



Ordinary Meeting of Council

MINUTES

20 August 2020

THIS DOCUMENT IS AVAILABLE IN OTHER FORMATS ON REQUEST FOR PEOPLE WITH
DISABILITY.



CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	1
2.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	1
3.	ATTENDANCE	1
3.1	APOLOGIES	1
3.2	APPROVED LEAVE OF ABSENCE.....	1
4.	DECLARATION OF INTEREST	1
5.	PUBLIC QUESTION TIME	1
6.	PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS.....	1
7.	ITEMS BROUGHT FORWARD BY DECISION OF COUNCIL	1
8.	CONFIRMATION OF PREVIOUS MEETING MINUTES.....	2
8.1	ORDINARY MEETING OF COUNCIL MINUTES 23 JULY 2020.....	2
9.	RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING	2
10.	REPORTS OF OFFICERS	2
10.01	FINANCIAL STATEMENTS FOR JULY 2020	3
10.02	CREDITORS ACCOUNTS PAID JULY 2020	5
10.03	REVIEW OF COUNCIL POLICY 3.1 - PURCHASING POLICY	7
10.04	TAMBELLUP GOLF CLUB – RATE CONCESSION.....	10
10.05	WATER AVAILABILITY ISSUES	12
10.06	WORKS REPORT FOR AUGUST 2020.....	15
11.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	17
11.01	CONFIDENTIAL: PROPOSED DWELLING – LOT 4074 (460) NAZZARI ROAD, DARTNALL.....	18
12.	APPLICATIONS FOR LEAVE OF ABSENCE	19
13.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	19
14.	QUESTIONS FROM MEMBERS WITHOUT NOTICE	19
15.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	19
16.	CLOSURE.....	20

SHIRE OF BROOMEHILL-TAMBELLUP

Minutes of an Ordinary Meeting of Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on 20 August 2020 commencing at 4.38pm.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President welcomed Councillors and staff and declared the meeting open at 4.38pm.

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

3. ATTENDANCE

Cr MC Paganoni	President
Cr ME White	Deputy President
Cr MC Nazzari	
Cr KJ Holzknecht	
Cr CJ Letter	
Cr DT Barritt	
Cr SH Penny	
KB Williams	Chief Executive Officer (CEO)
P Vlahov	Manager of Works
KP O’Neill	Manager Finance and Administration
PA Hull	Strategic Support & Projects Officer
LK Cristinelli	Executive Assistant

3.1 APOLOGIES

Nil

3.2 APPROVED LEAVE OF ABSENCE

Nil

4. DECLARATION OF INTEREST

Cr Nazzari declared a Financial and Proximity Interest in Item 11.01.
 Cr Nazzari declared an Impartiality Interest in Item 10.04.
 Cr White declared an Impartiality Interest in Item 10.04.

5. PUBLIC QUESTION TIME

Nil

6. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS

Nil

7. ITEMS BROUGHT FORWARD BY DECISION OF COUNCIL

Nil

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 23 JULY 2020

200801

Moved Cr Holzkecht, seconded Cr Penny

That the Ordinary Meeting of Council Minutes of 23 July 2020 be accepted.

CARRIED 7/0

**9. RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING
Nil**

10. REPORTS OF OFFICERS

Unconfirmed

10.01	FINANCIAL STATEMENTS FOR JULY 2020
Attachment:	Monthly Financial Statements for July 2020
File Ref:	Nil
Author:	KP O'Neill - Manager Finance and Administration
Date:	14 August 2020
Disclosure of Interest:	Nil

SUMMARY

Council to consider the monthly financial report for the period ending 31 July 2020.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require a statement of financial activity to be prepared each month and prescribe the contents of that report and accompanying documents. The report is to be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the report relates.

Each financial year, Council is required to adopt a percentage or value to be used in the statement of financial activity for reporting material variances.

As part of the 2020/21 budget process, Council adopted 10% or \$10,000 as the material variance for reporting purposes for the year.

