



# Ordinary Meeting of Council

## MINUTES

20 July 2017

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



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## SHIRE OF BROOMEHILL - TAMBELLUP

**Minutes of the Ordinary Meeting of Council of the Shire of Broomehill - Tambellup held in the Tambellup Council Chambers on Thursday 20 July 2017 commencing at 4.15pm.**

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

<b>Present:</b>	Cr GM Sheridan	President
	Cr SJF Thompson	Deputy President
	Cr ME White	
	Cr TW Prout	
	Cr MC Paganoni	
	KB Williams	Chief Executive Officer (CEO)
	JA Stewart	Manager Corporate Services
	GC Brigg	Manager of Works
	KP O’Neill	Manager Finance and Assets
	PA Hull	Strategic Support & Projects Officer
	LK Cristinelli	Governance and Executive Assistant
	K Hobbs	Rates/Finance Officer

**Apologies:** Cr CL Dennis

**Leave of Absence:** Cr MR Batchelor

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

2.1 The President welcomed Councillors and Staff and declared the meeting open at 4.15pm.

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

Nil

### **4. PUBLIC QUESTION TIME**

Nil

### **5. APPLICATION FOR LEAVE OF ABSENCE**

Nil

### **6. DECLARATION OF INTEREST**

Cr Paganoni declared a Proximity Interest in Item 11.01.

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

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

**8.1 ORDINARY MEETING OF COUNCIL MINUTES 15 JUNE 2017**

***170701***

***Moved Cr Thompson, seconded Cr White***

***“That the Minutes of the Ordinary Meeting of Council held on 15 June 2017 be confirmed as a true and accurate record of proceedings.”***

***CARRIED 5/0***

**8.2 SPECIAL MEETING OF COUNCIL MINUTES 09 JUNE 2017**

***170702***

***Moved Cr Paganoni, seconded Cr Prout***

***“That the Minutes of a Special Meeting of Council held on 09 June 2017 be confirmed as a true and accurate record of proceedings.”***

***CARRIED 5/0***

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

Cr Sheridan thanked Rates/Finance Officer, Kim Hobbs, for her four years of service to the Shire of Broomehill-Tambellup and wished her all the best for the future.

**10. MATTERS FOR DECISION**

**10.01 FINANCIAL STATEMENTS FOR JUNE 2017**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>Monthly Financial Statements for June 2017</b>	
<b>File Ref:</b>	Nil	
<b>Author:</b>	<b>KP O'Neill</b>	<b>Manager Finance and Assets</b>
<b>Date:</b>	<b>14 July 2017</b>	
<b>Disclosure of Interest:</b>	Nil	

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**Summary:** Council to consider the monthly financial report for the period ending 30 June 2017.

**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 2016/17 budget process, Council adopted 10% or \$10,000 as the material variance for reporting purposes for the year.

**Comment:** Councillors should note that the financial report provided is an interim report for the financial year ending 30 June 2017. End of year processes are still to be allocated which will affect the content of the report.

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*.

Note 12 details capital revenue and expenses for the year which includes plant replacement, road construction, building improvements, reserve transfers and loan transactions. Projects underway and not complete by 30 June have been carried over into the 2017/18 budget.

**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

**Asset Management Implications:** There are no implications for the Asset Management Plan.

**Financial Implications:** The report represents the financial position of the Council at the end of the previous month.

**Workforce Plan Implications:** There are no implications for the Workforce Plan.

**Voting Requirements:** Simple Majority

**Council Decision:** *170703*

*Moved Cr Prout, seconded Cr White*

*“That the interim Financial Statement for the period ending 30 June 2017 be received.”*

**CARRIED 5/0**

**Reason For Change to Recommendation:**

**10.02 CREDITORS ACCOUNTS PAID JUNE 2017**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>List of Payments for June 2017</b>	
<b>File Ref:</b>	Nil	
<b>Author:</b>	<b>KP O'Neill</b>	<b>Manager Finance and Assets</b>
<b>Date:</b>	<b>14 July 2017</b>	
<b>Disclosure of Interest:</b>	Nil	

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**Summary:** Council to consider the list of payments made from the Municipal and Trust Funds during June 2017.

**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	\$951,173.98
Trust Fund	\$19,581.31
Credit Cards	\$405.98
<b>Total</b>	<b>\$971,161.27</b>

**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

**Asset Management**

**Implications:** There are no implications for the Asset Management Plan.

**Financial**

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

**Workforce Plan**

**Implications:** There are no implications for the Workforce Plan.

**Voting Requirements:** Simple Majority

**Council Decision:** *170704*

*Moved Cr Paganoni, seconded Cr Thompson*

*“That the list of accounts paid during June 2017, consisting of:-*

- *Municipal Fund payments totalling \$951,173.98 comprising
  - *cheques numbered 3497 to 3525;*
  - *electronic payments numbered EFT9081 to EFT9164; and*
  - *direct debits numbered DD4767.1 to DD4767.4, DD4806.1 to DD4806.4.**
- *Trust Fund payments totalling \$19,581.31 comprising
  - *electronic payments numbered EFT9165.**
- *Credit Card payments totalling \$405.98*

*be endorsed.”*

**CARRIED 5/0**

**Reason For Change to  
Recommendation:**

Pam Hull left the meeting at 4.25pm.

