SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Ordinary Meeting of Council of the Shire of Broomehill -Tambellup held in the Tambellup Council Chambers on Thursday 18th November 2010 commencing at 4.30pm.

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present: Cr BG Webster President

Cr KW Crosby Deputy President

Cr GM Sheridan Cr MR Turner Cr M Sadler Cr SJF Thompso

Cr SJF Thompson Cr EK Schlueter Cr DCN Kempin

JM Trezona Chief Executive Officer

VN Webster Manager Administration & Customer Service

GC Brigg Manager of Works

Apologies: Cr MJ Bowman

Leave of Absence:

Nil

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President welcomed Councillors and staff and declared the meeting open at 4.30pm.

Before the Ordinary Meeting of Council commenced Russell Gould of FESA presented to Geoff Hams of Tambellup G & T Motors the FESA Volunteer Employer Recognition Award. The President thanked Russell Gould for presenting the award and also thanked Geoff Hams on behalf of the community for his tireless volunteer work over many years.

The President advised Council that Doug Cherry, Operations Manager of the Water Corporation Great Southern Region was unavailable to address this meeting of Council about the India Street Standpipe in Broomehill.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FOR LEAVE OF ABSENCE

Nil

6. DECLARATION OF INTEREST

- Cr Thompson declared a Proximity Interest in Item 10.6
- Cr Sheridan declared a Proximity Interest in Item 10.10
- Cr Crosby declared an Impartiality Interest in Item 10.10
- Cr Webster declared a Financial Interest in Item 11.1

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS Nil

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 21st October 2010 *101101*

Moved Cr Sadler, seconded Cr Thompson

"That the Minutes of the Ordinary Meeting of Council held on the 21st October 2010 be confirmed as a true and accurate record of proceedings."

CARRIED 8/0

- 9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION Nil
- 10. MATTERS FOR DECISION

10.1 FINANCIAL STATEMENTS FOR OCTOBER 2010

Program: Other Property and Services

Attachment: Monthly Financial Statements for October 2010

File Ref: Nil

Author: KP O'Neill Finance Officer

Date: 5th November 2010

Disclosure of Interest: Nil

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

Background: Notes have been provided throughout the statements for Councillors

information and comment.

Comment: Some worthy points to note from the October 2010 Statements:-

➤ There were approximately 18% (\$301,685) of rates and charges outstanding. The second payment of the four instalment payment plan was due on the 27th October. The third instalment is due on the 3rd January 2011, as is the second and final payment of the two instalment plan.

➤ The first instalment of Grants Commission Financial Assistance Grants was received during October.

➤ Progress claims were submitted to MRWA for Regional Road Group funding – hence the large balance of outstanding debtors at the end of the month (refer to page 10 of the Financial Statements).

➤ The two Ford Ranger utilities were traded during October, in accordance with the provisions of the 2010/11 Budget. The changeover price for each of these vehicles was \$5,363.63 which is significantly less than budgeted.

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: 101102

Moved Cr Kempin, seconded Cr Sheridan

"That the Financial Statements for the period ending 31st October 2010

be adopted."

CARRIED 8/0

Reason For Change to Recommendation:

10.2 **CREDITORS ACCOUNTS PAID OCTOBER 2010**

Program: Other Property and Services List of Payments for October 2010 Attachment:

File Ref: Nil

Author: KP O'Neill **Finance Officer**

5th November 2010 Date:

Disclosure of Interest: Nil

Summary: Attached is a list of payments made from the Municipal and Trust

Funds during October 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 \$446,808.82 Trust Fund \$23,192.59 Credit Cards \$836.63 \$470,838.04 TOTAL

Consultation: Nil

Statutory

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

Nil **Policy Implications:**

Financial

Implications: List of payments made during the previous month

Strategic

This issue is not dealt with in the Plan

Implications:

Simple Majority **Voting Requirements:**

Council Resolution: 101103

Moved Cr Turner, seconded Cr Kempin

"That the list of accounts paid during September 2010, represented by:-

- Municipal Fund cheques numbered 1139 to 1167 inclusive and electronic payments numbered EFT1645 to EFT1731 inclusive and totalling \$446,808.82;
- > Trust Fund cheques numbered 183 to 187 inclusive and electronic payments numbered EFT1688 and EFT1689 and totalling \$23,192.59;
- > Credit Card payments totalling \$836.63; be adopted."

CARRIED 8/0

Reason For Change to Recommendation:

10.3 REVIEW OF WARD BOUNDARIES AND ELECTED MEMBER

NUMBERS

Program: Governance

Attachment: Copy of discussion paper

File Ref: ADM0088

Author: JM Trezona Chief Executive Officer

Date: 11th November 2010

Disclosure of Interest: Nil

Summary:

Council, having concluded the public submission period now need to make a recommendation to the Local Government Advisory Board.

Background:

Council at its meeting on 16 September 2010 agreed to conduct a review of its ward boundaries and the number of elected members. This is the first review conducted by the Shire of Broomehill-Tambellup. While the statutory period of eight years has not elapsed since the creation of the shire, Council determined to undertake the review as an outcome of its reform submission that was forwarded to the Minister in September 2009.

A discussion paper was developed by Council which has been made available to members of the public at the two libraries, Councils administration offices and upon request.

