

## 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 19<sup>th</sup> August 2010 commencing at 4.12pm.**

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

<b>Present:</b>	Cr KW Crosby	Deputy President
	Cr GM Sheridan	
	CR MR Turner	
	Cr M Sadler	
	Cr SJF Thompson	
	Cr EK Schlueter	
	Cr DCN Kempin	
	JM Trezona	Chief Executive Officer
	VN Wesbster	Acting Manager Administration & Customer Service
	GC Brigg	Manager of Works
	M Wignall	Environmental Health Officer – Shire of Kojonup

**Apologies:** Nil

**Leave of Absence:** Cr BG Webster  
Cr MJ Bowman

### 2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy President welcomed Councillors and staff and declared the meeting open at 4.12pm.

### 3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

### 4. PUBLIC QUESTION TIME

### 5. APPLICATION FOR LEAVE OF ABSENCE

Cr Bowman requested a Leave of Absence for the September 2010 Ordinary Meeting of Council.

*100801*

*Moved Cr Sheridan, seconded Cr Kempin*

*“That Cr Bowman be granted a leave of absence for the September 2010 Ordinary meeting of Council”*

**CARRIED 7/0**

**6. DECLARATION OF INTEREST**

Cr Thompson declared a Proximity Interest in Item 10.3

Cr Sheridan declared an Impartiality Interest in Item 10.14

Cr Turner declared an Impartiality Interest in Item 10.7 and a Financial Interest in 10.16 & 10.17

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

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

**8.1 ORDINARY MEETING OF COUNCIL MINUTES 15<sup>TH</sup> JULY 2010**

*100802*

*Moved Cr Sadler, seconded Cr Schlueter*

*“That the minutes of the Ordinary meeting of Council held on the 15<sup>th</sup> July 2010 be confirmed as a true and accurate record of proceedings.”*

**CARRIED 7/0**

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

Nil

**10. MATTERS FOR DECISION**

**10.1 FINANCIAL REPORT FOR JULY 2010**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>KP O'Neill</b>	<b>Finance Officer</b>
<b>Date:</b>	<b>10<sup>th</sup> August 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** A monthly financial report is to be prepared at the end of each month in accordance with the provisions of Regulation 34 of the Local Government (Financial Management) Regulations 1996.

The report is to be presented to an ordinary meeting of Council within 2 months after the end of the month to which the report relates.

**Background:** The monthly financial statements for July 2010 are not yet available, as end of year processes and allocations are still being undertaken which will affect the content of the report.

They will be available for inclusion in the September 2010 Ordinary Council agenda.

**Comment:** Being the first month in the new financial year, there is little to report.

Rates were issued on the 24<sup>th</sup> July 2010, with the due date for payments being the 27<sup>th</sup> August 2010. Council offered again a 10% discount on early payments received within 28 days from the date of issue. The discount period closes on the 20<sup>th</sup> August 2010. The following amounts were levied:-

Rates	\$1,664,419.15
Rubbish Charges	\$55,400.00
<u>Emergency Services Levy</u>	<u>\$40,550.00</u>
<u>TOTAL LEVIED</u>	<u>\$1,760,369.15</u>

In accordance with the 2010/2011 Annual Budget, rates were increased by 5% on all rural (UV) properties, and 10% on all townsite (GRV) properties.

Approximately \$99,306 has been received in rate payments to the end of July, with \$9,005 in discount being granted.

**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:** *100803*

*Moved Cr Kempin, seconded Cr Thompson*

*“That the Financial Report for the month ending 31<sup>st</sup> July 2010 be received.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

**10.2 CREDITORS ACCOUNTS PAID JULY 2010**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>List of Payments for July 2010</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>KP O’Neill</b>	<b>Finance Officer</b>
<b>Date:</b>	<b>10<sup>th</sup> August 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Attached is a list of payments made from the Municipal and Trust Funds during July 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	\$323,056.04
Trust Fund	\$1,112.50
Credit Cards	\$734.10
<u>TOTAL</u>	<u>\$324,902.64</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:** *100804*

*Moved Cr Kempin, seconded Cr Turner*

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

- Municipal Fund cheques numbered 1018 to 1044 inclusive, electronic payments numbered EFT1387 to EFT1423 inclusive and totalling \$323,056.04;*
  - Trust fund cheques numbered 169 to 170 inclusive, electronic payment numbered EFT1427 and totalling \$1,112.50; and*
  - Credit card expenses totalling \$734.10;*
- be adopted.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

## 10.3 REQUEST TO PURCHASE UNALLOCATED CROWN LOTS BROOMEHILL VILLAGE

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<b>Program:</b>	<b>Economic Services</b>
<b>Attachment:</b>	<b>Map of lots</b>
<b>File Ref:</b>	<b>ADM0284</b>
<b>Author:</b>	<b>JM Trezona                      Chief Executive Officer</b>
<b>Date:</b>	<b>9<sup>th</sup> August 2010</b>
<b>Disclosure of Interest:</b>	<b>Cr Thompson declared a Proximity Interest in this matter as he is an adjoining landowner and left the meeting at 4.18pm.</b>

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**Summary:** Council's comments are sought on a proposal to dispose of unallocated crown land.

**Background:** The Department of Regional Development and Lands has received a request from Co-operative Bulk handling (CBH) for the purchase of unallocated crown lots (UCL) 513-524 and 534-536 on deposited plan 222197. The attached map identifies the Lots.

CBH has advised Regional Development and lands that they propose to utilise the lots as a "buffer zone" for their current receival point, and do not have plans to clear the native vegetation on the lots or develop the site.

Council's comments are sought on the proposal and whether or not we have any objections to it.

**Comment:** The lots that have been identified are all zoned "industrial" except for Lots 534, 535 and 536 which are zoned Rural Residential. The identified Lots comprise all, except for four Lots on Great Southern Highway, of the industrial land in the Broomehill townsite. The four lots located on the highway are very close to residential land and may have limitations on what they can be utilised for.

At this time there is little or no demand for industrial land in the Broomehill Townsite. The lack of demand may also arise from the fact that while it is zoned industrial it is still UCL and the necessary processes need to be followed through before the land can be successfully used.

Reducing the number of available Lots would also place the town in an unfavourable position should there be a future demand.

While CBH have stated that they will utilise the lots as a buffer zone for their current Receival point it is unclear exactly how that will work when the current Receival point is to the north of the land in question. Also there is little buffer between the existing and residential land.

It would be considerably more successful as a buffer for the proposed expansion of CBH to the south on Lot 531 however this is not the stated reason. The attachments show the current facility and the industrial land that is coloured purple.

For Council discussion and 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

**Council Resolution:** *100805*

*Moved Cr Kempin, seconded Cr Turner*

*“That Council advises the Department of Regional Development and Lands that it does not support the proposal to dispose of Lots 513-524 and 534-536 Broomehill Village to Cooperative Bulk Handling as it will almost deplete the land that is available in the Broomehill Townsite for future industrial purposes.”*

**CARRIED 6/0**

**Reason For Change to Recommendation:**

Cr Thompson returned to the meeting at 4.25pm.