Pam Hull returned to the meeting at 4.26pm.



**10.03 ANNUAL BUDGET FOR THE YEAR ENDING 30 JUNE 2018**


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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>2017/18 Annual Budget</b>
<b>File Ref:</b>	<b>ADM0121</b>
<b>Author:</b>	<b>KP O'Neill</b> <b>Manager Finance &amp; Assets</b>
<b>Date:</b>	<b>14 July 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to consider and adopt the Annual Budget for the year ended 30 June 2018.

**Background:** The *Local Government Act 1995*, section 6.2, states that a Local Government is to prepare an annual budget not later than 31 August in each financial year, or such extended time as the Minister allows, and adopt by absolute majority, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the following 30 June.

The Budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The 2017/18 Budget, as presented, is considered to meet statutory requirements.

**Comment:** Councillors attended a workshop on 4 July 2017 to consider the budget in its draft form. All items identified by Council at the workshop for inclusion in this years' Budget have been allocated.

Following the guidance of Council from the draft budget workshop, a rate increase of 5% for both UV (Rural) properties and GRV (townsite) properties will apply for 2017/18. Councils Long Term Financial Plan identified that a rate increase of at least 5% per year was required in order for Council to continue to meet its obligations in provision of services to the Community and maintain its asset base.

Council determined to again offer a 5% rate discount. To be eligible to receive the discount, payment of all rates and charges is to be made within 28 days from issue of the rate notice. The option to pay rates and charges via the two and four instalment plans will also be offered.

Provision has been included for carry over projects that were not complete by 30 June 2017, which includes;

- the Tambellup Pavilion and bowling green;
- installation of the shade structure at Holland Park;
- installation of the shade structure at the Tambellup Admin carpark;
- construction of the washdown bay at the Tambellup Depot;
- resheeting on Beejenup Road (funded by Commodity Routes); and
- minor items on the building maintenance program.

Grant funding for construction of the Pavilion and Bowling Green still to be received in 2017/18 amounts to \$650,000 – the Department of Sport and Recreation CSRFF funding final claim is \$175,000 and the National Stronger Regions Fund balance to claim is \$475,000. Payment of these

amounts is made when agreed milestones are met. All funding for the Pavilion will be received by December 2017.

Council has again been fortunate to be allocated a significant amount of funding through the Regional Road Group, which includes Commodity Route and State Black Spot funding pools. Councils allocation from Roads to Recovery has been largely utilised towards Councils required 1/3 contribution to some of the Regional Road Group funded projects. A sizeable road construction program is planned for the coming year.

A detailed Building Maintenance program is included in the supporting information which will see approximately \$148,000 in maintenance, repairs and upgrades to Council's buildings and facilities.

The Schedule of Fees and Charges have been reviewed and are included in the supporting information for adoption.

**Consultation:** Chief Executive Officer  
Senior Staff  
Councillors

**Statutory Environment:** *Local Government Act 1995 Part 6 Division 2 – Annual Budget*  
*Local Government (Financial Management) Regulations 1996* details the form and content of the Annual Budget.

**Policy Implications:** There is no policy applicable to this item.

**Strategic Implications:** The Annual Budget has been prepared having due regard for the objectives determined in the Strategic Community Plan and Corporate Business Plan. Adoption of the annual budget gives the strategic intent of the Council for the ensuing twelve months.

**Asset Management Implications:** Operations, maintenance, renewal and upgrade of Councils assets are provided for in the Budget.

**Financial Implications:** Adoption of the Annual Budget sets the financial framework for the ensuing financial year. A balanced budget is presented for adoption, with a nil surplus/(deficit) projected at 30 June 2018.

**Workforce Plan Implications:** The objectives highlighted in Councils Workforce Plan have been funded throughout the Budget. Provision is also made for the review of this document.

**Voting****Requirements:** Absolute Majority**Council Decision:** 170705*Moved Cr Prout, seconded Cr Paganoni**“That Council adopts the following:-***1. General Rates***That the following rate in the dollar be adopted for the Shire of Broomehill-Tambellup for the year ending 30 June 2018:*

<i>Unimproved Values</i>	<i>0.9353 cents in the dollar</i>
<i>Gross Rental Value</i>	<i>10.3540 cents in the dollar</i>

**2. Minimum Rates***That the minimum rate for Gross Rental Values is set at \$455.00 per assessment and the minimum rates for Unimproved Values is set at \$455.00 per assessment.***3. Refuse and Recycling Charges***That, in accordance with the provisions of the Waste Avoidance and Resource Recovery Act 2007, Council imposes the following refuse and recycling charges (exclusive of GST) for 2017/2018:*