For a Local Government to conduct a review, there is a process that is required to be followed. The steps in the process are:

- > The Council must decide to hold a formal review.
- ➤ The review is advertised and submissions are called for. The submission period must be at least six weeks.
- > Council then considers the submissions.
- ➤ Council must consider prescribed matters
 - o Community of interest
 - o Physical and topographic features
 - o Demographic trends
 - o Economic factors
 - Ratio of councillors to electors in the various wards
- A proposal, which must be passed by an absolute majority, may be put forward to the local Government Advisory Board by the Council (Shire of Broomehill-Tambellup).
- All of the above should form the basis of the report to the Advisory Board.

Council advertised the proposal to conduct the review in the Great Southern Herald and the BT Times. The advertising period closed on 10 November 2010. Council received no submissions.

Council now needs to put forward its proposal, which must be passed by absolute majority, to the Local Government Advisory Board.

Comment:

The discussion paper provided the following options for change

- 1. That the current situation of two wards being the North ward with four elected representatives and the South ward with five elected representatives remains unchanged. The attached map shows the ward boundaries.
- 2. Leave the ward boundaries as they are and reduce the number of elected representatives to seven resulting in three Councillors in the North Ward and four Councillors in the South Ward. If this is the preferred option there needs to be a determination on whether or not there is a complete spill of Councillors or the reduction in numbers is incorporated into the 2011 ordinary election with only one vacancy being offered in the North ward and two in the South ward.

A reduction in Councillors from 9 to 7 will provide the following elected member ratio (utilising the 2009 electoral roll)

Ward	Number of Electors	Number of Councillors	Councillor: Elector ratio	% Ratio Deviation
North	379	3	1:126	5.88%
South	452	4	1:113	-5.04%
Total	831	7	1:119	

- 3. Eliminate wards and maintain the existing Councillor number of nine
- 4. Eliminate wards and reduce the Councillor numbers of seven. If this is the preferred option there needs to be a determination on whether or not there is a complete spill of Councillors or the reduction in numbers is incorporated into the 2011 ordinary election with only three vacancies being offered instead of five.
- 5. Adopt a different ward system.

Council in its reform submission stated that it would consider a reduction in the number of elected members from 9 to 7 for implementation at the 2011 ordinary elections.

Members may also wish to consider a move to no wards as this was favoured at the time of the merger of the two previous Shires but the additional conditions could not be met legislatively.

Council will also need to consider if there is to be a reduction in elected member numbers whether or not it will recommend a complete spill or not. Complete spills of elected members is generally not favoured across local governments. The retention of those Councillors not due for election in the year of the change can provide stability and continuity for the community.

For Council discussion and recommendation.

Consultation: Nil

Statutory

Environment: Local Government Act 1995 Schedule 2.2

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 required

Council Resolution: 101104

Moved Cr Thompson, seconded Cr Turner

"That recommends to the Local Government Advisory Board that

- > The current ward system be abolished and the Shire of Broomehill-Tambellup moves to no wards
- > That the number of elected members be reduced from nine to seven effective from the 2011 ordinary elections
- > That the reduction in elected member positions be effected with only three vacancies occurring at the 2011 election."

CARRIED 8/0
By Absolute Majority

Reason For Change to Recommendation:

10.4 SHIRE OF BROOMEHILL-TAMBELLUP - LOGO

Program: Governance
Attachment: Copy of Logo
File Ref: ADM0112

Author: JM Trezona Chief Executive Officer

Date: 9th November 2010

Disclosure of Interest: Nil

Summary: Council to endorse the logo for the Shire of Broomehill-Tambellup.

Background: The Shire of Broomehill-Tambellup was created on 01 July 2010. The

new Council was only 7 months old when the Minister for Local Government announced the new suite of Local Government Reform. As a result of these announcements Council determined to delay the decision to progress a number of items pertaining to its own merger until a clearer direction became apparent. The adoption of a new logo was one of the

items put on hold.

Eighteen months have expired with no definitive outcome so Council has

progressed with its logo.

Council engaged the services of Market Creations to create a new logo

for the Shire of Broomehill-Tambellup.

A presentation was made to members prior to the October 2010 ordinary

meeting, on a number of concepts.

Comment: By consensus it was agreed that the attached is the preferred design. The

rationale behind the design is as follows:

"It represents the 'tree change' lifestyle many new residents come to

the Shire of Broomehill-Tambellup for.

Within the embracing shape of the forked tree branches are a number of squares in a variety of green shades, representing the multi-faceted

community of the Shire coming together.

A simple sans serif font has been used to execute the words 'Shire of Broomehill-Tambellup', while a script font has been used in the positioning statement to convey the relaxed feel of the community.

In this and following concepts, the positioning statement 'Looking

Forward' has been applied to the logo.

Due to the two-word name of the merged Shire, 'Looking Forward' is recommended as a more concise version of the original Broomehill

positioning 'Looking to the Future'."

Prior to Council making its final decision Market Creations were asked to provide the preferred design utilising different colour variations. These have been provided and will be tabled at the meeting.

Consultation: Nil

Statutory

Environment: Nil

Policy Implications: Nil

Financial

Implications: Council has provision as part of the merger costs to develop a new logo.

Strategic

Implications: This issue is not dealt with in the Plan

Voting Requirements: Simple Majority

Council Resolution: 101105

Moved Cr Kempin, seconded Cr Schlueter

"That Council adopts the attached design as the new logo for the Shire

of Broomehill-Tambellup in the green colour range."