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**10.4 PLANNING APPLICATION - LOT 377 CEMETERY ROAD BROOMEHILL**


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**Program:** Economic Services  
**Attachment:** Block Plan  
**File Ref:** A6105  
**Author:** D Baxter Building Surveyor  
**Date:** 5<sup>th</sup> August 2010  
**Disclosure of Interest:** Nil

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**Summary:** Highline Ltd on behalf of Mr Derek Carr has made application to Council for approval to construct a 72m<sup>2</sup> shed at Lot 377 Cemetery Road, Broomehill Village.

**Background:** Highline Ltd has supplied an appropriate block plan and plans for the proposed shed.

**Comment:** Highline Ltd will be the builder for this project.

**Consultation:** All the necessary documentation has been supplied by Highline Ltd for the planning application to proceed.

**Statutory Environment:** There will be no environmental impact to this location as it complies with the standards of Residential development.

**Policy Implications:** The Shire of Broomehill Town Planning Scheme No 1 requires that Council give planning permission for any development that is to be undertaken in the Rural Residential Zones within the Shire.

**Financial Implications:** Council will received planning fees as part of the application process

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100806*

*Moved Cr Thompson, seconded Cr Schlueter*

*“That Council*

- 1. grants planning consent for Highline Ltd, to construct a 72m<sup>2</sup> shed at Lot 377 Cemetery Road Broomehill Village for Mr Derek Carr;*
- 2. that Highline Ltd constructs the shed in keeping with the approved drawings that will be issued for this project once the application has been approved; and*
- 3. Mr Derek Carr only uses this structure for Residential storage purposes.”*

**CARRIED 7/0**

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**Reason For Change to  
Recommendation:**

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**10.5 REQUEST FOR ALFRESCO DINING – HENRY JONES WINERY & CAFÉ – 36 INDIA STREET, BROOMEHILL**

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<b>Program:</b>	<b>Economic Services</b>
<b>Attachment:</b>	<b>Map of Premises and proposed alfresco dining area</b>
<b>File Ref:</b>	<b>ADM0263</b>
<b>Author:</b>	<b>VN Webster                      Acting Manager Administrative &amp; Customer Services</b>
<b>Date:</b>	<b>11<sup>th</sup> August 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council has received a request from the proprietors of the Henry Jones Winery & Café to be permitted to have alfresco dining on their premises.

**Background:** In December 2008 Council received a request to place tables and chairs under the verandah of the Henry Jones Building. At that time permission was not granted due to the following concerns of Council:

- Restriction to pedestrian traffic particularly along India Street
- The height of the kerbing along India Street and what impact this may have on pedestrians who may be forced to step off the path
- The consumption of food and drink at the tables; and
- The consumption of food and drink within the vicinity of the petrol bowsers.

On Wednesday 4 August, Councils Environmental Health Officer inspected the premises and ascertained from the proprietors of the building where the proposed alfresco dining area was to be located. The application requests that five tables and ten chairs be allowed under the verandah in the following locations:

- Two small square tables and four chairs on the India side hard up against the building on the northern side of the main front door into the café; and
- Three small round tables and six chairs on Journal Street between the second and third verandah posts (see map attached)

The location of the tables and chairs on India Street pose no obstruction to passing pedestrian traffic and are far enough away from the kerbing and the old petrol bowser to cause no problems in this area.

The proprietors have also advised that they do not wish to serve alcohol in the alfresco dining area as the area is not included in their liquor license.

There are two larger wooden tables and chairs on the Journal Street side which the proprietors advised the EHO and Council staff would be removed.

Considering the size and location of the tables and chairs in both proposed areas, the EHO Officer felt that no impediment to pedestrian traffic would be affected.

**Comment:** The Henry Jones Winery & Café has proven to be a great attraction for the community and the tourist industry. The proposed alfresco dining can only enhance this attraction.

For Council discussion and decision.

**Consultation:** Mort Wignall, Councils Environmental Health Officer

**Statutory Environment:** Shire of Broomehill-Tambellup Health Local Law 2008

Shire of Broomehill-Tambellup Activities in Thoroughfares and Public Places and Trading Local Law 2008

**Policy Implications:** Nil

**Financial Implications:** Council will receive Alfresco Dining Charges as adopted in the 2010-2011 budget which are:

<i>Alfresco Dining Licence</i>	<i>\$50.00</i>
<i>Licence Annual Renewal Fee</i>	<i>\$50.00</i>
<i>Annual Charge-per seat</i>	<i>\$5.00</i>
<i>Annual Charge-per table</i>	<i>\$5.00</i>

**Strategic Implications:** Nil

**Voting Requirements:** Simple Majority

**Council Resolution:** *100807*

*Moved Cr Thompson, seconded Cr Sheridan*

*“That Council grant permission to the proprietors of the Henry Jones Winery and Café Broomehill, to have alfresco dining on their premises in the following areas:*

- Two small square tables and chairs on the India Street side flush to the building on the northern side of the main front door of the café;*
- Three small round tables and chairs on the Journal Street side between the second and third verandah posts; and*
- The area to be inspected by Councils EHO annually*

*Council reserves the right to revoke permission at any time if the area designated for the alfresco dining is not adhered to.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

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**10.6 PROPOSED AMALGAMATION – LOTS 40 & 41 JANUS STREET BROOMEHILL**


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<b>Program:</b>	<b>Planning</b>	
<b>Attachment:</b>	<b>Planning Application</b>	
<b>File Ref:</b>	<b>ADM0010</b>	
<b>Author:</b>	<b>VN Webster</b>	<b>Acting Manager Administration &amp; Customer Service</b>
<b>Date:</b>	<b>5<sup>th</sup> August 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** A subdivision application has been received proposing the amalgamation of Lots 40 and 41 Janus Street Broomehill.

The Western Australian Planning Commission (WAPC) has referred the application to Council for recommendation and comment.

This report recommends that Council recommend that the application be approved by the WAPC.

**Background:** Council owns a house at 1 Janus Street, Broomehill that has been built over two lots – Lots 40 and 41. Council needs to amalgamate these two lots so the dwelling is fully contained on one lot and has to apply to the WAPC to comply with their requirements.

The lots are zoned ‘Residential R10’ under the Shire of Broomehill Town Planning Scheme No 1.

**Comment:** The application is for a simple amalgamation of two lots and seeks to correct an existing anomaly of a dwelling which has been constructed over a lot boundary.

For Council discussion and decision.

