement, provisions can be made in the new 2010-2011 budget to purchase a better unit to suit council's needs.

RECEIVED

12.3 BUILDING SURVEYORS REPORT FOR FEBRUARY 2010

Program: Economic Services
Attachment: BSR Report and Activity Statement
File Ref: ADM0076
Author: D Baxter Building Surveyor
Date: 25 February 2010
Disclosure of Interest: Nil

Summary: Attached are the BSR Report and the Activity Statement for the month of February 2010 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 February 2010

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

Officer Resolution: *No recommendation required – Councillor information only*

Reason For Change to Recommendation:

RECEIVED

12.4 BUILDING MAINTENANCE PROGRAM

| | |
|--------------------------------|--|
| Program: | Various |
| Attachment: | Building Maintenance Program for February |
| File Ref: | Nil |
| Author: | JP Bentley Manager Administrative and Customer Service |
| Date: | 9th March 2010 |
| Disclosure of Interest: | Nil |

Summary: Update of the Building Maintenance Program for 2009-2010

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 2009-2010 budget to meet the building maintenance program costs.

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

Voting Requirements: Simple Majority

Officer Resolution: *No recommendation required – Councillor information only.*

Reason For Change to Recommendation:

RECEIVED

12.5 LIBRARY REPORT – JANUARY & FEBRUARY 2010

| | | |
|--------------------------------|---|--------------------------------|
| Program: | Recreation and Culture | |
| Attachment: | Library Report – January and February 2010 | |
| File Ref: | ADM0097 | |
| Author: | JM Trezona | Chief Executive Officer |
| Date: | 8th March 2010 | |
| Disclosure of Interest: | Nil | |

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

Background: This report outlines the activities of both Broomehill and Tambellup libraries for the month of January and February 2010.

Comment: For Council information

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: This issue has no financial implications for Council

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

Voting Requirements: Simple Majority

Officer Resolution: *No recommendation required – Council information only*

Reason For Change to Recommendation:

RECEIVED

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

Nil.

14. DATE OF NEXT MEETING

Thursday 15th April 2010 commencing at 4.00pm.

15. CLOSURE

There being no further business, the President thanked Councillors and Staff and declared the meeting closed at 6.00pm.