CARRIED 7/1

Reason For Change to Recommendation:

10.5 TAMBELLUP BUSINESS CENTRE – RATE CONCESSION

Program: General Purpose Funding

Attachment: Nil File Ref: A505

Author: JM Trezona Chief Executive Officer

Date: 11th November 2010

Disclosure of Interest: Nil

Summary: The Tambellup Business Centre is seeking a rate concession for the

2010-2011 financial year.

Background: The Tambellup Business Centre has written to Council requesting it

consider granting a rate concession for the 2010-2011 financial year.

The Local Government Act 1995 Section 6.47 states:-

"Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge."

The Tambellup Business Centre is a not for profit group that provides training and assistance for small businesses as well as assisting new

businesses to start up.

The Business Centre is unique in this area and is managed by a volunteer committee made up of local and regional members of which Council

currently holds a position.

For Council consideration.

Comment:

Consultation: Nil

Statutory

Environment: Nil

Policy Implications: Nil

Financial

Implications: The rates for the 2010-2011 financial year are \$2,873.71 and have been

paid by the Business Centre. The amount would be refunded should Council determine to grant a concession. As with other groups that receive a rate concession the Business Centre would still be liable for the

ESL levy and rubbish collection charges.

Strategic

Implications: This issue is not dealt with in the Plan

Voting Requirements: Absolute Majority

Council Resolution: 101106

Moved Cr Kempin, seconded Cr Schlueter

"That Council grants the Tambellup Business Centre a rate concession for the 2010-2011 financial year."

CARRIED 8/0 By Absolute Majority

Reason For Change to Recommendation:

10.6 REQUEST TO PURCHASE UNALLOCATED CROWN LOTS -

BROOMEHILL VILLAGE

Program: Economic Services

Attachment: Map of Lots File Ref: ADM0284

Author: JM Trezona Chief Executive Officer

Date: 10th November 2010

Disclosure of Interest: More than half the members grow grain and deliver to CBH and

may have a financial interest. A request has been made to the Department of Local Government and Regional Development for Ministerial approval for members to deal with this matter. The Department of Local Government has advised that elected members interest is determined as an 'Interest in Common' and no elected

member declaration is required.

Cr Thompson declared a Proximity Interest in this matter as he is an

adjoining landowner and left the meeting at 4.55pm.

Summary: Council to reconsider a request by Cooperative Bulk Handling (CBH) to

purchase unallocated crown lots in the Broomehill townsite.

Background: Council at its August 2010 meeting considered correspondence from the

Department of Regional Development and Lands (RDL) that sought Councils comment on a proposal to dispose of a number of lots in the Broomehill townsite to CBH. CBH indicated that they proposed to utilise the lots as a buffer zone for their current receival point and did not

plan to clear the native vegetation on the lots or develop the site.

Council did not support the proposal as it effectively depleted the stock of all industrial zoned land in the townsite. This view was forwarded to

RDL.

Further discussions with CBH at a later date, indicated that they only have an interest in Lots 513-519 and this was the basis of their request to

RDL. CBH have asked Council to reconsider the request to purchase.

Comment: CBH have submitted a planning application to Council for the

development of Lot 530 immediately to the south of these Lots. One of the issues raised by Council was dust from the road connecting the two CBH facilities. This issue was one of the reasons that saw Council place a planning condition on the application requiring CBH to seal the

connecting road.

The attached map shows Lots 513-519 which are outlined in red.

Should Council determine to agree to the disposal of the land to CBH there will still be 5 industrial zoned lots available should the need arise.

For Council consideration.

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 advises the Department of Regional Development and

Lands that it has no objection to the disposal of Lots 513-519 to Cooperative Bulk Handling on the condition that Cooperative Bulk Handling only utilises the lots as a buffer zone for their current receival point and does not clear the native vegetation on the lots or develop the

lots."

Council Resolution: 101107

Moved Cr Kempin, seconded Cr Sheridan

"That Council advises the Department of Regional Development and Lands that it has no objection to the disposal of Lots 513-519 to Cooperative Bulk Handling on the condition that Cooperative Bulk Handling only utilise the lots as a buffer zone for their current receival

point."

CARRIED 7/0

Reason For Change to Recommendation:

Cr Thompson returned to the Meeting at 4.58pm.

10.7 2,4-D HIGH VOLATILE ESTERS (HVE's)

Program: Community Amenities
Attachment: Copy of 2009/2010 Permit

File Ref: ADM0181

Author: JM Trezona Chief Executive Officer

Date: 5th November 2010

Disclosure of Interest: Nil

Summary: Council to reconsider the support previously given for the 2009/2010

summer months for the use of 2,4-D High Volatile Esters within the

Shire of Broomehill-Tambellup.

Background: Some years ago the Australian Pesticides and Veterinary Medicines

Authority (APVMA) suspended the use of 2,4-D High Volatile Esters. In previous years, with the support of Councils, a permit has been issued to allow growers to continue to use Esters for the control of summer weeds. Without this permit, and without Councils consent, growers using 2,4-D

HVE's in our Shire would be doing so illegally.

A request has been received from Nufarm Australia Ltd for Council to again support the re-issue of this permit for the summer months of

2010/2011, effective from November 2010 through to May 2011.

Comment: It is understood that those Councils which have registered no objection to

the continued use of 2,4-D will be included on the permit, while those

that do not support the permit application will not.