**Consultation:** Gray & Lewis – Landuse Planners

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

**Policy Implications:** Nil

**Financial Implications:** Council has paid the application fee of \$1106 to WAPC.

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

**Voting Requirements:** Simple Majority

**Council Resolution:**     **100808**

*Moved Cr Schlueter, seconded Cr Turner*

*“That Council advises the Western Australian Planning Commission that it recommends approval of the application to amalgamate Lots 40 & 41 Janus Street, Broomehill.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

10.7

**SHIRE OF BROOMEHILL-TAMBELLUP PLANNING SCHEME  
REVIEW AND CONSOLIDATION-EXPRESSIONS OF INTEREST  
ASSESSMENT REPORT/RECOMMENDATION**

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<b>Program:</b>	<b>Planning</b>
<b>Attachment:</b>	<b>Assessment Table &amp; Review</b>
<b>File Ref:</b>	<b>ADM0272</b>
<b>Author:</b>	<b>P Shephard</b> <b>Town Planner – Shire of Kojonup</b>
<b>Date:</b>	<b>11<sup>th</sup> August 2010</b>
<b>Disclosure of Interest:</b>	<b>Cr Turner declared an Impartiality Interest in this matter.</b>

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**Summary:** To consider the expressions of interest received from the town planning consultants to undertake the consolidation of the existing town planning schemes and preparation of a local planning strategy for the Shire.

**Background:** The Shire sought expressions of interest from planning consultants to undertake the consolidation of the existing town planning schemes and preparation of a local planning strategy for the Shire.

At the close of the submission period, a total of 12 expressions of interest were received (copies attached).

**Comment:** The expressions of interest have been assessed as set out in the Shire's Brief. The first part involved assessing the expressions of interest against the requirements set out in Part 8 Submissions of Interest. The second part involved scoring the submissions against the assessment criteria set out in Part 7 Selection of Consultant.

The expressions were received from a wide variety of large and small town planning consultancies who all displayed the necessary qualifications, skills and experience required to complete the tasks of preparing a local planning strategy and scheme for the Shire.

The scoring was determined by breaking down the assessment criteria into qualifying statements. These statements rate aspects of the assessment criteria including local experience and exposure, demonstrated completion of other similar planning tasks, qualified/experienced planning personnel, no. of meetings/visits, project delivery and methodology/timeframes etc.

The overall total scores reflected the diversity of consultants and their relevant expertise/experience. Higher scores were received from those consultants that had a greater exposure or existing presence in regional areas and a demonstrated achievement in preparing LG strategies/schemes.

The expression of interest considered to most closely match the Shire's requirements is that from Planwest (ranked 1<sup>st</sup>) followed by TPG Town Planning & Urban Design (ranked 2<sup>nd</sup>), then Thompson McRobert Edgeloe/Urbis/GHD (ranked 3<sup>rd</sup>) and Land Insights/Gray & Lewis (ranked 4<sup>th</sup>).

The major strengths of these submissions were their relevant local expertise/previous demonstrated experience in similar projects, skills and methodologies.

Whilst not required, some of the expressions included indicative costs to complete the project which ranged from \$41,000 - \$105,000 (inc. GST). In addition, there are costs for advertising and gazettal etc. estimated at \$4,000 - \$8,000 required which are expected to be met by the Shire outside of the consultant's fees. It is also clear that some of the costs would be refined through the tender process and are likely to be reduced by increasing the Shire's contribution to the project (i.e. collecting data, administration tasks, completing simple analysis etc.)

As set out in the Expressions of Interest document, the consultants were invited to submit a proposal and Council is not bound to accept any of the expressions or proceed to a contract or otherwise. The Council now has the option to proceed, or not, to the next step with a more formal tender process and may at its discretion request a tender from any consultants it thinks capable of undertaking the project.

Should the Council decide to proceed, there are several factors arising from the expressions of interest that should be considered in seeking tenders:

- The proposed time period for submission of the scheme documents should be extended from 15 weeks (4 months) to 25 weeks (6 months). This would better reflect the expected amount of time required to complete the tasks.
- The project budget allocation should be used to assist determine which consultants are approached. The preparation of a tender submission is a time-consuming and expensive task and it is considered appropriate to only approach those consultants who have indicated a cost below or near the budget available.
- There is a considerable benefit to using consultants with local experience and exposure.
- There are major benefits to using consultants that have a proven track record of preparing LG planning strategies and schemes.

Using a planning consultant on the WALGA Preferred Supplier Panel offers cost reductions on consultancy fees and disbursements and these organisations are exempt from tender regulation requirements. The planning consultants contained on the Panel that put in expressions include TPG Town Planning & Urban Design, Land Insights, Whelans, Greg Rowe and Associates, Urbis, Harley Global, GHD & Edge Planning & Property.

As an alternative to the submitted expressions, through discussions in the VROC, the Shire of Plantagenet and Kojonup have offered the services of their respective town planners to complete the project in-house. Both Council's have surplus capacity at present and have resources available to undertake the task. Both Councils employ qualified/experienced town planners that have relevant expertise in preparing both regional and LG planning strategies/schemes in the Great Southern. At this stage, it is expected that the project would require in the region of 300 hours. Both authorities are presently undertaking similar projects and large parts of

- this work can be transferred directly to the Shire's project including contacts/databases etc. It is suggested that the Shire's be invited to submit a tender along with the nominated planning consultants.
- 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:*
- 1) *Prepare a tender document for the preparation of a local planning strategy and new local planning scheme for the Shire of Broomehill-Tambellup;*
  - 2) *Include the project budget amount within the tender document;*
  - 3) *Invite tenders from the following planning consultants:*
    - *Planwest*
    - *TPG Town Planning & Urban Design*
    - *Thompson McRobert Edgeloe*
    - *Urbis*
    - *GHD*
    - *Land Insights*
    - *Gray & Lewis*
    - *VROC partners Shire of Kojonup/Plantagenet; and*
  - 4) *Advise the other planning consultants they have been unsuccessful and thank them for their expressions of interest.”*
- Council Resolution:** *100809*
- Moved Cr Sadler, seconded Cr Turner*
- “That the matter be deferred to the September 2010 Ordinary meeting of Council.”*
- CARRIED 6/1**
- Reason For Change to Recommendation:** Council requested more information be obtained from the VROC.

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**10.8 PROPOSED ANTENNAE (PRIVATE USE) – LOT 3970  
TAMBELLUP GNOWANGERUP ROAD, TAMBELLUP**


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**Program:** Planning  
**Attachment:** Location plan  
**File Ref:** A305  
**Author:** Gray & Lewis Landuse Planners  
**Date:** 10<sup>th</sup> August 2010  
**Disclosure of Interest:** Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of *Local Government Act 1995*

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**Summary:** Council is to consider an application for an antennae for private use on Lot 3970 Tambellup Gnowangerup Road, Tambellup.

The application is generally supported however it is recommended that the development be advertised for public comment.

**Background:** The subject property is zoned ‘Farming’ under the Shire of Tambellup Town Planning Scheme No 2 (‘the Scheme’). The objectives for the ‘Farming’ zone are outlined in Clause 6.1.1 of the Scheme.

One of the zone objectives is ‘*to ensure the continuation of broad hectare farming as the principle landuse in the District and encouraging where appropriate the retention and expansion of agricultural activities*’.

**Comment:** Description of Application

The applicant has provided a location plan and advised that the antennae will be located approximately 2.5 kilometres from Tambellup Gnowangerup Road boundary and 1.25 kilometres from Jam Creek Road boundary.

