

SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Ordinary Meeting of Council held in the Broomehill Council Chambers on Thursday 19th February 2009 commencing at 4.07pm

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

<u>Present:</u>	Cr BG Webster	President
	Cr KW Crosby	Deputy President
	Cr MJ Bowman	
	Cr GM Sheridan	
	Cr MR Turner	
	Cr M Sadler	
	Cr SJF Thompson	
	Cr EK Schlueter	
	Cr DCN Kempin	
	JM Trezona	Chief Executive Officer
	JP Bentley	Manager, Administrative & Customer Services
	KP O'Neill	Finance Officer

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors and Staff to the meeting and declared the meeting open at 4.07pm.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

No members of the public were present.

5. APPLICATION FOR LEAVE OF ABSENCE

Cr Webster requested a leave of absence for the next ordinary meeting of Council on the 19th March 2009.

090201

Moved Cr Schlueter, seconded Cr Kempin

“That Cr Webster be granted a leave of absence from the ordinary meeting of Council to be held on the 19th March 2009.”

CARRIED 9/0

6. DECLARATION OF INTEREST

Cr Schlueter declared a Proximity Interest in Agenda Item 10.5.

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 Minutes of Ordinary Meeting held Thursday 18th December 2008

090202

Moved Cr Crosby, seconded Cr Turner

“That the minutes of the Ordinary Meeting of Council held on Thursday 18th December 2008 be confirmed as a true and accurate record of proceedings.”

CARRIED 9/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The President advised that he and the CEO had met with representatives from the Tambellup CWA regarding the possibility of combining the two newsletters, the Tambellup Topics and BT Times.

10. MATTERS FOR DECISION**10.1 FINANCIAL STATEMENTS FOR DECEMBER 2008 & JANUARY 2009**

Program:	Other Property and Services
Attachment:	Monthly Financial Statements for December 2008 and January 2009
File Ref:	Nil
Author:	KP O'Neill Finance Officer
Date:	9th February 2009
Disclosure of Interest:	Nil

Summary: Attached are the Monthly Financial Reports for December 2008 and January 2009.

Background:

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

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: The reports represent the financial position of the Council at the end of the previous month.

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

Voting Requirements: Simple Majority.

Officer / Council 090203

Resolution: *Moved Cr Sheridan, seconded Cr Kempin*

“That the Financial Reports for the period ending 31st December 2008 and the 31st January 2009 be adopted.”

CARRIED 9/0

Reason For Change to Recommendation:

10.2 CREDITORS ACCOUNTS TO JANUARY 2009

Program:	Other Property and Services
Attachment:	List of Cheque Payments for December 2008 and January 2009
File Ref:	Nil
Author:	KP O'Neill Finance Officer
Date:	9th February 2009
Disclosure of Interest:	Nil

Summary: Attached is the list of accounts paid and credit card expenditure during December 2008 and January 2009.

Background:

Comment: Summary of Payments

Municipal Fund	\$806,399.89
Trust Fund	\$13,463.55
Credit Cards	\$5,422.12
Total	\$825,285.56

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 Strategic Plan.

Voting Requirements: Simple Majority

Officer / Council Resolution: 090204

Moved Cr Turner, seconded Cr Sadler

“That the list of Creditors accounts paid during December 2008 and January 2009, being:-

- Municipal Fund cheques numbered 258 to 366 inclusive and EFT payments numbered EFT197 to EFT285 inclusive and totalling \$806,399.89;*
- Trust Fund cheques numbered 32 to 53 inclusive and totalling \$13,463.55; and*
- Credit Card expenses totalling \$5,422.12,*

be adopted.”

CARRIED 9/0

Reason For Change to Recommendation:

10.3 DUAL FIRE CONTROL OFFICERS

Program:	Law, Order and Public Safety
Attachment:	Nil
File Ref:	ADM0244
Author:	JM Trezona Chief Executive Officer
Date:	6th January 2009
Disclosure of Interest:	Nil

Summary: The Shire of Cranbrook seeks the dual appointment of Fire Control Officers.

Background: The Cranbrook Shire Council seeks the dual appointment of the following Fire Control Officers to respond to incidents within the Shire of Broomehill-Tambellup for the coming 2008-2009 fire season:

- Peter Drage – East Cranbrook Brigade
- Ian Walsh – Central Brigade
- Ian Lawrence – Tunney Brigade.

Comment:

Consultation: Nil

Statutory Environment: Bush Fires Act 1954 section 40

Policy Implications: Nil

Financial Implications: This issue has no financial implications for Council

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

Voting Requirements: Simple Majority

Officer / Council Resolution: 090205

Moved Cr Turner, seconded Cr Sheridan

“That Council approves the dual registration of Peter Drage, Ian Walsh and Ian Lawrence as Fire Control Officers for the 2008-2009 fire season.”

CARRIED 9/0

Reason For Change to Recommendation:

10.4 PLANNING APPROVAL – LOT 539 REILLY STREET, BROOMEHILL

Program:	Economic Services
Attachment:	Block Plan
File Ref:	ADM0259
Author:	D Baxter Building Surveyor
Date:	19th January 2009
Disclosure of Interest:	Nil

Summary: Ms Charlene Lloyd has made application to Council for planning approval to construct a 249m² dwelling on a rural residential lot at Lot 539 Reilly Street, Broomehill Village.

Background: Under the Shire of Broomehill Town Planning Scheme No 1 the following is required for the construction of a dwelling on land zoned Rural Residential:

Section 5.8 – Supply of Potable Water;

Each dwelling shall be provided with a supply of potable water either from a reticulated system or underground bore, or a rainwater-storage system with a minimum capacity of 92,000 litres to the satisfaction of the Council;

5.12.3 Development Requirements;

The Scheme Amendment Report shall include information and plans which address the following matters

- Water supply and effluent disposal
- Fire hazard assessment and fire protection requirements.

5.12.4 Development Requirements;

- In addition to a building license the Councils prior planning consent is required for all developments, including a single house and such application shall be made in writing to the Council and be subject to the provisions of the Scheme.

Comment: Ms Lloyd has supplied a block plan and engineering drawings to construct a 249m² dwelling on Lot 539 Reilly Street, but has not nominated a builder for this project. Additional information is required before Council can issue a building license for this project.

Consultation:

Statutory

Environment: Shire of Broomehill Town Planning Scheme No 1.
The Shire of Broomehill Town Planning Scheme No 1 requires that Council gives planning permission for any development to proceed in the Rural Residential section of the townsite.

Policy Implications: Nil

Financial Implications: Council will received planning application fees as per the adopted Schedule of Fees and Charges.

Strategic

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

Voting Requirements: Simple Majority

Officer / Council 090206

Resolution:

Moved Cr Turner, seconded Cr Sadler

“That Council, in keeping with the requirements of the Broomehill Town Planning Scheme No 1 for land zoned Rural Residential, grants Planning Approval to Ms Charlene Lloyd to construct a 249m² dwelling on Lot 539 Reilly Street, Broomehill Village.