A copy of the permit issued for 2009/2010 is attached for information.

It is not known what level of usage of 2,4-D takes place within the Shire

of Broomehill-Tambellup.

Does Council wish to again support the permit application?

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:

Moved Cr Kempin, seconded Cr Schlueter

"That Council advises the Australian Pesticides and Veterinary Medicines Authority that it has no objection to the granting of a permit to use 2,4-D High Volatile Esters within the Shire of Broomehill-Tambellup between the months of November 2010 and May 2011."

Amendment to the Motion:

101108

Moved Cr Sheridan, seconded Cr Turner

"That the following be included in the motion:

> The use of High Volatile Esters be restricted to within 1km from both townsites."

CARRIED 6/2

Council Resolution:

101109

Moved Cr Sheridan, seconded Cr Turner

> "That Council advises the Australian Pesticides and Veterinary Medicines Authority that it has no objection to the granting of a permit to use 2,4-D High Volatile Esters within the Shire of Broomehill-Tambellup between the months of November 2010 and May 2011. The use of High Volatile Esters is not permitted within 1km from the Broomehill and Tambellup townsite boundaries."

CARRIED 7/1

Reason For Change to Recommendation:

10.8 STONE BARBEQUE AT HOLLAND PARK

Program: Recreation & Culture Attachment: Photos of Barbeque

File Ref: ADM0264

Author: VN Webster Manager Administration & Customer

Service

Date: 11th November 2010

Disclosure of Interest: Nil

Summary: Council to consider the removal or renovation to the stone

barbeque situated in Holland Park, Broomehill.

Background: Holland Memorial Park was opened by Mr Neal Richardson, President of

the former Broomehill Shire Council on the 27th September 1980. To commemorate this event a memorial plaque was placed on a stone barbeque. The barbeque is fueled by wood which is of some concern.

There is a gas barbeque in Holland Park which the community and

tourists have free access to.

As Holland Park is a community park used by residents and travellers it may be prudent for Council to consider either removing or modifying the stone barbeque to reduce any potential risk to the Council and park users.

Council has already made the decision to remove the wood barbeque

situated at the Tambellup Sports Complex for liability reasons.

Comment: The barbeque has been inspected by Council staff and appears to still be

structurally sound. The plaque indicates that the barbeque may be of significance to the community of Broomehill and as such Council may wish to consider modifying the barbeque so it cannot be used as a barbeque. It may be possible for the hotplates to be removed and the

'wood box' to be filled in.

Alternatively the plaque could be removed and located elsewhere within Holland Park or a stone with the plaque could be erected near the existing

site.

For Council discussion and decision.

Consultation: Chief Executive Officer

Manager of Works

Statutory

Environment: Nil

Policy Implications: Nil

Financial

Implications: There will be costs associated with the removal or modification of the

barbeque.

Strategic

Implications:

This issue is not dealt with in the Plan

Voting Requirements:

Simple Majority

Council Resolution:

101110

Moved Cr Thompson, seconded Cr Crosby

"That the wood fired stone barbeque situated in Holland Park, Broomehill be removed. The plaque commemorating the opening of

Holland Park be relocated to an appropriate site within the park."

CARRIED 7/1

Reason For Change to Recommendation:

10.9 COMMUNITY SPORTING AND RECREATION FACILITIES

FUND

Program: Recreation and Culture

Attachment: Nil

File Ref: ADM0328, ADM0019

Author: JM Trezona Chief Executive Officer

Date: 11th November 2010

Disclosure of Interest: Nil

Summary: An application for funding to replace the asbestos roof at the

Tambellup Pavilion has been unsuccessful.

Background: In August 2010 Council endorsed an application to the Department for

Sport and Recreation (DSR) Community Sporting and Recreation Facilities Fund (CSRFF) for funds to assist with the replacement of the asbestos roof and extend the northern veranda at the Tambellup Pavilion. The balance of the project was to be funded through Royalties for

Regions allocations.

We have received advice from DSR that our application was unsuccessful. Whilst DSR Great Southern supported the application at the local and regional levels, it appears that at the final assessment the main issue with the proposal was that the replacement of the roof did not appear to be an 'urgent' need, ie the asbestos was not deteriorating and did not necessarily present an immediate health risk to users. As such it received a lower priority than other projects.

If Council wishes to push ahead with the project, DSR staff have outlined two options for consideration:

- 1. Determine the condition of the roof. If it is in a state of deterioration and posing a risk to facility users, resubmit the application with an emphasis on this, and the urgent need for Council to address the situation. The next round of funding opens in January 2011.
- 2. Consider whether the building is at the end of its useful life. The original building was constructed in the 1950's. Council has allocated \$260,000 in the 2010/2011 budget to refurbish the building.

Comment: Option 2 may present an opportunity for the upgrade or other of the

Pavilion to be revisited. If Council wishes to pursue this option it is recommended the matter be referred to the Building Committee.

Pam Hull will report to Council prior to the meeting.

For discussion.

Consultation: Chris Thompson, Department for Sport and Recreation Great Southern

Statutory

Environment: Nil

Policy Implications: Nil

Financial

From the 2010/2011 budget, \$260,000 has been allocated towards the **Implications:**

refurbishment of the Pavilion. This included the replacement of the roof.