The applicant also advises that the antennae is 100 feet (equating to approximately 30 metres), will be supported by guide wires and a small shed used to house solar batteries and solar roof panels. The shed will be located adjacent to the antennae and measures 1.51m x 0.78m x 1.93m.

Aerial photographs of the lot show that the antennae will be located in a bush / vegetated area of the lot which is not utilised for agriculture. The applicant has advised that the antennae is approximately 200 metres from an Optus tower, 300 metres from a Telstra tower and 400 metres from a Shire television / internet tower.

*Note: The applicant has provided photographs of the antennae and site which are available to Councillors on request.*

Landuse Definition

The Shires Scheme only has a definition for ‘telecommunications infrastructure’ which is defined as ‘*means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antennae, tunnel, duct,*

*hole, pit or other structure used, or for use in or in connection with, a telecommunications network*'. Telecommunications Infrastructure is a 'Use Not Listed' under Table 1 (Zoning Table) of the Scheme.

It is not considered that this definition strictly applies to this development as the proposed antennae is for private use and not associated with a 'telecommunications network' such as Optus or Telstra.

Gray & Lewis understands that the antennae provides an accurate reference point (through satellite) and can be used in connection with agricultural activities (such as automatic programming for steering machinery).

It is recommended that the proposed development simply be processed as a 'private antennae' which is a 'Use Not Listed' under the Scheme.

#### Options for processing a 'use not listed'

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

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

#### Recommendation

It is considered that the proposed antennae is consistent with the objectives of the Farming zone as existing agricultural uses will continue, it is being located in a vegetated area not used for agriculture, and its prime purpose is to assist with the farming activities on the site.

Notwithstanding the above it is recommended that Council pursue Option (b) above and advertise the proposal for public comment as;

- If the use is treated as 'permitted' then it will set a precedent for other private antennas to also be processed as permitted uses in the Farming zone. This is undesirable as there may be cases where similar applications would have a negative visual impact depending on the property location.
- Due to the antennas height, it is considered reasonable to provide any surrounding landowners with an opportunity to be informed and comment on the proposed development.

#### **Consultation:**

Under Clause 8.3 of the Scheme advertising is to be for a minimum of 21 days and may be in one or more of the following forms;

- (1) Letters to surrounding owners and occupiers and/ or;
- (2) Advertisement in a local newspaper and/or;
- (3) An advertising sign or signs to be erected on site.

It is recommended that Council write to adjacent landowners inviting

comment on the application prior to determination. It is also recommended that the Shire invite Telstra and Optus to comment given that the antennae is close to their existing infrastructure.

Consultation is to the Councils discretion and only has to be undertaken if Council pursues Option (b). If Council seeks to issue an immediate approval it can pursue Option 1 and resolve not to advertise the application.

**Statutory**

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

**Policy Implications:** Nil

**Financial**

**Implications:** Council will receive planning fees from the applicant.

**Strategic**

**Implications:** Nil

**Voting Requirements:** Simple Majority

**Council Resolution:** *100810*

*Moved Cr Turner, seconded Cr Schlueter*

*“That Council;*

- 1. Determine that the ‘Private Antennae’ use may be consistent with the objectives of the particular (Farming) zone and thereafter follow the advertising procedures of Clause 8.3 in considering an application for planning approval.*
- 2. Advertise the development for a minimum of 21 days by (a) writing to surrounding occupiers and landowners and (b) writing to Optus and Telstra as they have infrastructure in close proximity to the development.*
- 3. Advise the applicant of the Council decision and that a further report will be considered by Council following public advertising.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

**10.9 MOONIES HILL ROAD – PROPOSED CLOSURE**

<b>Program:</b>	<b>Transport</b>
<b>Attachment:</b>	<b>Copies of objections to the proposal</b>
<b>File Ref:</b>	<b>RD223</b>
<b>Author:</b>	<b>JM Trezona                      Chief Executive Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> August 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

**Summary:** Council to consider a recommendation to close a portion of Moonies Hill Road.

**Background:** At the May 2010 ordinary meeting Council discussed the long term future of a portion of Moonies Hill Road between the Tambellup West Road and a point east of the Narlee homestead gateway. Council resolved at its meeting to advertise its intent to close the portion of road under section 3.50 and 3.51 of the *Local Government Act 1995*.

The advertising period closed on 23 July 2010 and Council has received ten responses. Letters were written to all the affected landholders, the utility providers, Public Transport Authority WA, Main Roads WA, FESA and the Department of Planning. The proposal was also advertised in the Great Southern Herald.

**Comment:** The following is a schedule of the responses received.

<b>Name</b>	<b>Comment</b>
G & A Lockyer	No major concern – queried if access was still available to the road by adjoining landholders
FESA	No objection
Western Power	No objection
Public Transport Authority	No objection
Dept of Planning	No objection
Water Corporation	No objection
Main Roads WA	No objection
D & J Jull	Opposed to the closure on a number of grounds – submission included as an attachment
Peter Carey	Opposed to the closure on a number of grounds – submission included as an attachment
Rod King	Opposed to the closure on a number of grounds – submission included as an attachment

As previously noted Council inspected the road as part of the annual road inspection. The condition of the road was noted and the issues that surround it in terms of poor design, construction and drainage. Council also considered the measures that were needed to reduce/minimize the risk to road users and the local government.

It is proposed that if the road is closed access from the Tambellup West

Road will be removed completely and the road reserve fenced. The western end will be fenced with a gate installed to allow the adjoining landholders alternative access to their paddocks if required. The proposed road closure will be effective from 01 October 2010.

**Consultation:** All affected landholders, utility providers and relevant government departments have been advised of the proposal. A notice was also put into the Great Southern Herald.

**Statutory**

**Environment:** Council has previously determined to close the road under the Local Government Act 1995.

**LOCAL GOVERNMENT ACT 1995**

**3.50. Closing certain thoroughfares to vehicles**

- (1) *A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*
- (1a) *A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*
- (2) *The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*
- [(3) *deleted*]
- (4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to-*
  - (a) *Give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission;*
  - (b) *Give written notice to each person who-*
    - (i) *is prescribed for the purposes of this section; or*
    - (ii) *owns land that is prescribed for the purposes of this section;*
  - and*
  - (c) *allow a reasonable time for submissions to be made and consider any submissions made.*
- (5) *The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4) (a).*
- (6) *An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.*
- [(7) *deleted*]
- (8) *If, under subsection (1), a thoroughfare is closed without*

*giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.*

- (9) *The requirement in subsection (8) ceases to apply if the thoroughfare is reopened*

### **3.51. Affected owners to be notified of certain proposals**

- (1) *In this section-*

**Person having an interest**, in relation to doing anything, means a person who-

- (a) *Is the owner of the land in respect of which that thing is done, or any land that is likely to be adversely affected by doing that thing;*
- (b) *Is shown on the title to any of the land mentioned in paragraph (a) as holding an interest in any of that land; or*
- (c) *Is prescribed for the purposes of this section.*
- (2) *This section applies to –*
- (a) *Fixing or altering the level of, or the alignment of, a public thoroughfare; or*
- (b) *Draining water from a public thoroughfare or other public place onto adjoining land.*
- (3) *Before doing anything to which this section applies, a local government is to –*
- (a) *Give notice of what is proposed to be done giving details of the proposal and inviting submissions from any person who wishes to make a submission; and*
- (b) *Allow a reasonable time for submissions to be made and consider any submissions made.*
- (4) *The notice is to be given –*
- (a) *In writing to each person having an interest; and*
- (b) *If any land is likely to be adversely affected by the doing of the thing, by local public notice.*

**Policy Implications:** Nil

#### **Financial**

#### **Implications:**

Council will need to meet the costs associated with closing the road if it so determines to do so.  
Costs should be minimal requiring fencing materials, labour and plant.