Further, the following information will need to be supplied before a building licence can be issued:

- *Compliance with the requirement to provide 92,000 litres of potable water for this development if scheme water is not available;*
- *Provide a septic tank application and plan;*
- *Provide a 5 star ASSA accredited energy assessment for this structure; and*
- *Comply with the conditions of the Building License and Engineers details on the supplied plans.”*

CARRIED 9/0

**Reason For Change to
Recommendation:**

10.5	WAPC APPLICATION 139071 – LOT 9000 WATERGARRUP ROAD
Program:	Community Amenities
Attachment:	Copy of Application
File Ref:	S139071
Author:	JM Trezona Chief Executive Officer
Date:	5th February 2009
Disclosure of Interest:	Cr Schlueter declared a Proximity Interest as she is an adjoining landholder and left the meeting at 4.26pm.
Summary:	<p>An application has been lodged with the Western Australian Planning Commission (WAPC) to amalgamate and re-subdivide Lots 9000 (Lot 1382 and Pt 3254) and 1317 Watergarrup Road, Wansbrough.</p> <p>The WAPC has referred the application to the Shire for recommendation and comment.</p> <p>This report recommends that Council has no comment or objection to the application.</p>
Background:	A previous WAPC application 137107, was supported by Council which resulted in the amalgamation of locations 1382 and 3254 to create the new Lot 9000. The Lots are zoned “farming” under the Shire of Tambellup Town Planning Scheme No 2.
Comment:	<p>The attached application shows that the proposal is to subdivide a portion off Lot 9000 (1382 and pt 3254) and amalgamate it with 1317.</p> <p>In support of the application, the applicant has stated that the change is to rationalise lot sizes, the new boundaries will not conflict with existing vegetation, no additional lots are created and the application will facilitate the ongoing agricultural usage of the lots.</p> <p>Members should also note that at the present time that former Locations 3254 and 1317 have a different owner to former location 1382. Location 1382 is owned by the company that has planning permission to excavate sand from the lot. The subdivision and amalgamation will give them legitimate road access for transport. Future traffic issues that may arise from the proposal have been addressed in the planning approval to allow for the excavation of the sand.</p>
Consultation:	Nil
Statutory Environment:	Shire of Tambellup Town Planning Scheme No 2.
Policy Implications:	Nil
Financial Implications:	This issue has no financial implications for Council

Strategic

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

Voting Requirements: Simple Majority

Officer / Council 090207

Resolution:

Moved Cr Thompson, seconded Cr Kempin

“That Council advises the Western Australian Planning Commission that it has no comment or objection to make on WAPC application 139071.”

CARRIED 8/0

**Reason For Change to
Recommendation:**

Cr Schlueter returned to the meeting at 4.29pm.

10.6**ALFRESCO DINING CHARGES**

Program:	Community Amenities			
Attachment:	Nil			
File Ref:	ADM0066			
Author:	JP Bentley	Manager	Administrative	and Customer Services
Date:	5th February 2009			
Disclosure of Interest:	Nil			

Summary: Council to consider what charges may be levied to businesses by the Council for allowing alfresco dining where approved.

Background: Council has had enquiry in the past regarding alfresco dining and while there has not been an approval from Council granting permission as yet, at some stage in the future, this may come to pass.

Council has recently adopted an Activities in Thoroughfares and Public Places and Trading Local Law which makes specific reference to the application process and that permits and fees are applicable, however it does not specify the amount of any fee or charge related to this activity.

Comment: Alfresco dining is a form of restaurant trading where the proponent utilises the footpath immediately outside of a premises to give a ‘street café feel’ to the business. The restaurant does not own the property on which the tables and chairs are located but derives income from the use of the land because extra tables and chairs are available for patrons.

The use of the footpath impedes the flow of pedestrian traffic at peak times and may also cause maintenance and cleaning issues for the local authority.

To help rationalise these issues, many local authorities impose a licensing/permit arrangement to help to minimise the disruptions and contribute to the ongoing costs and management of the practice.

In high turnover locations such as Busselton, the fees are set at reasonably high levels whilst in Katanning the fees are more reasonable. This reflects a difference in pedestrian numbers, potential for revenue generation of the business and a difference in the potential customer base at each location.

While the fees imposed at Busselton are high, the fees charged by Katanning may be considered slightly low. The fees proposed in the recommendation would cost a business with twenty chairs and five tables \$175.00 annually, which is a fair charge.

The comparative fees of the two contacted councils are listed below.

	BUSSLETON	KATANNING
Application Fee		
License Fee	\$65.00	\$20.00
Annual Renewal Fee	\$65.00	\$20.00
License Transfer Fee	\$65.00	Nil
Annual Fee per Table	\$30.00	Nil
Annual Fee Per Chair	\$13.00	\$5.00
Inspection Fee	\$110.00 / Hr	\$44.00 / Hr

Consultation: Chief Executive Officer
Shire of Katanning
Shire of Busselton

Statutory Environment: Local Government Act 1995

Policy Implications: Nil

Financial Implications: This issue has no financial implications for Council

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

Voting Requirements: Absolute Majority

Officer / Council Resolution: 090208

Moved Cr Turner, seconded Cr Schlueter

“That Council advertise and adopt the following additions to the Schedule of Fees and Charges:

Alfresco Dining License - \$50.00

License Annual Renewal Fee - \$50.00

Annual charge per seat - \$5.00

Annual charge per table - \$5.00

Inspection charge per hour - \$75.00

Plus GST where applicable.”

CARRIED 9/0
By Absolute Majority

Reason For Change to Recommendation:

10.7 REVISION OF STATE EMERGENCY MANAGEMENT PROGRAM (SEMP) 4.4

Program:	Law, Order and Public Safety		
Attachment:	Copy of WALGA Information Page and Policy		
File Ref:	ADM0246		
Author:	JP Bentley	Manager	Administrative and Customer Services
Date:	5 th February 2009		
Disclosure of Interest:	Nil		

Summary: Council may wish to make comment regarding this new emergency management policy statement.

Background: The Emergency Management Act 2005 has provided a framework for emergency management and recovery practices throughout the state for all agencies including local government.

From time to time policies are released for comment or review and in this case EM Policy 4.4 – State Recovery has been released. In addition a new Operating Procedure SEMP OP-19 has also been released for comment.

Comment: There are no new implications for local government within the two documents however Council may wish to make comment on either document. Any comment will need to be provided to FESA by close of business on the 24th April 2009.

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 Strategic Plan.

Voting Requirements: Simple Majority

Officer Resolution: *Councillors discussed the report.*

Reason For Change to Recommendation:

10.8 BLACKWOOD BASIN GROUP

Program:	Community Amenities – Protection of the Environment	
Attachment:	Nil	
File Ref:	ADM0231	
Author:	JM Trezona	Chief Executive Officer
Date:	6th February 2009	
Disclosure of Interest:	Nil	

Summary: Council invited to nominate a delegate to the Blackwood Basin Group.