COMMENT

Note 2 in the financial statements provides commentary on the material variances shown in the statement of financial activity by reporting program, which is a requirement of the *Local Government (Financial Management) Regulations 1996*.

Receivables - which includes outstanding rates, emergency services levy, pensioner rebates and other 'sundry' debtors - is reported at Note 6.

Note 8 tracks capital grants and contributions, the unspent balance of which is reported as 'Restricted Cash' throughout the financial report.

Capital revenue and expenditure is detailed in Note 12, which includes plant replacement, road construction, building improvements, reserve transfers and loan transactions.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
- (b) budget estimates to the end of the month to which the statement relates;

- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing –
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This issue is not dealt with in the Plan

FINANCIAL IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION

200802

Moved Cr Letter, seconded Cr Nazzari

That the Financial Statement for the period ending 31 July 2020 be received.

CARRIED 7/0

10.02	CREDITORS ACCOUNTS PAID JULY 2020
Attachment:	List of Payments for July 2020
File Ref:	Nil
Author:	KP O’Neill – Manager Finance and Administration
Date:	14 August 2020
Disclosure of Interest:	Nil

SUMMARY

Council to consider the list of payments made from the Municipal and Trust Funds during July 2020.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* prescribe 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 and recorded in the minutes of that meeting.

COMMENT

Summary of payments made for the month:-

Municipal Fund	\$1,319,497.05
Trust Fund	\$0.00
Credit Cards	\$209.88
Total	\$1,340,485.05

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

13. Lists of accounts

(1) *If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –*

- (a) *the payee’s name;*
- (b) *the amount of the payment;*
- (c) *the date of the payment; and*
- (d) *sufficient information to identify the transaction.*

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This issue is not dealt with in the Plan

FINANCIAL IMPLICATIONS

Lists the payments made from Municipal and Trust Funds during the previous month.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION

200803

Moved Cr Holznecht, seconded Cr White

That the list of accounts paid during July 2020, consisting of –

- Municipal Fund cheque, EFT and direct debit payments totalling \$1,319,497.05;***
- Trust Fund cheque payments totalling \$0.00; and***
- Credit Card payments totalling \$209.88***

be endorsed.

CARRIED 7/0

Unconfirmed

10.03	REVIEW OF COUNCIL POLICY 3.1 - PURCHASING POLICY
Attachment:	Draft Policy 3.1
File Ref:	ADM0165
Author:	KP O'Neill – Manager Finance & Administration
Date:	14 August 2020
Disclosure of Interest:	Nil

SUMMARY

Council to consider a review of Policy 3.1 – Purchasing Policy.

BACKGROUND

A purchasing policy has been in place for many years, and is subject to review every two years in line with current practice for review of Council policies.

The purpose of the policy is to provide a best practice approach to procurement in line with legislative requirements and the principles of transparency, probity and good governance. The Policy defines the Shire's purchasing process, providing guidance to officers in order to comply with regulatory obligations surrounding the purchase of goods, services and works.

COMMENT

One of the regulatory amendments to support Local Governments in responding to the COVID-19 Public Health Emergency was amendments to the *Local Government (Functions and General) Regulations 1996* to increase the tender threshold to \$250,000. This amendment came into effect on 10 April 2020.

WALGA provide a model 'Purchasing Policy' template for local governments to form their Policy on, and staff recommend that the model policy be adopted. While the model is largely the same as Council's existing Policy 3.1, additional consideration is given to –

- purchasing value thresholds in table 5.2(2) updated to include the increased tender threshold of \$250,000, purchasing in an Emergency Situation and an exemption for services provided by LGIS;
- procedures for purchasing in an Emergency Situation (item 5.3);
- procedures for Sustainable Procurement (item 6) relating to local suppliers (item 6.1) and Australian Disability Enterprises and Aboriginal Businesses (item 6.2).

The increase in the tender threshold amount was supported by Council and staff during the consultation period of the Local Government Act review in 2019. It is prudent to review and amend the purchasing policy to reflect changes in legislation.