<i>Residential Refuse – including recycling</i>	<i>\$235.00</i>
<i>Residential Refuse – additional bin</i>	<i>\$135.00</i>
<i>Residential – additional recycling bin</i>	<i>\$100.00</i>
<i>Commercial Refuse – including recycling</i>	<i>\$255.00</i>
<i>Commercial Refuse – additional bin</i>	<i>\$155.00</i>
<i>Commercial – additional recycling bin</i>	<i>\$100.00</i>

**4. Discount****General Rates***That Council, in accordance with the provisions of section 6.46 of the Local Government Act 1995, offers a 5% discount on 2017/2018 general rates if full payment of rates, arrears, ESL and refuse charges is received within 28 days from the date of issue on the rate notice.***Interim Rates***That Council offers a 5% discount on interim rates levied, provided full payment is received within 28 days from the date of issue on the rate notice.***5. Payment Options***That Council, in accordance with the provisions of section 6.45 and 6.50 of the Local Government Act 1995, offers the following payment options for the payment of rates:***(a) Single Instalment – with 5% discount**

- *Payment in full (including all arrears) within 28 days of the issue of the rate notice and be eligible for a 5% discount on current general rates and minimum charges.*

**(b) Single Instalment – no discount**

- *Payment in full within 35 days of the date of issue of the rate notice.*

**(c) Two Instalments**

- *The first instalment of 50% of the total current rates, ESL, refuse charges, instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.*
- *The second instalment of 50% of the total current rates, ESL, refuse charges and instalment charges, payable 4 months from the due date of the first instalment.*

**(d) Four Instalments**

- *The first instalment of 25% of the total current rates, ESL, refuse charges and instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.*
- *The second, third and fourth instalments, each of 25% of the current rates, ESL, refuse charges and instalment charges, payable at two monthly intervals after the due date of the first instalment.*

**6. Interest and Administration Charges For Instalment Options**

*That Council, in accordance with the provisions of section 6.45 of the Local Government Act 1995 imposes an Administration Fee of \$10 per instalment notice together with an interest charge of 5.5%, both of which applies to the second instalment of the Two Instalment option, and the second, third and fourth instalments of the Four Instalment option.*

**7. Late Payment Penalty Interest**

*That Council, in accordance with the provisions of section 6.13 and 6.51 of the Local Government Act, and Regulations 19A and 70 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 11% per annum. Penalty interest will apply to all charges which remain unpaid after 35 days from the date of issue of the rate notice.*

*Excluded are eligible pensioners, deferred pensioner rates and current instalment amounts not yet due.*

**8. Fees and Charges**

*That Council, in accordance with section 6.16 of the Local Government Act 1995, adopts the Schedule of Fees and Charges as set out in the Budget document for the year ending 30 June 2018.*

**9. Determining Material Variances**

*That, in accordance with the provisions of the Local Government (Financial Management) Regulations 1996 section 34(5), the material variance as reported in the Statement of Financial Activity in the financial year ending 30 June 2018 will be 10% or \$10,000.*

**10. Members Meeting Attendance Fees**

*That Council, in accordance with section 5.99 of the Local Government Act 1995 and the Salaries and Allowances Tribunal Local Government Elected Council Members Determination of April 2017 (Part 6), adopts an annual allowance for meeting attendance fees of \$13,000 per annum for the President and \$6,500 per annum for Councillors.*

**11. President and Deputy President Allowance**

*That Council, in accordance with section 5.99 of the Local Government Act 1995 and the Salaries and Allowances Tribunal Local Government Elected Council Members Determination of April 2017 (Part 7), adopts an annual allowance of \$2,000 for the President and \$500 for the Deputy President.*

**12. Members Travelling Expenses**

*That Council, in accordance with section 5.99 of the Local Government Act 1995 and the Salaries and Allowances Tribunal Local Government Elected Council Members Determination of April 2017 (Part 9), adopts that travelling expenses are reimbursed to elected members at the rate of 91 cents per kilometre.*

**13. Information and Communications Technology Allowance**

*That Council, in accordance with section 5.99 of the Local Government Act 1995 and the Salaries and Allowances Tribunal Local Government Elected Council Members Determination of April 2017 (Part 9), adopts an annual Information and Communications Technology Allowance of \$500 per Councillor.*

**14. Adoption of the Annual Budget**

*That the Annual Budget for the Shire of Broomehill-Tambellup for the year ending 30 June 2018 comprising –*

- Statement of Comprehensive Income by Nature & Type;*
- Statement of Comprehensive Income by Program;*
- Cash Flow Statement;*
- Rate Setting Statement; and*
- Associated notes and supporting information*

*be adopted.”*

**CARRIED 5/0**

**By Absolute Majority**

**Reason For Change  
to Recommendation:**

**10.04 RELATED PARTY DISCLOSURES – NEW COUNCIL POLICY**


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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>1. Draft - Policy 3.4 Related Party Disclosures 2. Draft - Related Party Disclosures Declaration 3. Moore Stephens – Guidance Note 31</b>
<b>File Ref:</b>	<b>ADM0165 / Policy Manual</b>
<b>Author:</b>	<b>KP O'Neill                      Manager Finance &amp; Assets</b>
<b>Date:</b>	<b>13 July 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to consider adoption of a new Council Policy for Related Party Disclosures to ensure compliance with Australian Accounting Standards Board (AASB) Standard AASB 124.