Background: The former Shire of Broomehill had nominated a delegate to the Blackwood Basin Group. This nomination was accepted at the Blackwood Basin Group's Annual General Meeting held in August 2008. Since the AGM Councils nominated delegate has not attended any of the monthly meetings nor lodged an apology and as such under the BBG's constitution, the position has been declared vacant.

Council is now invited to nominate another Councillor or advise BBG that it does not wish to make a nomination at this time.

Comment: Does Council wish to nominate to the Blackwood Basin Group?

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 Strategic Plan.

Voting Requirements: Simple Majority

Officer Resolution: *"That Council nominates as the Shire representative to the Blackwood Basin Group."*

Reason For Change to Recommendation: Council did not wish to nominate a Shire representative to the Blackwood Basin Group.

10.9 ANNUAL REPORT 2007-2008

Program:	Governance
Attachment:	Annual Report for the Shire of Broomehill 2007-2008 Annual Report for the Shire of Tambellup 2007-2008
File Ref:	
Author:	JM Trezona Chief Executive Officer
Date:	9th February 2009
Disclosure of Interest:	Nil

Summary: Council to receive the annual reports of the former Shires of Broomehill and Tambellup.

Background: Councils must adopt their Annual Report which includes the audit report prior to holding an Annual Electors Meeting.

The Local Government Act 1995 states that the Annual Report must contain the following:

- A report from the President
 - A report from the Chief Executive Officer
 - An overview of the plan for the future of the district is made in accordance with section 5.56, including major initiatives that are proposed to commence or continue in the next financial year
 - The financial report for the financial year
 - Such information as may be prescribed in relation to the payments made to employees
 - The auditors report for the financial year
 - A matter on which a report must be made under section 29(2) of the Disability Services Act 1996
 - Such other information as may be prescribed
- National Competition Policy
State Records Act

Once Council has adopted the Annual Report, the Chief Executive Officer is to give local public notice of the availability of the report.

Comment: With the amalgamation of the Shires of Broomehill and Tambellup on 1st July 2008, it is not possible to provide the Presidents and Chief Executives Officers Reports. Council has also received a legal opinion that there is no requirement to hold an annual electors meeting for each of the former Shires.

Advice received from the Department of Local Government has resulted in a “Report for the 2007-2008 Year” for each of the Shires being included in the Annual Report.

Consultation: McLeods Barristers and Solicitors
Jenni Law – Department of Local Government and Regional Development.

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 Strategic Plan.

Voting Requirements: Simple Majority

Officer / Council Resolution: 090209

Moved Cr Kempin, seconded Cr Turner

“That Council receives the Annual Report for the 2007-2008 financial year for the former Shires of Broomehill and Tambellup. Further the availability of the reports be advertised throughout the district.”

CARRIED 9/0

Reason For Change to Recommendation:

10.10 BROOMEHILL PRIMARY SCHOOL – COUNCIL SUPPORT

Program:	Education and Welfare
Attachment:	Nil
File Ref:	ADM0061
Author:	JM Trezona Chief Executive Officer
Date:	9th February 2009
Disclosure of Interest:	Nil

Summary: The Broomehill Primary School has written requesting Council support for the cost of bus travel for students to attend swimming lessons.

Background: Over many years the former Shire of Broomehill has reimbursed the cost of bus travel for the Broomehill Primary School students to attend swimming lessons in Katanning in the first term of the school year. The cost per annum is approximately \$1,000.

Comment: For Council comment and discussion.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: The cost of the bus travel would be included each year in Councils budget deliberations.

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

Voting Requirements: Simple Majority

Officer / Council Resolution: *090210*

Moved Cr Bowman, seconded Cr Crosby

“That Council reimburse up to \$1,000, the cost of bus travel for the annual in term swimming lessons for the students of the Broomehill Primary School.”

CARRIED 9/0

Reason For Change to Recommendation:

10.11 BROOMEHILL TOWN PLANNING SCHEME NO 1 AMENDMENT NO 3

Program: Community Amenities
Attachment: Nil
File Ref: ADM0272
Author: JM Trezona Chief Executive Officer
Date: 11th February 2009
Disclosure of Interest: Nil

Summary: Advice has been received on the outcome of Amendment No 3 to the Broomehill Planning Scheme No 1.

Background: The former Shire of Broomehill had proposed amendment No 3 to the Shire of Broomehill Town Planning Scheme No 1 to rezone an area of land to the south of the existing townsite from “Farming” to “Rural Residential.”

The amendment was to accommodate a proposed staged development of 140 Rural Residential lots. The development was to be done by private investors.

Council has received advice from the Western Australian Planning Commission that the Minister for Planning has refused to grant final approval for the following reasons:

- The proposed zoning will create a significant oversupply of rural residential land and result in uneconomic use of community services and infrastructure and costs to the local rural community
- The proposed rezoning does not provide for orderly and proper planning as it does not represent a logical extension to the settlement pattern of the town of Broomehill.

Comment: The Ministers decision to refuse the amendment is final.

Consultation: Nil

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

Policy Implications: Nil

Financial Implications: This issue has no financial implications for Council

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

Voting Requirements: Simple Majority

Officer / Council Resolution: *Council discussed this item and agreed that a letter be sent to the Minister for Planning expressing Councils opposition to the decision.*

Reason For Change to Recommendation:

10.12 ROYALTIES FOR REGIONS – COUNTRY LOCAL GOVERNMENT FUND

Program:	Various
Attachment:	Nil
File Ref:	
Author:	JM Trezona Chief Executive Officer
Date:	11th February 2009
Disclosure of Interest:	Nil

Summary: Council is required to complete an acceptance form for the Royalties for Regions Country Local Government Fund (CLGF).

Background: The Country Local Government Fund was launched on 16th December 2008 by the Minister for Regional Development. The fund will be administered by the Department of Local Government and Regional Development (DLGRD).

The Shire of Broomehill-Tambellup will receive an allocation of \$676,507 for the 2008-2009 financial year. This allocation is subject to certain requirements. It is important to note that:

- The allocation will be made in two payments
- An interim report form will need to be completed to access the second payment
- Further reporting is required before allocations will be made in subsequent years.

The CLGF has been established to:

- Improve financial sustainability of regional local governments in WA through improved asset management
- Address infrastructure backlogs and support capacity building.

As such all funds in Council allocation must be applied to infrastructure expenses and are aimed at encouraging additional expenditure by Councils on planned infrastructure needs.

Future allocations will be made through regional organisations of Councils.

What can be funded

Expenditure of fund allocations must be on individual Local Government infrastructure asset renewal and/or infrastructure asset creation.