#### **Strategic**

#### **Implications:**

This issue is not dealt with in the Plan

#### **Voting**

#### **Requirements:**

Simple Majority

**Council Resolution:**     **100811**

*Moved Cr Kempin, seconded Cr Turner*

*“That Council under section 3.50 and 3.51 of the Local Government Act 1995, having taken into consideration the submissions received, closes the portion of Moonies Hill Road between the western boundary of Location 2481 and the Tambellup West Road. The portion of road is to be closed from 01 October 2010. The Tambellup West Road entrance to Moonies Hill Road to be closed to all traffic, while the western boundary is to be fenced and a gate installed to allow adjoining landholder access.”*

**MOTION LOST 3/4**

**Reason For Change  
to Recommendation:**

**10.10 SILENT AUCTION**


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<b>Program:</b>	<b>Transport</b>
<b>Attachment:</b>	<b>Copy of auction results</b>
<b>File Ref:</b>	<b>ADM0326</b>
<b>Author:</b>	<b>JM Trezona                      Chief Executive Officer</b>
<b>Date:</b>	<b>27<sup>th</sup> July 2010</b>
<b>Disclosure of Interest:</b>	<b>As CEO and the author of this report I declare a financial interest in this item as one of the bidders is my husband.</b>

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**Summary:** Council has conducted a silent auction for items that are surplus to its requirements.

**Background:** Council advertised in the July edition of the BT Times a number of items that were surplus to its requirements. It was determined to dispose of the items by silent auction. Eight items were advertised for sale with two items receiving no bids.

A summary of the bids received have been included as an attachment.

**Comment:** All the bids are listed and are inclusive of GST. The matter is brought before the Council for its decision due to the CEO having a financial interest in the matter. It is recommended that Council accepts the highest bid for each of the items.

For Council consideration and decision.

**Consultation:** Nil

**Statutory**

**Environment:** Council is not required to call tenders for the items as it was determined that they would not reach the prescribed sale amount of \$20,000.00.

**Policy Implications:** Nil

**Financial**

**Implications:** Council will receive additional income from the sale of these items.

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100812*

*Moved Cr Kempin, seconded Cr Schlueter*

*“That Council accepts the following bids for the advertised items for sale*

- Item 1 – Mobile fuel trailer bid of \$500.00 David Adams*
- Item 2 – Concrete Mixer - \$201.50 Bryan Trezona*
- Item 3 – Tow along vibrating roller - \$825.00 Gray Carter*
- Item 4 – Poly tank and stand - \$250.00 Trevor King*

- **Item 5 – John Deere Ride on Mower - \$1705.00 Barry Webster**
- **Item 7 – Stihl 038 Chainsaw - \$330.00 Peter Guazzelli”**

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

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**10.11 TAMBELLUP TENNIS CLUB – RENEWAL OF RESTRICTED LIQUOR LICENSE**


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**Program:** Recreation and Culture  
**Attachment:** Nil  
**File Ref:** ADM0029  
**Author:** JM Trezona Chief Executive Officer  
**Date:** 27<sup>th</sup> July 2010  
**Disclosure of Interest:** Nil

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**Summary:** The Tambellup Tennis Club is seeking Council approval to renew their restricted license.

**Background:** The Tennis Club has written seeking Council permission to renew its club restricted licence for the 2010-2011 tennis season between the 1 October 2010 to 30 April 2011. The club are seeking approval for the following hours as per last year:

Wednesday 7.00pm to 10.30pm  
 Thursday 7.00pm to 10.30pm  
 Saturday 4.00pm to midnight.

The Tennis Club are also seeking approval to again use the glass double door fridge housed in the lockable bar area.

There have been no issues with the Tennis Club using the fridge in the bar area prior to the Club providing their own fridge.

**Comment:** Council has previously granted approval to the Tennis Club for the above hours for the previous tennis season.

**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:** 100813

*Moved Cr Sadler, seconded Cr Sheridan*

*“That Council grants approval to the Tambellup Tennis Club to renew its club restricted license for the period of 01 October 2010 to 30<sup>th</sup> April 2011 and to use the fridge situated in the lockable bar area.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

<b>10.12 FOOD ACT 2008 – APPOINTMENT OF AUTHORISED OFFICERS</b>	
<b>Program:</b>	<b>Health</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>ADM0193</b>
<b>Author:</b>	<b>Mort Wignall                      Manager Regulatory &amp; Community Services – Shire of Kojonup</b>
<b>Date:</b>	<b>28<sup>th</sup> July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

**Summary:** To appoint authorised officers (previously authorised under the now repealed provisions of the Health Act 1911) under the provisions of the new Food Act 2008 and Food Regulations 2009.

**Background:** The Food Act 2008 (the Food Act) came into operation on the 23<sup>rd</sup> October 2009, and is the principle legislation regulating the sale of food in Western Australia, replacing and repealing the food provisions of the Health Act 1911 (the Health Act).

The Food Act stipulates who is able to assess food businesses and the conditions under which they may enter a food business. It also provides that “authorised persons” other than an environmental health officer may enter and assess a food business, and indicates the conditions under which authorised persons may be appointed.

**Comment:** An enforcement agency, (Shire of Broomehill-Tambellup) may appoint a person to be an authorised officer for the purposes of the Food Act if –

- (a) The enforcement agency, having regard to any guidelines issued by the CEO (Department of Public Service) under subsection (2), considers the person has appropriate qualifications and experience to perform the functions of an authorised officer; or
- (b) The person holds office as an environmental health officer under the Health Act 1911.

As the Shire currently has an environmental health officer appointed under the Health Act, it is considered appropriate to appoint the officer as an “authorised officer”.

Where the enforceable provisions of the Health Act referred to either “environmental health officers” or “local government”, the Food Act refers to “authorised officers” or “enforcement agencies”. Much like the Health Act, these responsibilities are able to be delegated (under Section 118 of the Food Act).

Under Sections 65, 66, 67, 110 and 112 of the Act, enforcement agencies (ie the Shire) are responsible for carrying out functions relating to the issue and clearance of prohibition notices and for food business registration. These powers are considered to be operational and therefore appropriate to be delegated to the environmental health officer.

