



# Ordinary Meeting of Council

## AGENDA

**21 April 2022**

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FOR PEOPLE WITH DISABILITY.



## SHIRE OF BROOMEHILL-TAMBELLUP

### NOTICE OF MEETING

**An Ordinary Meeting of Council of the Shire of Broomehill-Tambellup will be held in the Shire Chambers on 21 April 2022 commencing at 4.30pm.**

**Rob Stewart**  
**Acting Chief Executive Officer**

### DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Broomehill-Tambellup for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Broomehill-Tambellup disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Broomehill-Tambellup during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Broomehill-Tambellup. The Shire of Broomehill-Tambellup warns that anyone who has any application lodged with the Shire of Broomehill-Tambellup must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Broomehill-Tambellup in respect of the application.



# Shire of Broomehill–Tambellup

## DISCLOSURE OF INTEREST FORM

To: Chief Executive Officer  
 Shire of Broomehill-Tambellup  
 46-48 Norrish Street  
 TAMBELLUP WA 6320

I, **(1)** \_\_\_\_\_ wish to disclose an interest in the  
 Following item to be considered by Council at its meeting to be held on **(2)** \_\_\_\_\_  
 Agenda Item **(3)** \_\_\_\_\_

The **type** of Interest I wish to declare is **(4)**

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is **(5)** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The extent of my interest is **(6)** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I understand that the above information will be recorded in the minutes of the meeting and placed in the Disclosure of Financial and Impartiality of Interest Register.

Yours sincerely

\_\_\_\_\_  
**Signed**

\_\_\_\_\_  
**Date**

### NOTES:

1. Insert your name (print)
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title
4. Tick box to indicate type of interest
5. Describe the nature of your interest
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 & 5.69 of the Act)

**DISCLOSURE OF INTERESTS (NOTES FOR YOUR GUIDANCE)**

A Member, who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the Member, must disclose the nature of the interest:

- a) In a written notice given to the Chief Executive Officer before the Meeting or;
- b) At the Meeting, immediately before the matter is discussed.

**A member, who makes a disclosure in respect to an interest, must not:**

- a) Preside at the part of the Meeting, relating to the matter or;
- b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

**NOTES ON FINANCIAL INTEREST (NOTES FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. These notes will be included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
- 4. If in doubt declare.**
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences.

The only exceptions are:

- 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
- 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

**INTERESTS AFFECTING IMPARTIALITY DEFINITION:**

An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'. A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a) in a written notice given to the Chief Executive Officer before the Meeting; or
- b) at the Meeting, immediately before the matter is discussed

**IMPACT OF AN IMPARTIALITY DISCLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote. With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

**2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

**3. ATTENDANCE**

Cr ME White	President
Cr DT Barritt	Deputy President
Cr MC Paganoni	
Cr CJ Letter	
Cr CM Dewar	
Cr JL Wills	
R Stewart	Acting Chief Executive Officer
KP O’Neill	Manager of Finance and Administration
PA Hull	Strategic Support & Projects Officer
HA Richardson	Governance and Executive Assistant

**3.1 APOLOGIES**

**3.2 APPROVED LEAVE OF ABSENCE**

Cr SH Penny

**4. DISCLOSURE OF INTEREST**

**5. PUBLIC QUESTION TIME (15 minutes)**

**5.1 RESPONSE TO MR JARROD MATTHEWS QUESTION FROM MARCH 2022 MEETING**

CEO responded to Mr Jarrod Matthews on 5 April 2022 and a copy of the response is attached.