Allocation of funds are to be tied against the following local government asset classes according to the Local Government Accounting Manual:

- Buildings
- Infrastructure
 - Roads
 - Bridges
 - Drainage
 - Parks, gardens and reserves
 - Footpaths and cycleways
 - Airports
 - Sewerage
 - Other

Council needs to be aware that the Local Government Grants Commission is likely to take into account CLGF funds to the extent to which local governments spend them on road asset preservation and renewal (including bridges). Where the funding to local governments is spent on buildings and infrastructure assets other than road asset preservation, this will not affect financial assistance grant allocations. Funding to regional local governments for all asset classes will not be taken into account by the Commission.

The grant funds cannot be applied to expenditure on non-infrastructure items. The grant funds are not to be used for purchasing plant and equipment, employing staff, engaging consultants, retiring debt or any other organisation requirements that fall outside the above asset classes.

Council is required to provide the DLGRD with a completed acceptance form outlining the priorities for the financial year. Council will need to demonstrate that the previous funds have been fully allocated before further funds are provided. Sample audits will be undertaken by the department. The Interim report for the first lot of funding is required by 29th May 2009. All fund expenditure is required to be audited with the final report being sent to DLGRD by 30th November 2009.

The initial payment will be made on receipt of the completed acceptance form.

Comment:

Council needs to determine where it proposes to allocate the funds and complete the acceptance form. The acceptance form requires Council to identify which asset classes the funds will be spent in. There is also a requirement to provide a brief description of the projects and an estimated cost.

For Council discussion and decision.

Consultation:

Nil

**Statutory
Environment:**

Nil

Policy Implications:

Nil

**Financial
Implications:**

Council will receive \$676,507 unbudgeted income through the CLGF.

**Strategic
Implications:**

This issue is not dealt with in the Strategic Plan.

Voting Requirements:

Absolute majority

Officer Resolution: *“That Council allocates its Royalties for Regions – Country Local Government Fund to the following projects:*
 ➤
 ➤
 ➤”

Council Resolution: **090211**

Moved Cr Bowman, seconded Cr Sadler

“That Council allocates its Royalties for Regions – Country Local Government Fund to the following projects:-

- *Housing;*
- *Diprose and Holland Parks;*
- *Tambellup Pavilion;*
- *Broomehill Cycle Paths;*
- *Broomehill Public Toilets.”*

CARRIED 7/2
By Absolute Majority

**Reason For Change to
Recommendation:**

10.13 VICTORIAN BUSHFIRES

Program:	Governance	
Attachment:	Nil	
File Ref:	ADM 0061	
Author:	JM Trezona	Chief Executive Officer
Date:	13th February 2009	
Disclosure of Interest:	Nil	

Summary: Council to consider forwarding a donation to assist the recovery of communities affected by the Victorian bushfires.

Background: The Victorian Local Government Association has been inundated with enquiries from councils and individuals both nationally and internationally about what assistance can be provided to the communities devastated in the recent Victorian bushfires.
They are advising the best course of action at this point is for cash donations to be made to the Australian Red Cross, which will assist in the recovery of these communities.
Does Council wish to make a donation towards the appeal?

Comment: For Council discussion

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: The donation can be sourced from Members Donations which currently has a balance of \$3,200.

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

Voting Requirements: Simple Majority

Officer Resolution: *“That Council donates \$..... to the Australian Red Cross towards the Victorian Bushfires appeal.”*

Council Resolution: **090212**

Moved Cr Kempin, seconded Cr Thompson

“That Council does not make a donation to the Australian Red Cross towards the Victorian Bushfires appeal.”

CARRIED 9/0

Reason For Change to Recommendation: Council felt that it was an individuals’ decision to contribute to the appeal, and that Councils donations budget should be utilised for requests from the local community.

10.14	PROPOSED SUBDIVISION – LOT 8855 DES WRAY ROAD, BROOMEHILL WEST (WAPC: 139133)
Program:	Planning
Attachment:	Subdivision Plan
File Ref:	
Author:	Gray & Lewis Landuse Planners
Date:	11th February 2009
Disclosure of Interest:	Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of <i>Local Government Act 1995</i>

Summary: An application has been lodged with the Western Australian Planning Commission (WAPC) to excise a homestead lot from a farming property.

The WAPC has referred the application to the Shire for recommendation and comment.

It is recommended that the Shire recommend that the application be conditionally approved by the WAPC.

Background: Lot 8855 Des Wray Road, Broomehill West is zoned ‘Farming’ under the Shire of Broomehill Town Planning Scheme No 1.

The existing lot has an approximate area of 944 hectares.

Comment: Description of Application

The application proposes to subdivide the subject lot into 2 separate green title lots of 19 hectares for the homestead lot containing the existing house, and retaining the main farmland on approximately 925 hectares.

The subdivision plan is attached.

Scheme provisions

Under the Scheme the objectives for the Farming zone include ‘*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*’.

It is not considered that the subdivision will undermine the objective for continuation of rural activities as the farm can continue to operate effectively on the remaining 925 hectares, and it is unlikely that the land in the immediate vicinity to the existing residence is actively used for farming purposes.

It is also recognised that the WAPC position towards homestead lots has shifted as;

1. Many Shires are experiencing population decline. Homestead lots allow for farmers to retire and remain in the area, or to sell the homestead lot to generate income.

2. There are strict criteria for homestead lots and they are aimed at retaining population.

Under Clause 5.13 b) of the Scheme there are specific criteria for subdivision in the farming zone. These criteria are not considered relevant to homestead lot applications and are orientated towards subdivisions for more intensive agriculture.

WAPC Policy DC 3.4 – Rural Subdivision

WAPC Policy DC 3.4 sets out the principles which are used by the WAPC in determining applications for subdivision of rural land.

Following review, a revised version of WAPC Policy DC 3.4 was released by the WAPC in February 2008. Since this time, WAPC have been actively approving homestead lot applications which comply with the Policy criteria.

WAPC Policy Criteria	Officer Comment	Officer Assessment
The land is in the Wheatbelt agricultural policy area.	Broomehill is included in Appendix 3 of the Policy as being in the Wheatbelt policy area.	Complies.
The population in the locality is declining or relatively static.	Australian Bureau of Statistics shows that the population in the Shire of Broomehill decreased from 503 in 1991 to 451 in 2001.	Complies.
The homestead lot has an area between 1 and 4ha, or up to 20 ha where it is desirable to respond to the landform or to include existing outbuildings or water sources.	The proposed lot is 19 hectares and includes existing buildings and a dam. For lots over 10 hectares, Western Power may consider not imposing underground power requirements.	Complies.

WAPC Policy Criteria	Officer Comment	Officer Assessment
There is an adequate water supply for domestic, land management and fire management services	The residence is existing so will have an existing water supply, and a dam is being retained in the homestead lot boundary.	Complies.
The homestead lot fronts a constructed road.	The lot has direct road frontage.	Complies.
The homestead lot contains an existing residence.	It contains an existing house.	Complies.
A homestead lot has not been excised from the farm in the past.	It is clear from the surrounding lot sizes and pattern that no homestead lots have been excised in the past.	Complies.