Matters relating to the issue of infringement notices (ie Section 126) are considered to be potentially contentious, however are still operational and often need to be dealt with expediently, rather than awaiting the outcome of a Council meeting. It is recommended that a delegation to the Chief Executive Officer of the Shire of Broomehill-Tambellup be issued for matters relating to infringement notices and the appointment of authorised officers, as is currently the case with environmental health officers.

**Consultation:** Nil required

**Statutory Environment:** Food Act 2008  
Local Government Act 2005

**Policy Implications:** Nil

**Financial Implications:** Under the Food Act fees may be charged for registration of food businesses. However in discussion with the Chief Executive Officer it is considered more appropriate that the matter of fees be considered as part of the budget process.

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

**Voting Requirements:** Absolute Majority

**Council Resolution:** *100814*

*Moved Cr Schlueter, seconded Cr Turner*

*“That Council endorse the following delegations to be reviewed annually as part of the review of Council’s delegations register:*

*(a) Council delegates its authority and powers to the Chief Executive Officer the capacity to exercise and discharge all or any of the powers and functions of the enforcement agency in regard to the following sections of the Food Act 2008:*

*Appoint authorised officers in accordance with Section 122*

*Appoint designated officers to issue infringement notices in accordance with Section 126(2)*

*Appoint designated officers to extend payment period for infringement notices or withdraw infringement notices in accordance with Sections 126(6) and 126(7)*

*(b) Council delegates its authority and powers to the environmental health officer the capacity to exercise and discharge all or any of the powers and functions of the enforcement agency in regard to the following sections of the Food Act 2008:  
Issue prohibition orders in accordance with section 65*

*Clear and remove a prohibition order in accordance with Section 66*

*Provide written notification not to issue a certificate of clearance in accordance with Section 67*

*Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with sections 110 & 112.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

## 10.13 AUDAX AUSTRALIA CYCLING CLUB INC. – REQUEST FOR SPONSORSHIP

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<b>Program:</b>	<b>Recreation and Culture</b>	
<b>Attachment:</b>	<b>Copy of letter from Audax Australia Cycling Club Inc.</b>	
<b>File Ref:</b>	<b>ADM0061</b>	
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>5<sup>th</sup> August 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Council to consider a request for sponsorship.

**Background:** The Audax Australia Cycling Club Inc. is conducting a non-competitive cycling event which will run from Perth-Albany-Perth, a distance of 1200 km over four days. The event will be held from 5<sup>th</sup> to the 8<sup>th</sup> of October 2010 and will pass through Broomehill.

The ride is expected to attract in excess of 150 riders, from across Australia and overseas. It is modelled on an event which has been running since 1891 in France every four years, which attracts over 5000 participants from around the world. Its aim is *'to promote a healthy, safe and drug-free lifestyle and exercise regime, without the pressure of a racing environment, but with the support of experienced marathon cyclists'*.

The organizers are seeking donations of up to \$1000 to assist with costs including the provision of food and overnight accommodation. They are also seeking in-kind support, such as advertising in local media.

**Comment:** It appears the ride will pass through Broomehill late in the afternoon en route from Gnowangerup to Katanning, with rest stops in those towns.

The event can be promoted through the BT Times. Does Council wish to make a financial contribution to the event?

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** A financial contribution can be made from the Tourism and Area Promotion budget if required.

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

**Voting Requirements:** Simple Majority

**Officer Resolution:**        *“That Council does/does not make a financial contribution of \$..... to the Audax Australia Cycling Club (Inc.) Perth – Albany – Perth Cycling event to be held in October 2010.”*

**Council Resolution:**        *100815*

*Moved Cr Kempin, seconded Cr Sadler*

*“That Council does not make a financial contribution to the Audax Australia Cycling Club (Inc.) Perth – Albany – Perth Cycling event to be held in October 2010.”*

**CARRIED 4/3**

**Reason For Change to Recommendation:**

**10.14 TAMBELLUP GOLF CLUB – RATE CONCESSION 2010/11**


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<b>Program:</b>	<b>General Purpose Funding</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>ADM0027 / A447</b>
<b>Author:</b>	<b>KP O’Neill Finance Officer</b>
<b>Date:</b>	<b>10<sup>th</sup> August 2010</b>
<b>Disclosure of Interest:</b>	<b>Cr Sheridan declared an Impartiality Interest in this matter as he is a member of the Tambellup Golf Club.</b>

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**Summary:** Request for a rate concession for the 2010/2011 financial year.

**Background:** The Tambellup Golf Club has written requesting Council to consider granting a rate concession for the 2010/2011 financial year.

**Comment:** 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 Golf Club supplies a facility that is available to all members of the community and is used extensively during the golf season, as well as outside the season, by both golf members and non members.

The club remains the only sporting organisation within the Broomehill-Tambellup Shire that has Council rates levied against it.

The Golf Club has previously been granted rate concessions since 2000. The Club is still liable to pay for rubbish and recycling charges and the Emergency Services Levy set by FESA.

**Consultation:** Chief Executive Officer

**Statutory**

**Environment:** Local Government Act 1995 section 6.47.

**Policy Implications:** Nil

**Financial**

**Implications:** Council’s rate income would be reduced by the amount of the Golf Club rates. The rates levied for 2010/2011 was \$505.40. In anticipation of this request, provision has already been made in the 2010/2011 Budget for this rate concession to be granted.

**Strategic**

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

**Voting Requirements:** Absolute Majority

**Council Resolution:**     **100816**

*Moved Cr Turner, seconded Cr Thompson*

*“That Council grants a rate concession for the Tambellup Golf Club for the 2010/2011 financial year.”*

**CARRIED 7/0**  
**By Absolute Majority**

**Reason For Change to  
Recommendation:**

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**10.15 REQUEST FOR DONATION – KATANNING SENIOR HIGH SCHOOL STUDENT LEADERSHIP GROUP**


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**Program:** Governance  
**Attachment:** Nil  
**File Ref:** ADM0061  
**Author:** KP O'Neill Finance Officer  
**Date:** 10<sup>th</sup> August 2010  
**Disclosure of Interest:** Nil

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**Summary:** The Katanning Senior High School Student Leadership Group 2010 is seeking financial support for the 2010 Spirit Week event.

**Background:** Spirit Week at the Katanning Senior High School was originally a week of school designed to lift school spirit among students and provide them with activities. Over the years, Spirit Week has diminished to become Spirit Day. The Student Leadership Groups aim is to bring back the full week of activities and to achieve this, has organised some rides/equipment from Mad Cow Entertainment for the day which have been popular with the students in previous years. They are seeking financial assistance from surrounding Shires and Businesses to assist with transport and hire of the equipment.

**Comment:** Students from Broomehill and Tambellup attend the Katanning Senior High School.

Council made a contribution of \$100 to the Student Leadership Group in both 2008 and 2009.

For Council discussion and comment.