Strategic

Implications: This issue is not dealt with in the Plan

Voting Requirements: Simple Majority

Council Resolution: 101111

Moved Cr Turner, seconded Cr Crosby

"That Council refers the matter of replacing the asbestos roof and extension of the veranda at the Tambellup Pavilion to the Building

Committee for further consideration."

CARRIED 8/0

Reason For Change to Recommendation:

10.10 WIND FARM APPLICATION – MOONIES HILL ENERGY

Program: Planning

Attachment: Copy of Application which has been distributed earlier

File Ref: ADM0283

Author: P Shephard Town Planner Shire of Kojonup

Date: 17th November 2010

Disclosure of Interest: Cr Sheridan declared a Proximity Interest in this matter as he is an

adjoining landowner and left the meeting at 5.14pm.

Cr Crosby declared an Impartiality Interest in this matter as he is

related to one of the affected landholders.

Summary: To consider an application to develop a 150MW wind farm comprising

approximately 74 wind turbines and associated infrastructure on various rural locations within the Shire of Broomehill-Tambellup and adjoining

Shire of Kojonup as shown on the attached plans.

The recommendation is to undertake consultation on the proposal in accordance with the town planning scheme requirements. If supported this would enable the proposal to be advertised concurrently by both the

Shire of Broomehill-Tambellup and Shire of Kojonup.

Background: Nil

Comment: The proposal is to develop a wind farm as outlined in the submission.

The Executive Summary submission outlines the application and the preliminary processes completed to date. The proposed life of the wind farm is 20 years after which it may either be refurbished and continue

production or decommissioned and removed.

The proponents will be providing a briefing to Council prior to the

November meeting.

The wind farm is proposed for various rural locations within the Shires of Broomehill-Tambellup and Kojonup with the final sites to be determined following selection of the most appropriate turbine model for the project. The sites shown are the preferred locations for the turbines and only minor changes are expected due to micro-climatic factors; to minimise any environmental/social impacts; or meet any

conditions of approval.

The sites of the turbines are cleared agricultural land and currently used for livestock and cropping activities. The total area of the wind farm covers approximately 6,800ha's with approximately 30ha's (0.4%) being required for the turbine sites and associated infrastructure and which would be precluded from agricultural purposes. All other areas would still be used for agriculture.

The development of the wind farm will include the following components:

- > 74 wind turbines
- > On-site access/service tracks (approx. 40km)
- > Cabling (96km predominantly underground)
- > Operations/Maintenance buildings

- Power Substation
- Meteorological equipment (monitoring masts).

During construction works various compounds and construction areas will be required including a temporary construction batching plant. The proponents estimate that approximately 200 jobs may be created during this phase of the project with 10 persons estimated to be required to manage the wind farm over its 20-year life.

The proponents have summarised their investigations and outcomes (aviation, construction traffic, grid connection, consultations with landowners/nearby landowners/community, landscape assessment, noise impacts, flora/fauna impacts, cultural factors, social impacts (interference, flicker) and socio-economic) completed to date relating to the environmental and economic aspects of the proposals. The outcomes to date support the proposal and have not identified any fatal flaws in the project. Final endorsement/approvals from those relevant government agencies are now being progressed.

The proponents have also identified a possible opportunity to develop one of the sites within the wind farm area to combine some interpretation of the wind farm with a viewing platform and rural-themed museum.

Given the scale of the proposal, it is important that the community has an opportunity to comment prior to the Council determining the application. For information purposes only, the proposal has been supported by the Shire of Kojonup and will now proceed to advertising.

It is also clear that the proposal does have some substantial environmental and financial spin-offs including local employment opportunities. This would be enhanced by the inclusion of an interpretation centre/tours/viewing platform etc. within the overall development.

The proponents also advise of their intention to participate in a scheme where parts of the funds received will be used to support community programs and activities.

Consultation:

Should Council agree for the proposal to be advertised, the following consultations are recommended:

- The proposal is referred to all affected landowners and all adjoining properties within a 1km radius of the any wind turbine for comment.
- ➤ The proposal is referred to the Shire's of Cranbrook, Kojonup and Katanning for comment (Note: The Shire of Kojonup will consider and determine their own part of the proposal within their Shire area).
- > The proposal is advertised within the Great Southern Herald and BT Times.
- The application is referred to the Environmental Protection Authority, Department of Environment and Conservation, Civil Aviation Authority, Air Services Australia, Electricity Provider/Economic Regulation Authority, and Main Roads WA for comment and advice.

A sign be displayed at a prominent location on each property to be developed as part of the wind farm advising that Council is seeking comment.

Statutory Environment:

Planning and Development Act 2005 – The Shire of Broomehill-Tambellup Town Planning Scheme No. 1 and No. 2 are both operative local planning schemes under the Act.

The land is zoned Farming within the Broomehill Town Planning Scheme No. 1 and the objectives (clause 5.13) for the farming zone are as follows:

(a) The Council intends the predominant form of rural activity in the Farming Zone will continue to be based on large farming units. It will generally be opposed to the fragmentation of farming properties through the process of subdivision.

The land is zoned Farming within the Tambellup Town Planning Scheme No. 2 and the objectives (clause 6.6) for the farming zone are as follows:

- a) To ensure the continuation of broad-hectare farming as the principal land use in the District and encouraging where appropriate the retention and expansion of agricultural activities.
- b) 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.
- c) To allow for facilities for tourists and travellers, and for recreation uses.

There is no particular land use class within either Scheme that defines a wind farm or wind energy facility. The Model Scheme Text (prepared under the Act) and used in the preparation of town planning schemes does not include a definition either.