It is considered that the application complies with WAPC Policy DC 3.4.

Options available to Council

- *Option 1 – Recommend Refusal*

Council can recommend refusal of the application and advise the WAPC that it is not supportive of homestead lots, and is generally opposed to subdivision of farming land in accordance with the Scheme objective outlined in Clause 5.13a).

Option 1 is not recommended as:

- (1) Council has the discretion to support the application and due to the age of the Scheme, WAPC can also consider any variation to the Scheme requirements under the Planning & Development Act 2005.
- (2) The application complies with WAPC Policy DC 3.4.

- *Option 2 – Recommend conditional approval*

Option 2 is recommended based on the following;

- (1) The application complies with WAPC Policy DC 3.4.
- (2) There are community benefits associated with homestead lots as they help to maintain the existing population.
- (3) Homestead lots can provide accommodation for retired farmers who wish to remain in the area, workers, and/or provide income for farmers who may wish to construct a new dwelling on the remaining farm lot.

Council support for the subdivision should be subject to the inclusion of a notification on the Certificate of Title for Lot 201 advising that the Lot is located in an existing agricultural area and “*use of the land may be affected by 24-hour operation of machinery, aerial spraying and generation of other noise, dust and odours arising from normal agricultural operations being carried out on surrounding land holdings*”.

Consultation: Consultation has been conducted by the WAPC who has referred the application to the Department of Industry and Resources, Western Power, Department of Water and Water Corporation for comment.

Statutory

Environment: Shire of Broomehill Town Planning Scheme No 1

Policy Implications: Nil. The application has been assessed in accordance with the relevant WAPC Policy.

Financial Implications: The subdivision may result in increased rates due to the increase of one lot.

Strategic

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

Voting Requirements: Simple Majority

Officer / Council 090213

Resolution:

Moved Cr Kempin, seconded Cr Bowman

“That Council;

- (1) Recommend that the Western Australian Planning Commission approve the application subject to a condition requiring ‘All buildings having necessary clearance from new boundaries’.*
- (2) That the approval be granted subject to the inclusion of a notification on the Certificate of Title for Lot B advising that the Lot is located in an existing agricultural area and “use of the land may be affected by 24-hour operation of machinery, aerial spraying and generation of other noise, dust and odours arising from normal agricultural operations being carried out on surrounding land holdings”.*
- (3) That a copy of this report be provided to the WAPC as it includes the assessment conducted of the application.”*

CARRIED 7/2

Reason For Change to Recommendation:

10.15 CHANGEOVER OF WORKS UTILITY

Program:	Transport
Attachment:	Nil
File Ref:	
Author:	G Brigg
Date:	18th February 2009
Disclosure of Interest:	Nil

Summary: Request for Council to consider the changeover of the Manager of Works utility during this financial year and deferment for changeover of the Gardeners utility until 2009/2010.

Council has made provision in the 2008/2009 Budget for changeover of the Toyota Hilux single cab utility TA052.

Background: The 2008/2009 plant replacement included provision for changeover of the Toyota 4x4 utility TA052, which is used by the Gardeners. This vehicle has only travelled 29,567km.

The Manager of Works utility, Toyota Hilux 4x4 1TA, has currently travelled 40,438km. This vehicle isn't in the current 2008/2009 plant replacement program. Council can take advantage of the current market and replace this vehicle with the kilometres around the 40,000km mark for better value. Confirming with dealers, vehicles with more than 40,000km will decrease in value dramatically in the current economic climate.

The Gardeners utility TA052 can be included in the 2009/2010 budget for changeover and the kilometres will still be under 40,000km.

Changeover of TA052 in the 2008/2009 budget allows:-

New vehicle	\$32,000
Trade	<u>\$22,000</u>
Net changeover	\$10,000

Quotations obtained from several dealers show that the Toyota dual cab 1TA can be changed over within the provisions made in the 2008/2009 Budget.

Comment: Prices supplied by Ford and Nissan allow for 2008 model vehicles. All factory warranties apply from the date of sale. The resale value should hold up over the year.

Council can benefit by the good buying power of 2008 models if the economic climate improves at a later date. The Nissan D40 STX is currently \$10,000 under RRP. The Ford Ranger XLT is currently \$8,000 under RRP.

Consultation: Albany City Motors
Great Southern Toyota
Katanning Stock & Trading
Chief Executive Officer

Statutory**Environment:** Nil**Policy Implications:** Nil**Financial****Implications:**

Provision has been made in the 2008/2009 Budget. Changeover of the Manager of Works utility 1TA during 2008/2009 and deferring changeover of the Gardeners utility TA052 until 2009/2010 will not impact on the budget for this year.

Strategic**Implications:**

This issue is not dealt with in the Strategic Plan

Voting Requirements: *Absolute Majority***Officer / Council** 090214**Resolution:**

Moved Cr Turner, seconded Cr Kempin

“That Council amends the 2008/2009 Budget to defer changeover of the Toyota Hilux 4x4 single cab utility TA052 until the 2009/2010 Budget, and that the Toyota Hilux 4x4 dual cab 1TA be changed over in its place.”

CARRIED 9/0

By Absolute Majority

**Reason For Change to
Recommendation:**

10.16 DONATION TO PROPOSED FOX HUNT

Program:	Community Amenities
Attachment:	Letter – Mr Scott Newbey
File Ref:	
Author:	JM Trezona Chief Executive Officer
Date:	18th February 2009
Disclosure of Interest:	Nil

Summary: Council to consider a donation of \$200 to \$250 to a proposed fox hunt.

Background: Mr Scott Newbey has written to Council seeking funding for a fox shoot in the Broomehill-Tambellup Shire which is to be run in conjunction with the “Red Card for the Red Fox” program run by the Wagin/Woodanilling Landcare Office. The shoot is to be held on Friday March 20 and it is proposed to hold a breakfast and tally up at the Broomehill Recreation Complex at 7.00am on the Saturday morning after.

Comment: Mr Newbey states that Stockbrands Ltd are sponsoring the shoot and that he is seeking funding for the breakfast and a shire wide mail drop promoting the shoot and the Landcare follow-up 1080 baiting program.

Mr Newbey states that Stockbrands Ltd will donate \$5.00 per fox shot to the RFDS.

The total cost of the proposal to the Council is estimated by Mr Newbey to be in the region of \$200 to \$250.

Council needs to ascertain if this event is of the nature that it wishes to support and if so, what level of support should be offered. Neither original Council supported this type of event in the previous three years to amalgamation.

Consultation: Scott Newbey

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Council has unspent donation funds should it wish to support this project.

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

Voting Requirements: Simple Majority

Officer / Council 090215

Resolution:

Moved Cr Crosby, seconded Cr Kempin

“That the Council does provide sponsorship of up to \$250.00 for the proposed fox shoot.”