**Consultation:** Chief Executive Officer

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Provision has been made in the 2010/2011 Budget for Council donations. A contribution could be made from this allocation.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100817*

*Moved Cr Thompson, seconded Cr Sheridan*

*“That Council donates \$100 to the Katanning Senior High School Student Leadership Group for the 2010 Spirit Week event.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

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**10.16 PLANNING APPLICATION FOR LOT 397 CHILLICUP ROAD BROOMEHILL - DWELLING**


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**Program:** Economic Services  
**Attachment:** Block Plan  
**File Ref:** A6090  
**Author:** D Baxter Building Surveyor  
**Date:** 13<sup>th</sup> August 2010  
**Disclosure of Interest:** Cr Turner declared a Financial Interest in this matter as she is the landowner of Lot 397 Chillicup Road Broomehill and left the meeting at 5.18pm.

---

**Summary:** Council has received an application for planning approval to construct a 252m<sup>2</sup> dwelling at Lot 397 Chillicup Road, Broomehill Village.

**Background:** The application includes the appropriate block plan and plans for the proposed dwelling.

**Comment:** Muchea Constructions of Great Northern Highway Muchea will be the builder for this project.

**Consultation:** All the necessary documentation has been supplied for the planning application to proceed.

**Statutory Environment:** There will be no environmental impact to this location as it complies with the standards of Residential Development.

**Policy Implications:** The Shire of Broomehill Town Planning Scheme No 1 requires that Council give planning permission for any development that is to be undertaken in the Rural Residential Zones within the Shire.

**Financial Implications:** Council will receive planning fees as part of the application process.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100818*

*Moved Cr Schlueter, seconded Cr Kempin*

*“That Council*

- 1. Grants planning consent for Muchea Constructions to construct the 252m<sup>2</sup> dwelling at Lot 397 Chillicup Road;*
- 2. That Muchea Constructions constructs the dwelling in keeping with the approved drawings that will be issued for this project once the application has been approved; and*
- 3. The approved structure is to be used for Residential purposes only.”*

**CARRIED 6/0**

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**Reason For Change to  
Recommendation:**

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**10.17 PLANNING APPLICATION FOR LOT 397 CHILLICUP ROAD BROOMEHILL - SHED**


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**Program:** Economic Services  
**Attachment:** Block Plan  
**File Ref:** A6090  
**Author:** D Baxter Building Surveyor  
**Date:** 13<sup>th</sup> August 2010  
**Disclosure of Interest:** Cr Turner declared a Financial Interest in this matter as she is the landowner of Lot 397 Chillicup Road Broomehill and left the meeting at 5.18pm.

---

**Summary:** Council has received an application for planning approval to construct a shed at Lot 397 Chillicup Road, Broomehill Village.

**Background:** The application includes an appropriate block plan and plans for the proposed shed.

**Comment:** Auspex Steel from Gnowangerup will be the builder for this project.

**Consultation:** All the necessary documentation has been supplied for the planning application to proceed.

**Statutory**

**Environment:** There will be no environmental impact to this location as it complies with the standards of Residential Development.

**Policy Implications:** The Shire of Broomehill Town Planning Scheme No 1 requires that Council give planning permission for any development that is to be undertaken in the Rural Residential Zones within the Shire.

**Financial**

**Implications:** Council will receive planning fees as part of the application process.

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100819*

*Moved Cr Sheridan, seconded Cr Kempin*

*“That Council*

- 1. Grants planning consent for Auspex Steel to construct the 248m<sup>2</sup> shed at Lot 397 Chillicup Road;*
- 2. That Auspex Steel constructs the shed in keeping with the approved drawings that will be issued for this project once the application has been approved; and*
- 3. The approved structure is to be used for Residential storage purposes only.”*

**CARRIED 6/0**

**Reason For Change to  
Recommendation:**

Cr Turner returned to the meeting at 5.20pm.

## 10.18 COMMUNITY SPORTING AND RECREATION FACILITIES FUND – GRANT APPLICATIONS

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<b>Program:</b>	<b>Recreation and Culture</b>	
<b>Attachment:</b>	<b>Copy of application received –Shire of Broomehill-Tambellup</b>	
<b>File Ref:</b>	<b>ADM0328</b>	
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>3 August 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Applications to the next round of funding through the Community Sporting Recreation Facilities Fund (CSRFF) closed on 31<sup>st</sup> July 2010.

**Background:** The Department of Sport and Recreation (DSR) through CSRFF offers two small grants rounds (winter and summer) for projects with a value between \$5,000 and \$150,000, in addition to their Annual Grants for larger projects.

Funding approved under the program will not exceed one-third of the total project cost.

As in previous years, applications are to be received and prioritised by the Local Government before forwarding to DSR for assessment. The closing date for submission of applications to the Shire for this round of Small Grants was 31<sup>st</sup> July 2009. Following rating and ranking by Council, applications must be with DSR by the last working day in August.

**Comment:** One application has been received at the closing date. A summary of the application is provided below:

- **Shire of Broomehill-Tambellup: Replacement of asbestos roof and extension of the veranda at the Tambellup Pavilion.** The replacement of the roof and the extension of the veranda will increase the lifespan of the Pavilion, making it a more serviceable building for the users of the facility into the future.

The total cost of the project is \$57,977.00 ex GST. Council will contribute \$38,651.33. Funding of \$19,325.67 through CSRFF is requested to complete the project.

This project will contribute to the long term viability of sporting facilities in Tambellup. As this is the only application received, it should be ranked as top priority.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** The replacement of the roof of the Pavilion is a component of the refurbishment of the building, which has been included in the budget utilizing Royalties for Regions funding.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100820*

*Moved Cr Schlueter, seconded Cr Kempin*

*“That Council advises the Department for Sport & Recreation that the application submitted by the Shire of Broomehill-Tambellup for funding under the Community Sporting and Recreation Facilities Fund should be ranked as top priority.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

**12.1****PLANT REPORT FOR JULY 2010**

**Program:** Transport  
**Attachment:** Nil  
**File Ref:** Nil  
**Author:** GC Brigg Manager of Works  
**Date:** 10<sup>th</sup> August 2010  
**Disclosure of Interest:** Nil

Reg No.	Description	Kms/Hrs	Year of Manufacture	Year of Purchase	Changeover	Comments
BH000	Nissan Murano		2009	2009		OK
BH00	Ford Ranger Dual Cab	17431	2010	2010		OK
BH002	ISUZU 6 Wheel Tipper	38816	2008	2008	7 yrs / 250,000km	OK
BH003	Isuzu NPR300 crew cab truck	15095	2009		5 yrs / 100,000km	15k service due
BH004	CAT 12M	424	2009	2009		OK
BH005	Bomag Multi-Tyred Roller	4559	2002	2002	7 yrs / 8,000hrs	4500 service done
BH006	Volvo 710	4756	2004	2004	7 yrs / 8,000 hrs	4750hr service done
BH007	John Deere Ride on Mower	77+	2003	2003	5 yrs / 5,000 hrs	Service done
BH008	VOLVO L70D Loader	5496	2001	2001	7 yrs / 8,000 hrs	5500hr service done
BH009	Toyota Hilux	8306	2009			OK
BH010	6x4 Fuel Trailer		1981	1981		Led light fitted
BH012	Isuzu Fire Truck	5000	1995	2004		Damage to drivers door
BH013	John Deere 315SG Backhoe	2197	2003	2003	10 yrs / 8,000 hrs	OK
BH813	Multi Tyre Roller		1960	1980	8 yrs / 8,000 hrs	