The Local Government Act and Financial Management Regulations prescribe that a local governments' financial reporting must comply with the Australian Accounting Standards (AAS).

**Background:** Prior to 1 July 2016 not-for-profit organisations, including local governments, were exempt from complying with AASB 124 Related Party Disclosures. In July 2015 the AASB extended the scope of AASB 124 to include application by not-for-profit entities, including local governments.

AASB 124 now imposes a number of obligations upon Elected Members and senior Shire staff in relation to disclosure of their dealings with related parties. Local governments are required to disclose in its Annual Financial Reports related party relationships, transactions and outstanding balances. Individual details of related party transactions are not disclosed in financial reports; rather it is presented as aggregated information. An example of such disclosure is shown on page 6 of Attachment 2 - Moore Stephens Guidance Note 31.

The operative date for local government is 1 July 2016 with the first disclosures to be made in the Financial Statements for year end 30 June 2017.

As this is an Australian Accounting Standard it differs from the Disclosure of Interest and Gift and Travel Disclosure requirements that are imposed under the Local Government Act 1995 and associated Regulations. It is also important to note that this standard has not been implemented to detect or report fraud or misconduct. It is simply to enhance transparency and accountability of local government transactions.

**Comment:** A Related Party is a person or entity that is related to the local government that is preparing its financial statements, and for the Shire of Broomehill-Tambellup the following meet the definition of Related Party:

- An elected Council member;
- Key management personnel being a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer or Manager of the Shire;

- Close members of the family of any person listed above, including that persons child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or persons spouse or domestic partner;
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

Any transactions between Council and these parties, whether monetary or not, may need to be identified and disclosed.

To implement the requirements of AASB 124 Council is required to consider and endorse the following:

1. Positions to be included as Key Management Personnel (KMP) in the assessment of related parties; and
2. Transactions that are considered to be Ordinary Citizen Transactions (OCT) that will not be included as related party transactions.

1. Key Management Personnel

KMP are identified as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. AASB 124 specifically includes Elected Members within the definition of KMP. It is expected in local government KMP will include Elected Members, Chief Executive Officer and the next level of management, which in the case of the Shire of Broomehill-Tambellup is Managers.

2. Ordinary Citizen Transactions

There are many complexities involving local government with regard to Related Party Disclosures, including activities such as using Council facilities and paying Rates, which are related party transactions. However, the nature of some of these transactions could be those that an ordinary citizen would undertake with the local government and be recognised as “Ordinary Citizen Transactions”. These transactions are considered to be undertaken at arm’s length and in the ordinary course of carrying out a local government’s functions and activities.

To help identify “Ordinary Citizen Transactions” and implement a standard approach at capturing and reporting related party transactions the attached Policy has been developed for Council’s consideration. This policy is not required by the Local Government Act 1995, but will assist in mitigating the risk of non- compliance.

These Ordinary Citizen Transactions include the following:

- Paying rates, fines or penalties;
- Paying Department of Transport registration and licensing payments;
- Paying application fees for licences, approvals or permits;
- Using Shire owned and operated facilities such as civic centres, recreation centres, libraries, parks, ovals, public open space, transfer stations and landfill sites (whether a fee is charged or not);
- Attending Shire functions that are open to the public.

The exclusion of the above from related party transactions effectively limits the related party transactions that are to be declared and disclosed to the following list of transactions.

- purchases of sales or goods (finished or unfinished);
- purchases or sales of property or other assets;
- rendering or receiving services; and
- leases.

Elected Members and KMP will be required to complete a *Related Party Disclosures Declaration* form annually.

**Consultation:** Chief Executive Officer  
Moore Stephens (WA) Pty Ltd – Guidance Note 31

**Statutory Environment:** Australian Accounting Standards Board  
AASB 124 Related Party Disclosures

Local Government Act 1995  
s 6.10 Financial management regulations

Local Government (Financial Management) Regulations 1996  
r 5A Local governments to comply with AAS  
Subject to regulation 4, the annual budget, annual financial report and other financial reports of a local government must comply with the AAS.

**Policy Implications:** Introduction of a new policy to ensure compliance with AASB 124.

**Strategic Implications:** Shire of Broomehill-Tambellup Strategic Community Plan 2012-2022  
Community Aspiration of ‘Being Well Governed’ achieved by providing leadership for the community through transparent, accountable and representative local government.