CARRIED 7/2

**Reason For Change to
Recommendation:**

10.17

BROOMEHILL ROADHOUSE – APPLICATION FOR REMOVAL OF EXISTING UNDERGROUND TANK AND INSTALLATION OF NEW UNDERGROUND TANK AND HARDSTAND AREA

Program:	Planning
Attachment:	Nil
File Ref:	
Author:	Gray & Lewis Landuse Planners
Date:	16th February 2009
Disclosure of Interest:	Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of <i>Local Government Act 1995</i>

Peter Bentley left the meeting at 5.22pm and returned at 5.24pm.

Summary: Council is to consider an application for removal of an existing underground tank, and installation of a new underground tank.

Approval is recommended subject to conditions.

Background: Planning Application

The owner lodged a letter and site plan on the 14 September 2008 for proposed works including removal of a 5000 litre tank and installation of a new 45,000 litre tank.

The plan was unclear and additional information was subsequently requested by the Shire to clarify the extent of development.

A second and different plan was referred to the Shire by the Department for Minerals and Petroleum. Aspects of that plan were also unclear and required clarification.

The owner proceeded to commence works and this matter has been referred to Council as a separate confidential item.

Dangerous Goods Licence

A licence has been issued by the Department of Mines and Petroleum however they advised the owner in writing that '*a licence from this department does not negate the need to obtain approvals from the shire or any other relevant government departments*'.

Comment: Zoning

The subject property is zoned 'Town Centre' under the Shire of Broomehill Town Planning Scheme No 1 ('the Scheme').

Description of Application

The application involves removal of an existing 5000 litre underground fuel tank which is partially within the road reserve, and installation of a new 45,000 litre underground fuel tank within the property.

The owner has submitted additional written information explaining the application as follows;

- The larger tank size will allow the business to buy bulk fuel from companies which will not necessarily mean lower fuel prices.
- The existing roadhouse hours will remain the same being 6.00am to 8.00pm, 7 days per week.
- There will be one employee per shift and the owner is available as back up staff if required.
- The bowsers are to stay in the position and will not be relocated. There is one unleaded, diesel and premium bowser.
- The building will stay in the same and there will be no internal or external changes.
- The existing driveway will be resealed with new bitumen. The driveway will be staying the same.
- The roadhouse is of need of an upgrade.

The owner has verbally advised that they are only catering for small trucks and will not be catering for road trains.

Traffic and access to Great Southern Highway

The applicant was previously advised of concern that the increased tank size may result in increasing road trains and / or traffic to the premises.

Traffic was the main concern initially raised with the applicant as (1) access to the bowsers is via the road reserve, and (2) there is limited stacking / parking for large trucks which has potential to impact on the Highway.

This matter has been addressed through liaison with Main Roads WA (MRWA) who is satisfied that any traffic increase will not cause any impact.

The additional information provided by the applicant was referred to MRWA who confirm that;

- Main Roads is prepared to allow the existing infrastructure to remain within the road reserve but any new infrastructure is to be located outside of the road reserve.
- If there is additional traffic generated by this establishment it will not impede the safe and efficient operation of the Great Southern Highway at this site given the current traffic volumes adjacent to this location.
- Main Roads raises no objection to the proposed upgrade of this property subject to the proponent complying with Main Roads requirements for any works to be undertaken within the road reserve.
- The proponent must submit an application to undertake works within the road reserve.

Information on plans submitted

Gray & Lewis requested the applicant show more detail on the site plan which has not been provided, however the issues have been clarified through the applicants submission and through telephone liaison as follows;

1. A copy of scaled copy of the plan has been obtained from the owners' consultant, Engtech Pty Ltd.
2. The owner has clarified in the letter that no changes are proposed to the building or bowser locations.
3. The owner has verbally advised that the canopy has been removed. No new canopy has been shown on the plan so Gray & Lewis verbally advised the applicant that separate approval will be required for any new canopy.
4. New hardstand areas have not been shown however the applicant has advised in the submission that existing driveways will be hardstand. A condition can require submission of a plan for written approval to clarify the new hardstand areas as they will need to be provided with drainage.
5. Existing or proposed landscaping has also not been shown, however a condition 3 has been included in the recommendation for upgrading. The extent of upgrading can be negotiated with Council officers and could even include potted planters.

Contamination

Contaminated soils are controlled through separate legislation being the Contaminated Sites Act and all owners have a responsibility to report any known or suspected contamination (from an event such as fuel leakage).

It is understood that the owners' consultant will arrange for soil samples and a contamination report on the site to be completed.

As some of the works are in the road reserve under the care and control of Main Roads, they may have similar responsibilities to that of the owner. To cover the Shire, it is recommended that Main Roads be advised of concerns over contaminated soil in the road reserve.

Conclusion

The three main considerations in dealing with this application include (1) assessing development within the property boundary; (2) ensuring that the development does not cause any traffic safety issues and (3) aesthetics.

All of these issues have been resolved and the development provides an opportunity to seek some upgrading of the site. Approval is recommended subject to a number of conditions.

Consultation: Gray & Lewis notified the Department for Mines and Petroleum and Main Roads WA of the commencement of on-site works. Gray & Lewis has verbally liaised with DPI State Land Services and they advise that only works in local road reserves need to be referred to them, and MRWA should be consulted for works in roads under their control.

Statutory

Environment: Shire of Broomehill Town Planning Scheme No 1

Policy Implications: Nil

Financial Implications: The Shire pays planning fees to Gray & Lewis, and Council has received Planning fees from the proponent,

Strategic

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

Voting Requirements: Simple Majority

Officer / Council 090216

Resolution:

Moved Cr Kempin, seconded Cr Bowman

“That Council;

(A). Approve the application for removal of an existing underground tank and installation of a new underground tank (with hardstand) subject to the following conditions;

- 1. The owner to submit a detailed site plan to the Shire for separate written endorsement, and the site plan is to clearly show all new hardstand areas to be installed as part of the development.*
- 2. All new hardstand areas shall be installed in accordance with a plan endorsed by the Shire are to be drained to the satisfaction of Council. All drainage should be contained on site unless approved by Main Roads WA and any associated drains, drainage pits and soakwells shall be maintained in a clean and clear condition free of obstruction.*
- 3. A landscaping and reticulation plan for the upgrading of the existing landscaping is required to be submitted within three months of the date of this planning consent for written approval by the Shire. The plan shall show the species and quantity of all plant types to be planted.*
- 4. The existing trees located in the road verge abutting or adjacent to the subject land (“street trees”) are not to be damaged or removed in the course of the development.*
- 5. All access ways, parking areas and hard stand areas shall be maintained to the satisfaction of the Chief Executive Officer. If not so maintained, the Chief Executive Officer may require by notice, in writing that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that car bays be reline marked, pot holes be repaired, damaged kerbs be replaced and degraded access or parking areas be resurfaced.*