CONSULTATION

Chief Executive Officer
WA Local Government Association

STATUTORY ENVIRONMENT

Local Government Act 1995 s.2.7(2)(b) requires Council to 'determine the local government's policies'.

Local Government (Functions and General) Regulations 1996

11A. Purchasing policies for local governments

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.
- (2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).
- (3) A purchasing policy must make provision in respect of —
 - (a) the form of quotations acceptable; and
 - (ba) the minimum number of oral quotations and written quotations that must be obtained; and
 - (b) the recording and retention of written information, or documents, in respect of —
 - (i) all quotations received; and
 - (ii) all purchases made.

24AC. Requirements before establishing panels of pre-qualified suppliers

- (1) A local government must not establish a panel of pre-qualified suppliers unless —
 - (a) it has a written policy that makes provision in respect of the matters set out in subregulation (2); and
 - (b) the local government is satisfied that there is, or will be, a continuing need for the particular goods or services to be supplied by pre-qualified suppliers.

POLICY IMPLICATIONS

Review of Councils existing Policy 3.1; adoption of the WALGA model purchasing policy.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

KRA One – Our People

Objective 1.5 – Our Shire demonstrates strong leadership, effective governance and efficient service delivery to our community.

KRA Two – Our Economy

Objective 2.3 – Our Shire actively supports existing local businesses and encourages new business initiatives.

FINANCIAL IMPLICATIONS

There are no financial implications.

VOTING REQUIREMENTS

Simple Majority

Pam Hull left the meeting at 4.52pm.

COUNCIL DECISION

200804

Moved Cr White, seconded Cr Holzkecht

That Council adopts updated Policy 3.1 – Purchasing Policy, as presented.

CARRIED 7/0

Unconfirmed

10.04	TAMBELLUP GOLF CLUB – RATE CONCESSION
Attachment:	Nil
File Ref:	A447
Author:	KP O’Neill – Manager Finance & Administration
Date:	10 August 2020
Disclosure of Interest:	Cr Nazzari declared an Impartiality Interest in this Item as a member of the Tambellup Golf Club. Cr White declared an Impartiality Interest in this Item as a member of the Tambellup Golf Club.

SUMMARY

Council to consider a request for a rate concession for the 2020/21 financial year.

BACKGROUND

The Tambellup Golf Club has written requesting Council consider granting a concession on the rate charges for the 2020/21 financial year.

COMMENT

The Golf Club provides a facility that is available to all members of the community, and is used regularly throughout the year by both Club members and non-members.

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

The Tambellup Golf Club has been granted a rate concession since the 2000/01 financial year. Should Council agree to the rate concession, the Club is still responsible for payment of rubbish/recycling charges and the Emergency Services Levy.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.47 *Concession*

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate of 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.*

** Absolute majority required*

POLICY IMPLICATIONS

Council does not have a policy in relation to granting concessions for rates or service charges.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

KRA One – Our People

FINANCIAL IMPLICATIONS

Provision of \$4,000 has been included in the 2020/21 budget for 'Rates Written Off' in anticipation of such requests.

Rates levied for the Tambellup Golf Club are \$616.27 for 2020/21.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION

200805

Moved Cr Penny, seconded Cr Letter

That Council grants a rate concession of \$616.27 to the Tambellup Golf Club for the 2020/21 financial year.

CARRIED 7/0

10.05	WATER AVAILABILITY ISSUES
Attachment:	Nil
File Ref:	ADM0291
Author:	KB Williams – Chief Executive Officer
Date:	14 August 2020
Disclosure of Interest:	Nil

SUMMARY

For Council to consider the location of proposed water supply assets within the Shire.