**Asset Management Implications:** There are no implications for the Asset Management Plan.

**Financial Implications:** Nil

**Workforce Plan Implications:** There are no implications for the Workforce Plan.

**Voting Requirements:** Simple Majority



**Council Decision: 170706**

*Moved Cr Thompson, seconded Cr White*

***“That Council;***

- i. adopts Policy 3.4 Related Party Disclosures as presented;***
- ii. determines that for the purposes of compliance with AASB124 Related Party Disclosures, the following personnel are considered Key Management Personnel:***
  - a. Chief Executive Officer;***
  - b. Manager Corporate Services;***
  - c. Manager of Works;***
  - d. Manager Finance and Assets.***
- iii. declares that the following transactions are considered ‘Ordinary Citizen Transactions’ that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Councils financial statements make;***
  - a. Paying rates, fines or penalties;***
  - b. Paying Department of Transport registration and licensing payments;***
  - c. Paying application fees for licences, approvals or permits;***
  - d. Use of Shire of Broomehill-Tambellup owned and operated facilities such as civic centres, recreation centres, libraries, parks, ovals, public open space, transfer stations and landfill sites (whether a fee is charged or not);***
  - e. Attending Shire functions that are open to the public.”***

***CARRIED 5/0***

**Reason For Change  
to Recommendation:**

***“Recommendations for items 10.05 to 10.06 were passed ‘En-Bloc’”***

## 10.05 INDEPENDENT LIVING SENIORS ACCOMMODATION (ILSA) – APPLICATION FOR RENTAL HOUSING

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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>Confidential: ILSA Application for Rental Housing</b>
<b>File Ref:</b>	<b>ADM0417</b>
<b>Author:</b>	<b>JA Stewart                      Manager Corporate Services</b>
<b>Date:</b>	<b>23 June 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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<b>Summary:</b>	Council to consider an application for rental of a Sandalwood Villas unit.
<b>Background:</b>	Advertising of Sandalwood Villas unit vacancies, inclusive of lower rental charges and allowance for pets, has been occurring since January 2017. Currently, Council has two vacant units at Sandalwood Villas.
<b>Comment:</b>	Council has received an application for a Sandalwood Villas unit, as presented.
<b>Consultation:</b>	Nil
<b>Statutory Environment:</b>	Nil
<b>Policy Implications:</b>	Nil
<b>Strategic Implications:</b>	This matter is not dealt with in the Strategic Community Plan.
<b>Asset Management Implications:</b>	Nil
<b>Financial Implications:</b>	Increased occupancy of units allows for contribution to longer term build-up of funds to cover capital and major maintenance work. If the application referred to is approved, weekly income from Sandalwood Villas units will increase by \$160.00 per week.
<b>Workforce Plan Implications:</b>	Administration tasks associated with documentation requirements/ongoing management duties
<b>Voting Requirements:</b>	Simple Majority
<b>Council Decision:</b>	<b>170707</b>

*Moved Cr Paganoni, seconded Cr Thompson*

*“That Council approves an Application for Rental Housing for a Sandalwood Villas unit, as presented.”*

**CARRIED 5/0**

**Reason For Change to  
Recommendation:**

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**10.06 INDEPENDENT LIVING SENIORS ACCOMMODATION (ILSA) – APPLICATION FOR RENTAL HOUSING**


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**Program:** Governance  
**Attachment:** **Confidential: ILSA Application for Rental Housing**  
**File Ref:** ADM0417  
**Author:** JA Stewart                      Manager Corporate Services  
**Date:** 13 July 2017  
**Disclosure of Interest:** Nil

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**Summary:** Council to consider an application for rental of a Sandalwood Villas unit.

**Background:** Advertising of Sandalwood Villas unit vacancies, inclusive of lower rental charges and allowance for pets, has been occurring since January 2017. Currently, Council has two vacant units at Sandalwood Villas.

**Comment:** Council has received an application for a Sandalwood Villas unit, as presented.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Strategic Implications:** This matter is not dealt with in the Strategic Community Plan.

**Asset Management Implications:** Nil

**Financial Implications:** Increased occupancy of units allows for contribution to longer term build-up of funds to cover capital and major maintenance work. If the application referred to is approved, weekly income from Sandalwood Villas units will increase by \$160.00 or \$170.00 per week dependent on if the applicant wishes to keep a pet or not.

**Workforce Plan Implications:** Administration tasks associated with documentation requirements/ongoing management duties.

**Voting Requirements:** Simple Majority

**Council Decision:** *170708*

*Moved Cr Paganoni, seconded Cr Thompson*

*“That Council approves an Application for Rental Housing for a Sandalwood Villas unit, as presented.”*

**CARRIED 5/0**

**Reason For Change to  
Recommendation:**

**10.07 PROPOSED DEVELOPMENT – SHED – LOT 387 (50)  
SPENCER ROAD, BROOMEHILL**

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<b>Program:</b>	<b>Planning</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>A6068</b>	
<b>Author:</b>	<b>KB Williams</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>14 July 2017</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** An application has been lodged for the development of a new shed adjacent to an existing dwelling at Lot 387 Spencer Road Broomehill.