The WA Planning Commission prepared the 'Guidelines for Wind Farm Development' (Planning Bulletin No. 67 May, 2004) which includes the following definition:

'Wind Farm or Wind Energy Facility means premises used to generate electricity by wind force and includes any turbine, building or other structure used in, or in conjunction with, the generation of electricity by wind force but does not include turbines used primarily to supply electricity for a domestic property, rural use of the land or anemometers.'

- Clause 3.2 'Zoning Table' of Scheme No. 1 and clause 3.3 'Interpretation of the Zoning Table' of Scheme No. 2 controls applications where no land use class is available as follows:
 - 3.2.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Council may:

- (a) Determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted; or
- (b) 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.
- 3.3.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the Council may:
 - (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 therefore 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 the particular zone and is therefore not permitted;

The proposal for the wind farm does not compromise the objectives for the farming zone and it is recommended the proposal should be referred to adjoining landowners and advertised for public comment in accordance with Scheme requirements prior to the application being determined.

The process for advertising the application is identical in both schemes (Clause 7.2 'Advertising of Applications' of Scheme No. 1 and clause 8.3 of Scheme No. 2) which states:

- 7.2.3 Where the Council is required or decides to give notice of an Application for Planning Consent the Council shall cause one or more of the following to be carried out:
 - (a) Notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of Planning Consent stating that submissions may be made to the Council within 21-days of the service of such notice;
 - (b) Notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within 21-days from the publication thereof;
 - (c) A sign or signs displaying notice of the proposed development to be erected in a conspicuous

position on the land for a period of 21-days from the date of publication of the notice referred to in paragraph (b) of the clause.

7.2.4 After the expiration of 21-days from the serving of notice of the proposed development, the publication of the notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

The options available to Council in considering the application can be summarised as follows:

- a) Defer the application and seek additional information from the applicants;
- b) Determine the application is not consistent with the farming zone and refuse the proposal (giving reasons); or
- c) Determine that the proposal may be consistent with the farming zone and give public notice and seek comment on the proposal (Note Town Planning Scheme No. 1 requires this decision to be by way of by absolute majority);

Policy Implications: Nil

Financial Implications:

The proponents will be responsible to pay the application fee as required under the Shire of Broomehill-Tambellup 2010/2011 Budget 'Schedule of Fees and Charges'. Should the applicant challenge the decision through an appeal to the State Administrative Tribunal, there would be costs in defending the appeal.

All advertising costs will be recouped from the applicants.

Strategic

Implications: There are no known strategic implications.

Voting Requirements: Simple majority (for TPS No. 2)

Absolute majority (for TPS No. 1)

Council Resolution: 101112

Moved Cr Turner, seconded Cr Schlueter

"That Council determine the proposed wind farm (as set out in the Moonies Hill Energy Pty Ltd - Flat Rocks Wind Farm Development Application – Planning and Environmental Report (November 2010)) may be consistent with the objectives for the farming zone and advertise the proposal in accordance with the scheme requirements as follows:

- (a) The proposal is referred to all affected landowners and all adjoining properties within a 1km radius of the any wind turbine for comment.
- (b) The proposal is referred to the Shire's of Cranbrook, Kojonup and Katanning for comment.
- (c) The proposal is advertised within the Great Southern Herald and BT Times.

- The application is referred to the Environmental Protection Authority, Department of Environment and Conservation, Civil Aviation Authority, Air Services Australia, Provider/Economic Regulation Authority, and Main Roads WA for comment and advice.
- A sign be displayed at a prominent location on each property to (e) be developed as part of the wind farm advising that Council is seeking comment.
- That the advertising period be extended to cover a six week (f) period."

CARRIED 7/0

Reason For Change to Recommendation:

Cr Sheridan returned to the meeting at 5.17pm.

10.11 REQUEST TO WAIVE HIRE COSTS

Program: Recreation & Culture

Attachment: Nil

File Ref: ADM0066

Author: JM Trezona Chief Executive Officer

Date: 17th November 2010

Disclosure of Interest: Nil

Summary: Council has received a request from the Broomehill Historical Society to

waive the cost for the hire of chairs and tables for 2010 Carols by

Candlelight.

Background: The Broomehill Historical Society wish to hire 40 chairs and 2 tables to

use at the Anglican Church in Broomehill for the this years Carols by Candle Light which will be held on 12 December 2010. The request is

for Council to waive the hire costs of the equipment.

Comment: It is understood that the Carols by Candle Light in Broomehill is a

collaboration between the Historical Society and the Anglican Church and generally done each year. If Council agrees to the request from the Broomehill Historical Society it may wish to consider amending Policy 1.2 to include the waiving of the costs as part of that policy. The policy

can be amended as follows (shown in bold and italics)

Policy No:	1.2 USE OF SHIRE FACILITIES
Policy	To ensure that the Shire Facilities are available
Objective:	for the appropriate use to the community
Minute No:	081008
Date of	13 th October 2008
Adoption:	
Date of	
Amendment:	

Consultation: Nil

Statutory

Environment: Nil

Policy Implications: Council is committed to see that its community facilities are used to the

benefit and advantage of all sections of the community and keeps fees

and charges at a level to permit ready access by user groups.

To support this, an administrative procedure will be developed which provides clear guidelines for users. Fees and charges relevant to council facility use will be reviewed annually at the time of the budget adoption.