BACKGROUND

Council resolved the following in April 2020 to address water supply issues:

- 1. That Council re-allocate funding of \$55,000 from proposed shade structure in Diprose Park towards Water Tank Infrastructure, by amending 2019/2020 budget accordingly.*
- 2. That Council allow water to temporarily be drawn from Broomehill Town Dam at \$3.40 per kilolitre for stock watering;*
- 3. That Council approve the following development be implemented expeditiously:*
 - Installation of a 250 kilolitre water tank at Donald Street water main, Tambellup, with 40mm main supply;*
 - Installation of 250 kilolitre water tank at Broomehill-Kojonup Road stand pipe, Broomehill with 50mm main supply;*
 - 110 kilolitre tank at Broomehill Town Dam with 20mm main supply; and*
 - Reline existing 90 Kilolitre tank at Donald Street and connect to 25mm main supply, once new 250 kilolitre tank is installed;*
- 4. That Council allow the CEO to obtain a single quote from Mount Barker Rain Water Tanks to expedite installation, contrary to purchasing policy;*
- 5. That Council seek advice from the Water Corporation on the Impact of drawing 300,000 litres a day of water on pressure and flow rates on Tambellup water supply;*
- 6. That Council request that the Water Corporation install a standpipe at the corner of Broomehill-Gnowangerup and Pallinup Roads on the 200mm water main to provide water to water deficient areas to reduce the impact on water supply in Broomehill and Tambellup;*
- 7. That Council commence monitoring use of the Andersons Bores to determine the volumes of water being drawn from these bores;*
- 8. That Council advertise the above proposals to ensure the community understands where water is sourced and the cost of water supply and infrastructure.*

No water has been drawn from the Broomehill Town Dam as conditions eased shortly after the resolution was made.

The CEO has engaged with the Water Corporation to address other points of the resolution.

As a result of these discussions, a 110 kilolitre tank is currently being installed at the Town Dam on an existing 25mm meter, and similarly a 100 kilolitre tank is being installed to replace the Donald Street tank in Tambellup (a new tank is a similar cost to relining the existing tank and provides more water availability).

The Water Corporation has advised, however, that no further water allocations can be made in Broomehill, although an additional 25 mm meter can be approved in Tambellup, resulting in some components of the resolution being unable to be implemented. Accordingly, the locations of assets proposed with Council funding are required to be amended.

- *Installation of a 250 kilolitre water tank at Donald Street water main, Tambellup, with 40mm main supply;*
- *Installation of 250 kilolitre water tank at Broomehill-Kojonup Road stand pipe, Broomehill with 50mm main supply;*
- *110 kilolitre tank at Broomehill Town Dam with 20mm main supply; and*
- *Reline existing 90 Kilolitre tank at Donald Street and connect to 25mm main supply, once new 250 kilolitre tank is installed;*

The Water Corporation has advised that it cannot build a new tank at the intersection of Pallinup Road and Broomehill-Gnowangerup Road.

Meters will be installed on the bores on Anderson Road in the near future.

COMMENT

The Council resolution included installation of a 250 kilolitre tank in each town. Locations were recommended. Although the Broomehill tank can be installed, Water Corporation will only allow a 25mm metre, rendering the tank unusable, as it will not refill expediently.

Accordingly, it is proposed to install a 250 kilolitre tank at the Broomehill shire depot on an existing 50mm water metre located in the depot. This will allow sufficient flow to fill the tank quickly. Another benefit is reduced cost as the tank will be secure within the depot.

A 250 kilolitre tank will be installed in Tambellup on Donald Street adjacent to the proposed 110 kilolitre tank, as originally proposed, and the 110kilolitre tank in Broomehill is being installed as originally intended.

Controllers will be installed on the new 110 kilolitre tanks as part of Drought Communities program funding.

Cam lock fittings to access water have already been fitted to tanks in the Tambellup Depot and Tambellup Sports Pavilion.

CONSULTATION

Consultation has been undertaken with various water users.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council has budgeted for changes to water infrastructure.

VOTING REQUIREMENTS

Absolute Majority

Pam Hull returned to the meeting at 4.56pm.