This report recommends that approval be granted, subject to conditions.

**Background:** An application for the development of a storage shed was received on 13 June 2017. The application was submitted by J R Wooding.

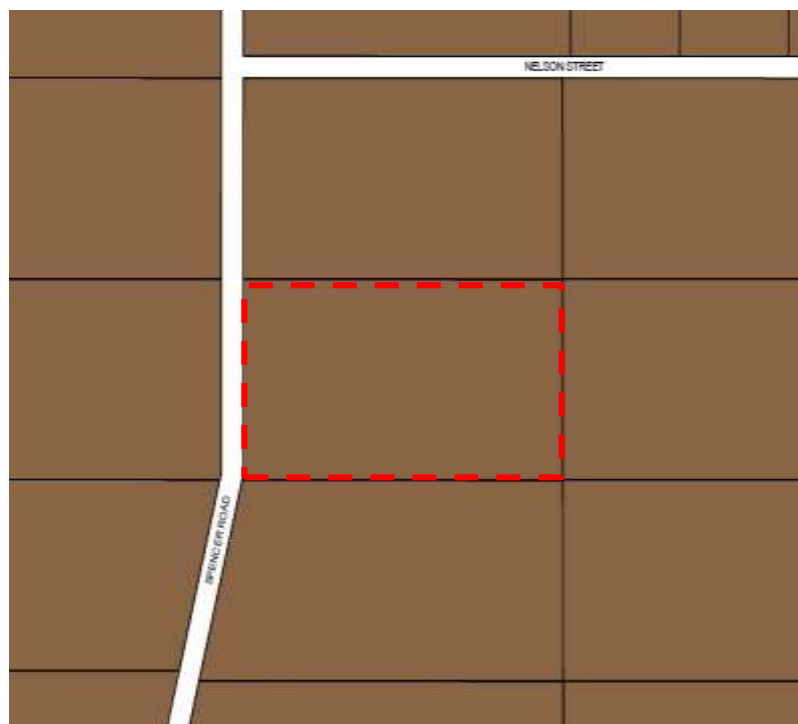
**Comment:** Description of Application

The applicant is seeking a planning approval to develop a shed adjacent to an existing dwelling. The proposed shed will measure 9 metres x 6 metres with a height of 3.14 metres. It is understood that the shed will be constructed of metal.

Relevant Scheme Provisions

Zoning

The subject lot is zoned ‘Rural Residential’ under the Shire of Broomehill Town Planning Scheme No 1 (‘the Scheme’):



Single Dwellings (and associated outbuildings) are usually exempt from Planning Consent; however, Clause 5.12.5 of the Broomehill TPS requires that an application for Planning Consent is required:

**5.12.5 Development Requirements:**

*The provisions for controlling subdivision and development in a Rural Residential Zone shall comply with the requirements of Schedule 2 and with the following:*

- b) in addition to a building licence, the Council's prior planning consent is required for all development including a single house and such application shall be made in writing to the Council and be subject to the provisions of the Scheme;*

Accordingly, an application has been submitted.

Development Standards:

The Scheme contains the following setback provisions relevant to the application:

**5.5 SITE REQUIREMENTS**

*The site building requirements for land in various zones shall be as set out in Table 2.*

**TABLE 2 - SITE REQUIREMENTS - MINIMUM SETBACKS FROM BOUNDARIES**

<b>ZONE</b>	<b>STREET</b>	<b>REAR</b>	<b>SIDE</b>
<i>Residential</i>	<i>As in the R Codes</i>		
<i>Town Centre</i>	<i>0m</i>	<i>At the Council's discretion</i>	
<i>Industrial</i>	<i>7.5m</i>	<i>7.5m</i>	<i>5m on one side</i>
<i>Rural Residential</i>	<i>15.0m</i>	<i>10.0m</i>	<i>10.0m</i>
<i>Farming</i>	<i>15.0m</i>	<i>10.0m</i>	<i>10.0m</i>

Plans of the proposed development do not show setbacks, so it is proposed to include conditions requiring compliance.

The subject site is not located within a Bushfire Prone Area and consequently a Bushfire Attack Level (BAL) assessment is not required.



**Consultation:** Council has the ability to advertise any application under the Scheme. Advertising of the application is not considered relevant. No consultation has occurred.