Council recognises that a number of community groups and agencies provide substantial support to the community through their activities, and have limited funds to assist. The following groups have their hire costs waived for the use of Shire facilities:

- ➤ Blue Light Discos Hall
- ➤ Agricultural Society Hall for the Tambellup Show
- ➤ Primary Schools Hall for End of year Presentation Night.
- ➤ Senior Citizens Christmas Luncheon Hall
- ➤ Broomehill Catholic Church hire of tables and chairs for Christmas Eve church services
- > Broomehill Historical Society hire of tables and chairs for Carols by Candle Light

This Policy applies for the purposes of Clause 3.5 of the Shire's Local Government Property Local Law 2008.

Financial

Implications: Council currently charges \$1.70 per chair to hire and \$1.70 per table to

hire. The total income for this particular request is \$71.40

Strategic

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

Voting Requirements: Simple Majority

Council Resolution: 101113

Moved Cr Turner, seconded Cr Crosby

"That Council agrees to waive the cost of table and chair hire for the Broomehill Historical Society for the Carols by Candle Light function to be held on 12 December 2010. Further, Council amends Policy 1.2 – Use of Shire Facilities – to include Broomehill Historical Society – hire of tables and chairs for Carols by Candle Light."

CARRIED 8/0

Reason For Change to Recommendation:

PLANT REPORT FOR OCTOBER 2010 12.1

Program: Transport

Attachment: Nil File Ref: Nil

GC Brigg 11th November 2010 **Manager of Works Author:**

Date:

Disclosure of Interest: Nil

Reg No.	Description	Kms/Hrs	Year of	Year of	Changeover	Comments
			Manufacture	Purchase		
BH000	Nissan Murano		2009	2009		OK
BH00	Ford Ranger Dual Cab	2004	2010	2010		OK
BH002	ISUZU 6 Wheel Tipper	44428	2008	2008	7 yrs / 250,000km	ОК
BH003	Isuzu NPR300 Crew Cab Truck	21415	2009		5 yrs / 100,000km	ОК
BH004	CAT 12M	698	2009	2009		Rims to be replaced (warranty)
BH005	Bomag Multi-Tyred Roller	4817	2002	2002	7 yrs / 8000 hrs	OK
ВН006	Volvo 710	4981	2004	2004	7 yrs / 8,000 hrs	Final drive repairs 5000hr service
ВН007	John Deere Ride on Mower		2003	2003	5 yrs / 5,000 hrs	ОК
ВН008	VOLVO L70D Loader	5699	2001	2001	7 yrs / 8,000 hrs	OK
BH009	Toyota Hilux	11354	2009			ОК
BH010	6x4 Fuel Trailer		1981	1981		ОК
BH012	Isuzu Fire Truck	6000	1995	2004		12mth service inc pump mtr
BH013	John Deere 315SG Backhoe	2315	2003	2003	10 yrs / 8,000 hrs	Throttle, hose repairs
BH813	Multi Tyre Roller		1960	1980	8 yrs / 8,000 hrs	

0ТА	Holden Statesman		2010			ОК
TA052	Toyota Hilux 4x4	14060	2009			OK
TA001	Ford Ranger Dual Cab	1865	2009			OK
1TA	Ford Territory		2009	2009	1 yr / 40,000 km	OK
TA1880	Isuzu Gigamax Truck	44288	2008	2008	5 yrs / 250,000 km	OK
TA092	Isuzu Gigamax Truck	66340	2007	2007	5 yrs / 250,000 km	ОК
TA386	Mitsubishi Fuso Truck	65027	2007	2007	5 yrs / 250,000 km	ОК
TA18	12H Grader	4045	2006	2006	7 yrs / 8,000 hrs	4000hr service
BH014	Ford Ranger Single Cab	6799	2010			OK
TA281	930G Loader	2883	2007	2007	7 yrs / 8,000 hrs	Hose repair
TA392	Tractor Mower	2011			5 yrs / 5,000 hrs	Deck repairs
TA417	John Deere Gator	128	2009			OK
BH001	CAT Vibe roller	554	2009			OK
TA017	Isuzu Tipper	41755	2009			OK
TA219	Multipac Multi-tyred Roller	7507		2004	7 yrs / 8,000 hrs	TO BE SOLD
TA1196	Large Roller					
TA2015	Vibrating Roller			1977	7 yrs / 8,000 hrs	Sold
	Slasher				10 yrs	OK
XTR579	Road Broom				10 yrs	OK
TA2558	Jet Patcher Isuzu	78252	2007	2010		OK
1DCF535	TORO 3500D	187	2009	2009		OK
TA005	John Deere Tractor 6330	861	2008	2008	10 yrs / 8,000 hrs	ОК
				<u> </u>		RECEIVED

RECEIVED

12.2 WORKS AND MAINTENANCE REPORT FOR OCTOBER 2010

Program: Transport

Attachment: Nil File Ref: Nil

Author: GC Brigg Manager of Works

Date: 11th November 2010

Disclosure of Interest: Nil

Broomehill

> Gazebo in Holland Park is complete. Plants to be installed.