COUNCIL DECISION**200806**

Moved Cr Nazzari, seconded Cr Holzknicht

That Council modify the approved locations for proposed water infrastructure as follows:

- ***Installation of a 250 kilolitre water tank at Donald Street Tambellup on existing 40mm metre as originally proposed;***
- ***Installation of a 250 kilolitre water tank at Broomehill Shire Depot with existing 50mm metre to replace proposed tank on Broomehill-Kojonup Road;***
- ***Installation of a new 110 kilolitre tank to replace the existing 90 Kilolitre tank at Donald Street and connect to a new 25mm metre;***
- ***Installation of a new 110 kilolitre tank on existing 25mm metre at Broomehill Town Dam as originally proposed.***

***CARRIED 6/1
By Absolute Majority***

Cr Letter opposed the recommendation as he considers that the 250 kilolitre tank should be connected to a 20mm water metre.

10.06	WORKS REPORT FOR AUGUST 2020
Attachment:	Plant Maintenance Report – August 2020
File Ref:	Nil
Author:	P Vlahov – Manager of Works
Date:	14 August 2020
Disclosure of Interest:	Nil

SUMMARY

Council to consider the Manager of Works Report for August 2020.

BACKGROUND

The Manager of Works Report is provided for Council's information.

COMMENT

Programmed Construction Works

- Beejenup Road gravel sheet project – Reshape and gravel sheet 2km as per works program item.
- Beejenup Road – Heavy maintenance grading.
- Toolbrunup Road – Grade bitumen edges and cleaning drains.
- Black Spot Projects – Application submitted to Regional Road Group requesting additional funding. If the application is successful it will allow for more extensive improvements
- Broomehill Fire Shed – Gravel and sand carted for earthworks.
- Bitumen Tenders – Tenders have been completed via Vendor Panel E-Tenders and will be presented to Council at the 17 September Ordinary Council Meeting.
- Townsite curbing – Met with a curbing contractor to begin the process of replacing broken curbing and general tidy up of curbing in both towns.

Plant Replacement

- Tender specifications are being correlated to be submitted next month.

Maintenance Works

- Broomehill-Kojonup Road – Slash and pruning of road verge 2km west from Broomehill town site.
- Repaired various pot holes and road failures.
- Attended to several fallen trees.
- Installed guide posts in various locations.
- Signage maintenance and renewal.
- Began preparations for roadside weed control along shire road verges.

Occupational Health and Safety

- A formal review and update of selected Job Safety Analysis (JSA) has been completed.
- There has been one minor incident to report.

Parks and Gardens

- Dam Water Levels:
 - CBH dams – overflowing.
 - Bignell's dam – overflowing. Solar pumping system has been fully repaired and is working well pending adequate sunlight.
 - BH town dam – overflowing.

- BH Complex dam – very low. Water is now being transferred from Broomehill town dam to this dam. Water will be transferred from CBH dams via the solar system when sun light is suitable. Currently in the process of sourcing a temporary diesel pump to assist.
- Jam Creek dams – low.
- Tambellup Shire hosted a field day from Toro Turf and Irrigation Equipment and T-Quip. Surrounding shires and various contractors attended and was very well received.
- Completed new garden located at the Information Bay, Tambellup.
- Weeding, spraying and mowing as required.
- Mulching garden beds.
- Various pruning.
- Mass planting of Kangaroo Paws at the garden next to the old tank stand in Tambellup.

Building Maintenance Report

- Ongoing Works request forms and general maintenance.
- RCD testing to all buildings currently being carried out.
- New desks delivered to the Tambellup Council Chambers.
- Renovations started at Unit 1 Lavieville Lodge, Tambellup.
- Broomehill RSL Hall outside to be painted.

Technical Officer Report

- Town Centre Signage – Tambellup town site Main directional signage design has been sent to Ray Ford Signs Katanning for a quotation.
- RAV Network – Previously submitted roads are still being inspected by Main Roads pending approval on the network.
- Assisting construction project outcomes by introducing engineering and level standards.
- Covering for Works Assistant while on leave.
- Covering for Works Supervisor while on leave.