**Statutory**

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

**Policy Implications:** Nil

**Strategic**

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

**Asset Management**

**Implications:** There are no asset management implications

**Financial**

**Implications:** Application fees of \$147.00 have been paid

**Workforce Plan**

**Implications:** There are no workforce plan implications

**Voting Requirements:** Simple Majority

**Council Decision:** *170709*

*Moved Cr Thompson, seconded Cr Paganoni*

*“That Council approve the application lodged by JR Wooding for the use and development of a shed at Lot 387 (No 50) Spencer Road, Broomehill subject to the following conditions:*

- 1. The term of this approval is limited and expires 24 months from the date of this planning consent.*
- 2. The side setback (northern boundary) must be a minimum of 10 metres as per Clause 5.5 Table 2 of Shire of Broomehill Town Planning Scheme No 1.”*

**CARRIED 5/0**

**Reason For Change to Recommendation:**



**10.08****PERMISSION TO COLLECT NATIVE SEEDS**


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<b>Program:</b>	<b>Protection of the Environment</b>
<b>Attachment:</b>	<b>Copy of Proposed Delegation – Approval of collection of native seed from Council Reserves and Road Reserves</b>
<b>File Ref:</b>	<b>ADM0235</b>
<b>Author:</b>	<b>LK Cristinelli                      Governance and Executive Assistant</b>
<b>Date:</b>	<b>10 July 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Greening Australia WA (GAWA) is seeking permission to collect native seed from within reserves vested in the Shire of Broomehill-Tambellup.

**Background:** Greening Australia has written to Council seeking permission to collect native seed from Reserves (including road reserves) vested in the Shire.

The letter of request indicates that all GAWA staff are trained in all aspects of seed collection and are licensed under the *Wildlife Conservation Act 1950*.

The letter states: “*Seed collection from within the reserves will be utilised in strategic re-vegetation projects throughout the region, and will directly benefit the community as a whole. Some seed may also be used for the purposes of research into best practice re-vegetation and development of tree cropping programs for the region.*”

GAWA are seeking a 12 month approval terminating at 31 July 2018.

**Comment:** Council has a local law – Shire of Broomehill-Tambellup Activities in Thoroughfares and Public Places and Trading Local Law 2008 which deals with the collection of seed from road reserves within the Shire. Clause 5.20 states the following:

**5.20 Permit for revegetation projects**

- (1) *A person shall not collect seed from native flora on a thoroughfare without first obtaining a permit.*
- (2) *The local government may approve an application for a permit under subclause (1) only where-*
  - (a) *the seed is required for a revegetation project in any part of the district; and*
  - (b) *the thoroughfare, or the relevant part of it, is not a special environmental area.*
- (3) *Unless the local government specifically provides to the contrary on a permit, if the local government approves an application for a permit for the purpose of subclause (1) it is to be taken to be approved subject to the following conditions –*
  - (a) *the collection of the seed is to be carried out so as not to endanger the long time survival of the native flora on the thoroughfare; and*
  - (b) *any licence or approval which may be required under any other written law is to be obtained by the applicant.*

The application seems to comply with the requirements of the local law for the collection of seed from road reserves. The letter of application indicates that the seed will be used throughout the region; however, the region may extend further than the Shire district. Council may wish to clarify where the seed can be used if it determines to grant approval.

In granting an approval Council may wish to consider the following conditions in addition to the two stated in the local law:

- the approval is only for a 12 month period terminating on 31 July 2018;
- all care to be taken to avoid the disturbance of fauna habitat;
- all care to be taken to avoid any disturbance that may lead to soil degradation;
- ensure appropriate hygiene measures are followed at all times to prevent the spread of plant disease and weeds; and
- does it require Council to be specific about a percentage of the seed collected that can be utilised for research?

Council has previously granted approval for the 2016-2017 year.

For Council consideration.

**Consultation:** Nil

**Statutory Environment:** Shire of Broomehill-Tambellup Activities in Thoroughfares and Public Places and Trading Local Law 2008 – clause 5.20

**Policy Implications:** Nil

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

**Asset Management Implications:** Nil

**Financial Implications:** This issue has no financial implications for Council

**Workforce Plan Implications:** Nil

**Voting Requirements:** Simple Majority

Absolute Majority for Motion to Delegate Authority to the Chief Executive Officer.

**Council Decision: 170710**

*Moved Cr Paganoni, seconded Cr White*

*“That Council grants approval to Greening Australia WA to collect native seed from Council managed reserves and road reserves within the Shire of Broomehill-Tambellup subject to the following conditions:*

- the collection of the seed is to be carried out so as not to endanger the long time survival of the native flora on the thoroughfare;*
- all persons collecting native seed are to hold a current licence under the Conservation Act 1950 and abide by the conditions of that licence;*
- all care to be taken to avoid the disturbance of fauna habitat;*
- all care to be taken to avoid any disturbance that may lead to soil degradation;*
- ensure appropriate hygiene measures are followed at all times to prevent the spread of plant disease and weeds;*
- the approval be granted for a twelve month period terminating on 31 July 2018; and*
- approval is granted to utilise some of the collected seed for research into best practice re-vegetation and development of tree cropping programs for the region.”*

**CARRIED 5/0**

**Council Decision: 170711**

*Moved Cr Paganoni, seconded Cr White*

*“That Council delegates to the Chief Executive Officer the authority to approve collection of native seed from Council reserves and road reserves within the Shire of Broomehill-Tambellup.”*

**CARRIED 5/0**

**By Absolute Majority**

**Reason For Change to  
Recommendation:**

Cr Paganoni declared a Proximity Interest in Item 11.01 as he has land adjoining contract work for the WANDRRA Tender and left the meeting at 5.03pm.