**6. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS**

**7. ITEMS BROUGHT FORWARD BY DECISION OF COUNCIL**

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

**8.1 ORDINARY MEETING OF COUNCIL HELD 17 MARCH 2022**

**Recommendation:**

**That the Minutes of the Ordinary Meeting of the Council held on 17 March 2022 be confirmed as a true and accurate record of the proceedings.**

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
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CARRIED /

**8.2 SPECIAL MEETING OF COUNCIL HELD ON 13 APRIL 2022**

**Recommendation:**

**That the Minutes of the Special Meeting of Council held on 13 April 2022 be confirmed as a true and accurate record of the proceedings.**

**COUNCIL DECISION**

MOTION

Moved Cr

Seconded Cr

CARRIED /

## 9. REPORTS OF OFFICERS

### 9.1 FINANCIAL STATEMENTS FOR MARCH 2022

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<b>Attachment:</b>	Monthly Financial Statement for March 2022
<b>File Ref:</b>	Nil
<b>Author:</b>	KP O'Neill - Manager Finance and Administration
<b>Date:</b>	10 April 2022
<b>Disclosure of Interest:</b>	Nil

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#### SUMMARY

To consider the monthly financial report for the periods ending 31 March 2022.

#### 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, the 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 2021/22 budget process, the 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.

The annual financial report and audit for year end 30 June 2021 is being finalised, and until this is complete additions/disposals to the asset register and allocation of depreciation cannot be processed. This results in material variances reporting in the Statement of Financial Activity.

#### 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**

Strategic Community Plan 2018-2028

Key Results Area (KRA) One - Our People

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

1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interests of our residents

**FINANCIAL IMPLICATIONS**

The report represents the financial position of the Council at the end of reporting period.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the Financial Statements for the period ending 31 March 2022 be received.**

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

## 9.2 CREDITOR ACCOUNTS PAID MARCH 2022

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<b>Attachment:</b>	List of Payments for March 2022
<b>File Ref:</b>	Nil
<b>Author:</b>	KP O'Neill – Manager Finance and Administration
<b>Date:</b>	10 April 2022
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

To consider the list of payments made from the Municipal and Trust Funds during February 2022.

### 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	2,223,829.30
Trust Fund	0.00
Credit Cards	2,172.75
<b>TOTAL</b>	<b>2,226,002.05</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

Strategic Community Plan 2018-2028

Key Results Area (KRA) One - Our People

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

- 1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interests of our residents

**FINANCIAL IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER RECOMMENDATION**

That the list of accounts paid during March 2022, consisting of –

- Municipal Fund cheque, Electronic Funds Transfer (EFT) and direct debit payments totalling \$2,223,829.30;
- Trust Fund cheque payments totalling \$Nil; and
- Credit Card payments totalling \$2,172.75

be endorsed.

**COUNCIL DECISION**

MOTION

Moved Cr

Seconded Cr

CARRIED /

### 9.3 2021/22 ANNUAL BUDGET REVIEW

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<b>Attachment:</b>	2021/22 Annual Budget Review document
<b>File Ref:</b>	ADM0163
<b>Author:</b>	KP O'Neill – Manager Finance and Administration
<b>Date:</b>	13 April 2022
<b>Disclosure of Interest:</b>	Nil

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#### SUMMARY

To consider and adopt the Budget Review as presented in the Statement of Financial Activity for the period 1 July 2021 to 31 March 2022.

#### BACKGROUND

The Local Government (Financial Management) Regulations 1996, Regulation 33A requires that local governments conduct a budget review between 1 January and 31 March in each financial year. A copy of the review and determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

The budget has been prepared to include all information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

The Council adopted a 10% or \$10,000 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

The purpose of a budget review is to ensure that income and expenditure for the current year is monitored against the adopted budget and where variances have occurred, or are likely to occur, amendments are made to the budget if necessary.

#### COMMENT

The 2021/22 Budget Review document incorporating year to date budget variations and forecasts to 30 June 2022 is presented for the Council to consider. The budget review has been performed on a line by line basis against the March 2022 monthly financial statements.

The Council has previously adopted several amendments relating to the Drought Communities program funding and allocation of this between the nominated projects; and an increased transfer from the Plant Reserve for changeover of two trucks.

A significant amendment has been made to the 1 July 2021 surplus carried forward, which relates to the unspent balance of Drought Communities Program (DCP) and Local Roads and Community Infrastructure Program (LRCIP) funds held at 30 June.