For Council discussion and comment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

KRA 1: Our People - Objectives 1.5.1; 1.5.2; 1.5.3

KRA 3: Our Places - Objectives 3.1.2; 3.3.3; 3.3.1; 3.4.1

FINANCIAL IMPLICATIONS

Costs for activities outlined within the Manager of Works monthly report are reflected in the annual budget.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION

200807

Moved Cr Letter, seconded Cr Barritt

That Council receives the report from the Manager of Works for the month of August 2020.

CARRIED 7/0

11. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

PROCEDURAL MOTION

200808

Moved Cr White, seconded Cr Penny

That Council in accordance with the Local Government Act s5.23 (2) closes the meeting to members of the public to deal with confidential items behind closed doors.

CARRIED 7/0

11.01	CONFIDENTIAL: PROPOSED DWELLING – LOT 4074 (460) NAZZARI ROAD, DARTNALL
Attachment:	Site Plan
File Ref:	Nil
Author:	KB Williams – Chief Executive Officer
Date:	14 August 2020
Disclosure of Interest:	Cr Nazzari declared a Financial and Proximity Interest in this Item as a relative of the applicant and left the meeting at 5.32pm.

COUNCIL DECISION

200809

**Moved Cr White, seconded Cr Letter
That Council:**

1. **Approve the planning application submitted by RM Smith and Sons for a single dwelling on Lot 4074 (No 460) Nazzari Road, Dartnall subject to the following Conditions:**
 - (i) **All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer;**
 - (ii) **The owner/ applicant to implement the recommendations of the Bushfire Attack level (BAL) Assessment report by Structerre Consulting Engineers dated 26 June 2020 including and not limited to:**
 - (a) **A minimum setback of 30 metres between the dwelling wall and vegetation to the west (identified as Plot 1);**
 - (b) **A 17 metre area around the proposed dwelling to be cleared and maintained (as reticulated lawn and gravel) as shown on the revised site plan included as Attachment A in the BAL report;**
 - (iii) **All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer;**
 - (iv) **The existing dwelling shall be removed within three months of completion of the proposed dwelling, and a demolition permit shall be obtained prior to the issuance of a building permit. Alternatively an application to retain the existing dwelling as workers accommodation shall be submitted prior to submission of a building permit application; and**
 - (iv) **If the development, the subject of this approval, is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.**
2. **Include the following advice notes on the planning approval:**
 - (a) **Planning consent is not an approval to commence construction. A building permit must be obtained for all work.**

CARRIED 6/0

Cr Nazzari returned to the meeting at 5.37pm.

Cr Paganoni informed Cr Nazzari of Council Decision on Item 11.01.

PROCEDURAL MOTION

200810

Moved Cr White, seconded Cr Barritt

That Council re-opens the meeting to members of the public.

CARRIED 7/0

12. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

15. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

PROCEDURAL MOTION

200811

Moved Cr White, seconded Cr Letter

That Council suspend Standing Orders and move behind closed doors to discuss Business of an Urgent Nature.

CARRIED 7/0

200812

Moved Cr White, seconded Cr Holzknacht

That Council approves the CEO to appoint Lavan Legal to provide legal advice without obtaining three quotes, as required by Council's Purchasing Policy, due to the urgent requirement to obtain legal advice regarding the failure of Countryside Homes to meet contractual obligations for the construction of two dwellings in Broomehill.

CARRIED 7/0

PROCEDURAL MOTION

200813

Moved Cr White, seconded Cr Letter

That Council resumes Standing Orders.

CARRIED 7/0

PROCEDURAL MOTION

200814

Moved Cr Nazzari, seconded Cr Letter

That Council move out of closed doors.

CARRIED 7/0

16. CLOSURE

There being no further business, the President thanked Councillors and staff for their attendance and declared the meeting closed at 6.15pm.