Kim Hobbs retired from the meeting at 5.03pm.

## **11.01 CONFIDENTIAL ITEM**

**170712**

***Moved Cr Thompson, seconded Cr Prout***

***“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 4/0***





**12.02 WORKS REPORT FOR JUNE 2017**

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<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Confidential:</b> <b>Copy of Plant Hire Rates</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>GC Brigg</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>14 July 2017</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Broomehill**

- Gardeners are working on trimming trees around town.
- Gardeners have completed replacing plants in various areas.
- CBH dams are about 1m from full.
- Town dam around .6 from full.
- Complex dam just over 1m from full.
- All good levels with little winter rain to date.
- Paul Plant erecting shade structure at Holland Park and at the stage of needing a crane to lift the curved steel beams on to the roof.
- Paul Plant installing pram ramps at various spots around town. This work has taken priority over the shade structure due to funding deadlines.
- Katanning Cherry Pickers have trimmed trees under power lines. This finishes Western Power's latest program.
- Some town streets need resealing within the next couple of years.
- Clover is still a problem on the oval. Will be sprayed for broadleaf next week.

**Tambellup**

- Gardeners are well on top of duties around town.
- Oval due for fertilizing and spraying for broadleaf.
- New wheelie bins and lock down posts are being installed at the oval. These will replace the old open top drums hanging on the post.
- Katanning Cherry Pickers have trimmed trees at the intersection of Tambellup West and Garrity Street. This was a Main Roads Department request.
- Footpath works will start at the intersection of Crowden Street and Norrish Street (post office corner). This work is in conjunction with funding for pram ramps.
- Carport for the Administration office is at the painters in Albany. There has been a hold up with the painting as Albany is getting continual rain. Most of the beams have to be sand blasted outside without getting wet before painting.
- Water harvest project in the depot is on hold to check if the funding is still valid. The new state government is yet to determine whether they will fund the projects that were identified by the previous state government.

## Roads

- Construction crew currently working on gravel sheeting on Beejenup Road. This is a carryover project from 2016/17. There is approximately 3 weeks work left on this project.
- Next project for the construction crew is the Pallinup South Road construct and seal. Gravel has been stockpiled for the job.
- Gnowangerup Road patches have been sealed. There are a few issues with some of the bitumen. Forward booking bitumen has an element of risk to weather changes. Cutter was ordered in the bitumen to suit the predicted weather. The weather was cooler than forecast. The aggregate has stripped off two of the patches. This isn't a big concern as a cold seal will be sprayed over the top until the weather warms up.
- Maintenance graders are working in the south west part of the shire. They have completed the south east section.
- Jetpatcher has been busy on the bitumen network. This work will be continuous for the next few months.
- Once the new stabilizer attachment and new skid steer arrives, it will have two months' work on the Gnowangerup-Tambellup Road getting 5km ready for resealing.
- The section up for reseal on the Gnowangerup-Tambellup Road has a project to install a new culvert before resealing takes place.
- Maintenance crew have been working in many areas. They have been helping the construction crew with traffic control, helping with footings for the Holland Park shade, vegetation management, odd jobs and cemetery duties.

## Plant

- Works Manager's vehicle has been updated.
- Grader maintenance vehicle, Hilux dual cab, has been updated.
- Leading hand Landcruiser dual cab is due, but running late. With no changes to the concessional registration and stamp duty, Toyota will continue to change over every 15,000km. Landcruisers @ \$1,000 per changeover. Hiluxes will increase slightly, as Toyota continue to offer Hiluxes to the public at discounted prices.
- The 1200mm stabilizer attachment is running on time and should arrive in August.
- Request for quote through WALGA equote preferred suppliers for the new compact track loader closes on the 28<sup>th</sup> of July.
- There have been some changes to larger Terex and ASV compact track loaders in recent times. Both companies make a unit which meets the hydraulic specifications needed to run the 1200mm stabilizer. ASV makes a 120hp forestry unit with auxiliary hydraulic cooling which is larger than the Caterpillar machine.
- The mechanic has been away for most of last month so there is nothing in the plant report. There is quite a bit of servicing to catch up across the fleet.
- Attached to this report is the resulting hourly rate for the shires core equipment for 2016/17. This gives staff a charge out rate to apply to machinery though the financial system. The hourly rate continues to be reasonably low across the board. The rates show that council made a good decision replacing the Iveco truck early.



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

Nil

**14. DATE OF NEXT MEETING**

17 August 2017

**15. CLOSURE**

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 5.20pm.