6. *All existing vehicle crossovers shall be upgraded as part of the development and be constructed in concrete or bitumen to the satisfaction of the Chief Executive Officer.*
- (B) *Advise the owner through footnotes on the planning approval that;*
- (i) *This planning approval is only for works within the property boundary and should not be constructed as approval for any works in the road reserve. The application has been referred to Main Roads WA who has advised that you must submit an application to undertake works within the road reserve. Applications must conform to Main Roads' document titled "Application Form for Organisations Seeking to Undertake Works within the Road Reserve – Low Complexity Works". Application kits are available from the Main Roads' website.*
 - (ii) *This approval is only for installation of a new tank within the property boundary and installation of new hardstand areas. Any future structures such as a roofed area/canopy, new signage or advertisements will require separate planning approval, and Main Roads WA has advised that all future development will be required to be contained outside of the road reserve.*
 - (ii) *Condition 3 has been imposed as redevelopment provides an opportunity for upgrading of the site. The extent of landscaping is to be negotiated with Shire officers, and where there is extensive hardstand, planter boxes may be considered as reasonable (eg along the front of the building).*
- (C) *Advise Main Roads WA that works have commenced in the road reserve and Council is concerned that due to the location of the old tank there may be contaminated soil in the road reserve. Main Roads is requested to liaise with the applicant and ensure the correct approvals are secured, and contamination in the road reserve be investigated as part of the approval process at the owners cost.*

The road is under the care and control of Main Roads WA. Main Roads may have a legal responsibility to report any contamination to the DEC, as all owners are responsible for reporting any known or suspected contaminated soils under the Contaminated Sites Act.

Council is concerned that Main Roads workers may be exposed to contaminated soils if any future works are done, and it is considered the responsibility of Main Roads to ensure this issue is dealt with as part of the application process for works in the road reserve. It is understood that the owner has consultants who will complete a contamination report for the site – Main Roads should require that this include the road reserve."

CARRIED 9/0

**Reason For Change to
Recommendation:**

11. MATTERS FOR INFORMATION**11.1 PLANT REPORT FOR JANUARY 2009**

Program: Transport
Attachment: Nil
File Ref:
Author: G Brigg
P Wilding
Date: 9th February 2009
Disclosure of Interest: Nil
**Manager of Works
Mechanic**

Reg No.	Description	Kms/Hrs	Year of Manufacture	Year of Purchase	Changeover	Comments
BH000	Ford Fairmont		2007	2007		OK
BH00	Ford Ranger Dual Cab	15,362	2008	2008	2 yrs / 40,000km	10,000km service done
BH001	ISUZU 6 Wheel Tipper	26,145	2007	2007	7 yrs / 151,000km	Crack in windscreen
BH002	ISUZU 6 Wheel Tipper	5,115	2008	2008	7 yrs / 151,000km	5,000km service done. Tray welded
BH003	Mitsubishi Canter Crew Cab	92,158	2004	2004	5 yrs / 100,000km	90,000km service done
BH004	JD 670B Grader		1996	1996	10 yrs / 10,000 hrs	Steering columns repairs, lock pin
BH005	Bomag Multi-Tyred Roller	3265	2002	2002	10 yrs	OK
BH006	Volvo 710	3,246	2004	2004	10 yrs / 10,000 hrs	Needs headlights replaced
BH007	John Deere Ride on Mower	107	2003	2003	5 yrs / 5,000 hrs	OK
BH008	VOLVO L70D Loader		2001	2001	7 yrs / 7000 hrs	OK
BH009	Holden Rodeo	34,375	2004	2004	5 yrs / 100,000kms	OK
BH010	6x4 Fuel Trailer		1981	1981		OK
BH012	Isuzu Fire Truck		1995	2004	14 yrs	OK
BH013	John Deere 315SG Backhoe	1,700	2003	2003	10 yrs / 10,000 hrs	Service due
BH813	Multi Tyre Roller		1960	1980		OK

0TA	Ford XR6		2008	2008	15,000km	OK
TA052	Toyota Hilux 4x4	30,027	2007	2007	2yrs	30,000km service and front tyres done.
TA001	Ford Ranger Dual Cab	10,880	2008	2008	40,000km	10,000km service done
1TA	Toyota Hilux	39,300	2008	2008	40,000km	OK
TA1880	Isuzu Gigamax Truck	5,615	2008	2008	5 yrs	5,000km service done
TA092	Isuzu Gigamax Truck	27,291	2007	2007	5 yrs	OK
TA1855	Mitsubishi Rubbish Truck	107,605		2000	4 yrs	OK
TA386	Mitsubishi Fuso Truck	35,194	2007	2007	4 yrs	Repair beacon lights and wiring
TA18	12H Grader	2,196	2006	2006	8 yrs	Requires two headlights
TA1835	12H Grader	2,978	2002	2003	8 yrs	Front tyres needed
TA281	930G Loader	1,170	2007	2007	8 yrs	Fan motor (warranty) leak at control switch
TA392	Tractor Mower	1,613			4 yrs	1500 service done
TA1221	John Deere Tractor			1987	15 yrs	OK
TA2180	Evertrans Trailer		2000	2000	8 yrs	OK.
TA017	JCB 3CX-E Backhoe	756		2004	10 yrs	Tyres, service and brake repairs required
TA219	Multipac Multi-tyred Roller	7,295		2004	10 yrs	Repairs to wipers required
TA1196	Large Roller				Retain	OK
TA2015	Vibrating Roller			1977		OK
	Slasher					OK
XTR579	Road Broom				Retain	New brooms fitted
JDMOW	John Deere Ride On Mower	250				250hr service done
1AZJ510	Bomag Vibrating Roller			2001		Broken vibe pad, hydraulic brakes
TA005	John Deere Tractor	172	2008	2008		150 service done

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11.2 WORKS REPORT FOR JANUARY 2009

Program:	Transport	
Attachment:	Nil	
File Ref:	Nil	
Author:	G Brigg	Manager of Works
Date:	9th February 2009	
Disclosure of Interest:	Nil	

Peter Bentley left the meeting at 5.43pm and returned at 5.44pm.

Broomehill

- Recreation Complex - grass is struggling as periodic hot spells are drying the grass rapidly.
- Irrigation has been fixed in Holland Park along the gully. The grass is now recovering.
- Some cleanup work has been done around the town hall.
- The excavator has been organised to install a new hole at the Broomehill Tip. At the rate the tip is being filled, I would suspect rubbish is coming from other sources other than Broomehill and Tambellup.
- Electric pump will be installed at the town dam as the diesel pump failed. Electricians will be wiring the new pump up the week commencing 16th February.
- Water in the dam is reaching low levels. With rain recently it has improved the level, but there may be a shortfall before normal rains commence again.
- After inspecting how water is pumped for the Recreation Complex, a lot of evaporation is occurring by pumping into a holding dam before again pumping into tanks. This proves to be costly as well. There are ways to improve this practice.
- Funding could be available for constructing additional water sources within the townsite. In the past, funding monies were available for construction of water storages and irrigation dams.