OTA	Holden Statesman		2010			OK
TA052	Toyota Hilux 4x4	10782	2009			OK
TA001	Ford Ranger Dual Cab	20929	2009			20k service done
ITA	Ford Ranger Dual Cab	19800	2009	2009	1 yr / 40,000km	SOLD
TA1880	Isuzu Gigamax Truck	38917	2008	2008	5 yrs / 250,000km	30k service done
TA092	Isuzu Gigamax Truck	60189	2007	2007	5 yrs / 250,000km	60k service done
TA386	Mitsubishi Fuso Truck	61445	2007	2007	5 yrs / 250,000km	60k service done
TA18	12H Grader	3761	2006	2006	7 yrs / 8,000hrs	3750hr service done
BH014	Ford Ranger Single Cab	1571	2010			OK
TA281	930G Loader	2635	2007	2007	7 yrs / 8,000hrs	2500hr service done
TA392	Tractor Mower	1967			5 yrs / 5,000hrs	Deck repairs
TA417	John Deere Gator	86	2009			Windscreen fitted
BH001	CAT Vibe Roller	434	2009			OK
TA017	Isuzu Tipper	34180	2009			OK
TA219	Multipac Multi-tyred Roller	7507		2004	7 yrs / 8,000hrs	TO BE SOLD
TA1196	Large Roller					
TA2015	Vibrating Roller			1977	7 yrs / 8,000hrs	OK
	Slasher				10yrs	OK
XTR579	Road Broom				10yrs	OK
	Mobile Fuel Tanker				10yrs	OK
IDCF535	TORO 3500D	152	2009	2009		OK
TA005	John Deere Tractor 6330	760	2008	2008	10 yrs / 8,000hrs	750hr service done

**RECEIVED**

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**12.2 WORKS AND MAINTENANCE REPORT FOR JULY 2010**

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<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>GC Brigg</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>9<sup>th</sup> August 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Broomehill**

- Gardeners cleaning up around town and pruning plants.
- Large pots have been placed in front of the main office. These will be levelled and planted soon.
- Katanning Cherry Pickers are currently pruning trees under power lines around town.
- There are some larger trees along Latham Street which Council staff and machinery will help to remove.
- Water in the complex dam is currently over the inlet pipe. If more wet weather sets in we will continue to pump from the town dam.
- Replacement plants have been ordered for the Rest stop.
- Community workers have been cleaning up around the refuse site.
- Paul Plant will continue erecting the gazebo in Holland Park after the Tambellup depot renovations.
- Still waiting for confirmation from Transfield in relation to connecting the power, before finishing around the University Block.
- Community workers will be painting the fence around the playground in Holland Park in their next visit.
- Steps painted in the office with non slip paint.

**Tambellup**

- Still having trouble with vandals breaking plants in the gardens at Diprose Park. For this area replacement plants and extra plants to be planted around town have been ordered.
- Community workers have been whippet snipping around town and cleaning up around the refuse site.
- Tree loppers will be trimming trees under power lines when finished in Broomehill.
- Electricians have connected the power to the pump at Number one dam. Thinkwater will be up in the next couple of weeks to commission the new installation,
- Gravel along Taylor Street will be compacted ready for asphalt.
- Paul Plant has started depot renovations. This will be ongoing for the next few weeks.
- Western Power has repaired 12 street lights around town.
- The oval will be sprayed for weeds this week.

**Roads**

- The construction crew, have completed the gravel work on the Black Spot project on the Herron Road intersection. It will be final trimmed and sealed when the Jet Patcher truck arrives as this will require a cold seal.
- The construction crew, are currently carting gravel, widening the Broomehill-Kojonup Road. They have struck a water logged section under the bitumen. The full width of the road section will be removed just before sealing so traffic isn't disrupted over any extended period.

- Kinnears surveyors are currently pegging a centreline on the Wandoo Road realignment. Clearing on this section should take place this month.
- Data collection is finished from the road inspections. This information will be reviewed to give Council a prioritized road program. From this information Council will be able to prioritize signage, culvert repairs, re-sheeting and road widening for an extended program.
- Maintenance crew, have been working on culvert repairs and guide posts.
- Maintenance graders have been working across the southern part of the shire.

## **Plant**

- Delivery of the Jet Patcher truck should take place in early September, which is approximately 2 weeks later than expected. Ausroads Systems provides up to 3 days training for the operators.
- Cat 12H grader water pump has failed. Was repaired under the extended warranty.
- There have been continual breakdowns with the maintenance graders. This has slowed the overall progress.
- A recent check of fuel usages for graders was done at the end of last month. These are calculated in dollars per hour.
  1. Volvo 710 Grader \$15.23
  2. Caterpillar 12H \$14.42
  3. Caterpillar 12M \$10.32
- The Works Managers vehicle was replaced with a Ford Territory. A Ford Ranger Utility was purchased for the Council mechanic.

**RECEIVED**

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**12.3 BUILDING SURVEYORS REPORT FOR JULY 2010**

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<b>Program:</b>	<b>Economic Services</b>
<b>Attachment:</b>	<b>BSR Report and Activity Statement</b>
<b>File Ref:</b>	<b>ADM0076</b>
<b>Author:</b>	<b>D Baxter</b> <b>Building Surveyor</b>
<b>Date:</b>	<b>30<sup>th</sup> July 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Attached are the BSR Report and the Activity Statement for the month of July 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 July 2010.

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

**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:**

**12.4****LIBRARY REPORT – JULY 2010**

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<b>Program:</b>	<b>Recreation and Culture</b>
<b>Attachment:</b>	<b>Library Report – July 2010</b>
<b>File Ref:</b>	<b>ADM0097</b>
<b>Author:</b>	<b>JM Trezona</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>4 August 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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<b>Summary:</b>	Attached is a Library Report prepared by Colleen Brown, Library Officer for Broomehill and Tambellup, outlining the activities of both libraries within each town.
<b>Background:</b>	This report outlines the activities of both Broomehill and Tambellup libraries for the month of July 2010.
<b>Comment:</b>	For Council information
<b>Consultation:</b>	Nil
<b>Statutory Environment:</b>	Nil
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	This issue has no financial implications for Council
<b>Strategic Implications:</b>	This issue is not dealt with in the Plan
<b>Voting Requirements:</b>	Simple Majority
<b>Council Resolution:</b>	<i>Council discussed the Officers Report</i>
<b>Reason For Change to Recommendation:</b>	

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- 13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**  
Nil
- 14. DATE OF NEXT MEETING**  
Thursday 16<sup>th</sup> September 2010
- 15. CLOSURE**  
There being no further business the Deputy President thanked Councillors and staff for their attendance and declared the meeting closed at 5.36pm.