- New picnic tables have been installed in Holland Park.
- Missing shades over the playground have been put up.
- > Trees still to be pruned in Latham Street.
- ➤ Some pathways in Holland Park have been repaired.
- Oval has been sprayed for black beetle.
- Refuse Site was set on fire. Pit was finally backfilled to smother the fire completely. A new hole will be installed before Christmas.
- New reticulation line will be installed at the back of rest stop gardens. Current reticulation doesn't carry to the plants at the back when windy, causing the plants to dry out.
- ➤ New fence around the Refuse Site has been completed.

> Tambellup

- > Reticulation in front of the railway station was completely removed by vandals.
- Tree loppers have finished trimming trees under power lines.
- > Oval will be sprayed for black beetle.
- ➤ Diprose Park lawn has been sprayed for black beetle.
- ➤ Currently running parks and gardens with one employee. We will have both working again this month.
- Community workers have been whipper snipping and working at Diprose Park.

> Roads

- Wandoo Road is still on hold. We are currently working on the problems.
- > Jetpatcher has been working across the shire and concentrating on the Tambellup West Road
- Maintenance grader has been working on fire breaks around towns.
- Maintenance grading has been slow with one grader in Perth being repaired.
- ➤ Construction crew, have been working on final trimming Broomehill-Kojonup Road. 1.5 km has been primed ready for sealing. They are currently working on the next 1.5km.
- ➤ Herron Road intersection will be the next project, with only final trim and seal to take place.
- ➤ Maintenance crew will carry out repairs to blowouts in the bitumen along Toolbrunup and Gnowangerup Roads.
- Maintenance crew will also start bitumen repairs on the first 3 km of Flat Rocks Road. These repairs needed before resealing can take place on this section.
- ➤ Pootenup, Hassell Road intersection is still waiting for land resumption to be finalized.
- > Culvert has been repaired on Curnow Road. New pipes have been installed.

RECEIVED

12.3 **BUILDING SURVEYORS REPORT FOR OCTOBER 2010**

Program: Economic Services

Attachment: BSR Report and Activity Statement

File Ref: **ADM0076**

Author: D Baxter **Building Surveyor**

5th November 2010 Date:

Disclosure of Interest: Nil

Summary: Attached are the BSR Report and the Activity Statement for the

month of October 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 October 2010.

These reports confirm the activity of the Building Surveyor. **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:

TAMBELLUP SENIOR CITIZENS UNITS NOVEMBER 2010 COUNCIL MEETING NOTES

This month I have concentrated on talking to Judy from Shire of Gnowangerup in regard to their new seniors units and Cassandra from Shire of Cranbrook who are in the process of building 6 homes for staff/community housing, to gather information about their grants/plans/buildings etc. I have spoken to Jessica Van Der Waag from Katanning GSDC about Federal and State grants and will be liaising with her regularly in this area.

I have a meeting on Thursday 11 November with Mal Cameron from Pinelock Albany who have sent a Shire owned Retirement Village proposal out to all shires. These houses are of the more 'lifestyle village' look ie not brick and tile old style – new age looking houses. They have worked on Albany Gardens and are currently working within the Wagin VROC area.

FUNDING

At this stage the bulk of funding is most likely to come thru the R4R – Regional Grants Scheme – Contestable Grant. This round of funding has not been released and may not in the future be released (which leaves us in a hard spot). Jessica from GSDC is helping in searching for grants that are open and that we are legible for.

Other grants that we can go for are: Lotterywest – to be applied to the community area ie bbq/gazebo or air conditioners etc not main building works. Environmental grants – grey water usage, solar panels or hot water etc. Proceeds from Crime (just opened) – security screens, alarms etc. I am searching www.grantslink.gov.au and www.grantslink.gov.au and www.frrr.org.au, www.frrr.org.au, www.frrr.org.au, <a href="www.frrr.org.au, www.frrr.org.au, <a href="www.frrr.org.au, <a href="www.frrr.org.au, <a href="www.frrr.org.au, seniors services and aged care projects that we may be able to tap into funding from. This will be broken down more in the future as grants open and more information is available. Bendigo bank will be involved also.

I have been laughed at when I have said that plan A is to get 100% funding (which is the ultimate goal) so as a backup I will be working on ways to 'payoff' a self supporting loan thru the shire as plan B. Of course there are other options to sell 1 or 2 of the units which can be looked at also.

PLANS/DESIGN

The original plans designed by Concept in 2006 may be helpful in being 'tweaked' by Darryl Baxter (he has done this with Gnowangerup) and hence saving money on new plans to be drawn up etc. He will next be in Tambellup on November 18 in which I will book and appointment with him and see what can be done thru that avenue.

I will also be searching for plans from Pinelock, Fleetwood Homes, T&R Homes etc as a ready built transportable option.

LAND

I have talked to Vicki and all seems good in regard to being able to build the houses on the land and the subdivision/demolition of the police house.

In my meeting with Darryl I will find out if we need anything additional to what the block already has ie underground power etc so hopefully there will be no additional or hidden costs at the end of the quote stage.

7 Taylor St (Craig and Erryn Beacham) has been offered for the Shire to purchase as a block of land (they will remove house and all fixtures and fittings etc), which would mean for the units to go along Taylor St primarily instead of Gnowangerup Road. This is an additional proposition and is up to council to decide if they would like to change plans.

Kristy Boyle

RECEIVED

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

Nil

14. DATE OF NEXT MEETING

Thursday 16th December 2010 at 2.00pm.

CLOSURE 15.

There being no further business the President thanked Councillors and staff for their attendance and declared the meeting closed at 6.08pm.