Tambellup

- Oval reticulation repaired as it was not working properly.
- Keeping an eye on dam levels for irrigation. With periodic hotter days it is taking increasing water to keep grass green.
- Part of Taylor Street resealed from left over bitumen from Pootenup Road. This resulted is a shorter spray length than anticipated.
- Some of the town streets are in need of resealing as they haven't been done for many years.
- Parks and Gardens crew are a little behind with town maintenance after the Christmas break. All efforts are being made to catch up with maintenance.

Roads

- We haven't had a full works crew back until February – some have been on holidays since the Christmas break.
- Broomehill maintenance grader is back to work.
- Most of the works crew have been working on Pootenup Road sealing. We prepared 3km road. Total sprayed length ended up 2.7km. Three hundred metres of road started to unravel and decided not to seal this section. Unraveling is caused by the sand content in the gravel being too high and materials can't bind together. The high sand content also stops the gravel from being fully compacted. This also doesn't allow for a good seal as the bitumen can't stick to an unbound pavement as the sand tends to easily come away from the rest of the bound pavement.
- Work has commenced widening the Tambellup-Gnowangerup Road. Clearing of the road has started with gravel work to follow.

After looking at road budgets for the past couple of weeks, we will have trouble completing all the work within the program. There is still over 65% of the program to complete and it is now February. There are only eighty working days left for this year. As most Councillors know, Roads to Recovery runs in four year blocks. It is now the second four year block. This work cannot be deferred to next year. Council may need to look at contracting out some of the road works to complete it by the required time.

I have merged Broomehill and Tambellup's road information:

- There are 297 roads within the shire
- There is 744km of gravel roads to maintain
- There is 240km of bitumen roads to maintain
- When looking at the total of 240km we will have to plan reseals carefully to retain current assets
- Bitumen road life before reseals (in WA) is fifteen years for 14mm seals and ten years for 10mm seals. In Eastern States all bitumen is resealed every ten years regardless. Main Roads tried to extend the life before reseals but found they needed too much maintenance before resealing
- First seal with C170 bitumen is usually left for two years and then reseal
- Some of these roads haven't been resealed since being initially sealed over twenty years ago
- Other roads have only been primer sealed with AMC4 which is a temporary seal and only has a life of one year before resealing
- Some Councils in WA do first and second seals straight away so that they can leave it the full fifteen years before resealing on low volume roads
- Eastern States now run three seals in one day. 16mm first, then 14mm second and 10mm last seal
- I have noticed that there is a gravel quality problem in this area. Most bitumen, the stone is pushing into the pavement beneath the bitumen. This is called flushing, where the bitumen is up flush with the top of the stone. This then doesn't leave the stone proud of surface for the tyres to run on. The tyres are then running on the bitumen sticking to the tyres.

Plant

- The vibrating drum roller is currently broken down due to the drum mounts breaking. This is the second time this has happened and will require significant work to repair. This roller is in the plant replacement program for this year. The budget for this roller is only \$100,000 and allowing for \$25,000 trade (total budget \$125,000), if trade in price totals \$25,000. A roller of this size in Caterpillar is \$150,000+. There would be some cheaper brands out there.
- The Australian dollar devaluation against the American dollar has a significant impact on budget values, where machinery was priced some time ago.
- A roller from AD Contracting Albany is currently being hired.

I have a fair bit of study on the amount of plant currently owned due to the two shires amalgamating. After looking at the latest plant report, the equipment could do with some streamlining so that better utilisation can be achieved. In a nutshell we can get better utilisation and more work done with less gear:

- In major plant Council currently has four trucks, four graders, two loaders and two backhoes
- Average yearly hours for a truck (in local government) for instance is around 1200 hours with an average around six truck hours per working day
- Our four trucks are currently averaging two hours per day each – 800 hours per year shorter than normal
- This is a similar situation for the graders. They are a little better with around four hours per day – around 300-400 hours per year less than average
- I would suggest that we hold off on the new grader in this year's plant replacement program until further discussions are held with Council.

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11.3 BUILDING SURVEYORS REPORT FOR DECEMBER 2008 AND JANUARY 2009

Program:	Economic Services
Attachment:	BSR Report and Activity Statement
File Ref:	ADM0076
Author:	D Baxter Building Surveyor
Date:	12th January 2009
Disclosure of Interest:	Nil

Summary: Attached are the BSR Report and the Activity Statement for the month of December 2008 and January 2009 that have been sent to all the relevant authorities that are required by legislation.

Background: These reports advise of the building approvals and the activity of the Building Surveyor for the month of December 2008 and January 2009.

Comment:

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: This issue has no financial implications for Council

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

Voting Requirements: Simple Majority

Officer / Council Resolution: *Council discussed the Officers report.*

Reason For Change to Recommendation:

11.4	SOUTHERN LINK VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (VROC)	
Program:	Governance	
Attachment:	Minutes of the Southern Link Voluntary Regional Organisation of Councils	
File Ref:	ADM0227	
Author:	JM Trezona	Chief Executive Officer
Date:	9th February 2009	
Disclosure of Interest:	Nil	

Summary: Attached are the inaugural minutes of the Southern Link Voluntary Regional Organisation of Councils held on 27th November 2008.

Background:

Comment:

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: This issue has no financial implications for Council

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

Voting Requirements: Simple Majority

Officer / Council Resolution: *Council discussed the minutes.*

Reason For Change to Recommendation:

11.5 REPORT ON THE LOCAL GOVERNMENT CONSTITUTIONAL SUMMIT

Program:	Governance
Attachment:	Report on the Summit
File Ref:	ADM0092
Author:	Cr Nick Burgess President, Shire of Cranbrook
Date:	9th February 2009
Disclosure of Interest:	Nil

Summary: Attached is a report from Cr Nick Burgess, Cranbrook Shire President who attended the Local Government Constitutional Summit in December 2008.

Background:

Comment:

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: This issue has no financial implications for Council

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

Voting Requirements: Simple Majority

Officer / Council Resolution: *Council discussed the report.*

Reason For Change to Recommendation:

11.6 BUILDING MAINTENANCE PROGRAM

Program:	Various
Attachment:	Building Maintenance Program for January 2009
File Ref:	
Author:	JP Bentley Manager Administrative and Customer Services
Date:	11th February 2009
Disclosure of Interest:	Nil

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

Background:

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

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

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

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

Voting Requirements: Simple Majority

Officer / Council Resolution: *Council discussed the Officers report.*

Reason For Change to Recommendation:

Peter Bentley left the meeting at 5.54pm and returned at 5.57pm.

-
- 12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
Nil.
- 13. DATE OF NEXT MEETING**
Thursday, 19th March, 2009.
- 14. CLOSURE**
There being no further business, Cr Webster thanked Councillors and Staff for their attendance and declared the meeting closed at 6.21pm.