The application of an accounting standard relating to revenue recognition was misinterpreted, and the unspent portion of DCP and LRCIP funding was transferred to the balance sheet at 30 June. This was to be drawn down into operations as the funding was spent. The auditor advised that for DCP and LRCIP funds they don't need to be treated in this manner and the unspent balances are to be carried forward in the surplus.

This results in a significantly increased surplus carried forward, however expenditure on the nominated projects was already provided for in the budget. Allocations previously made to shows

the transfer of the funding from the balance sheet to the various programs has been reduced as the funds are now held as cash in the surplus.

Other amendments proposed within the budget are considered minor and reactive.

## **CONSULTATION**

Acting Chief Executive Officer  
Senior Staff

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996 - Regulation 33A -*

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year;*
- (2A) The review of an annual budget for a financial year must –*
  - (a) consider the local governments financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) consider the local governments financial position as at the date of the review; and*
  - (c) review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.*
- (3) A Council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\* Absolute majority required.*
- (4) Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.*

## **POLICY IMPLICATIONS**

There is no policy applicable to this item.

## **STRATEGIC IMPLICATIONS**

The budget is developed having regard for the aspirations contained in the Council's *Community Strategic Plan* and *Corporate Business Plan*.

## **FINANCIAL IMPLICATIONS**

This document reviews the Council's financial operations for the financial year to date, and provides the opportunity to reallocate funding within the budget if required.

## **VOTING REQUIREMENTS**

Absolute Majority required in accordance with Regulation 33A.

**OFFICER RECOMMENDATION**

***That the Council adopt the 2021/22 Annual Budget Review for the period ended 31 March 2022, and amend the annual budget in accordance with the 2021/22 budget review document as presented.***

**COUNCIL DECISION**

MOTION

Moved Cr

Seconded Cr

CARRIED /

## 9.4 CRC SERVICE AGREEMENT

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<b>Attachment:</b>	CRC Service Agreement
<b>File Ref:</b>	CLAF071
<b>Author:</b>	RJ Stewart, Acting CEO
<b>Date:</b>	31 March 2022
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

To consider a Service Agreement between the Tambellup Community Resource Centre (Inc.) [CRC] and the Shire of Broomehill-Tambellup (the Shire) for the provision of Library services in Tambellup.

### BACKGROUND

The previous arrangement between the Shire and the CRC for the provision of library services by the CRC on behalf of the Council expired in July 2021. It has not been renewed.

A new Service Agreement has now been prepared incorporating better definitions as to what is required of the CRC regarding the Council's needs relating to library services.

### COMMENT

A freshly prepared service agreement is attached.

### CONSULTATION

The Acting Chief Executive Officer and the CRC Coordinator have discussed the terms of the agreement.

The agreement was considered by the Board of the CRC at a meeting held on 12 April 2022 and approved for execution.

### STATUTORY ENVIRONMENT

*Local Government Act 1995*

Local governments are established pursuant to Section 2.5 of the Act and have the legal capacity of a natural person and can therefore enter into arrangements for the provision of services.

### POLICY IMPLICATIONS

This agreement effectively recognises the purchase of a service by the Council. Therefore the Council's Purchasing Policy applies.

### STRATEGIC IMPLICATIONS

The Council's Strategic Community Plan (2018-2028) provides at KRA One – Our People the following objective:

'Support agencies to enhance locally delivered services for all members of our community'.

By entering into this service agreement with the CRC, the Council is fulfilling this objective as the CRC provides many services to the community including: Adult Education, Youth Activities, Seniors Activities, photocopying, desktop publishing, internet, tele-conferencing and library services and provides State Government information.

### ASSET IMPLICATIONS

There are no asset implications regarding the content of this report and the incorporated recommendation.

**FINANCIAL IMPLICATIONS**

The agreement provides for an initial amount of \$50,000.00 per annum with annual increments of \$500.00 to be paid to the CRC for the provision of library services. At present an amount \$43 951.00 is paid per annum however the lease (considered elsewhere in this agenda) provides for outgoings to be paid by the CRC.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That authority be granted to the Shire President and the Acting Chief Executive Officer to affix the Common Seal of the Council to the Service Agreement (attached) between the Shire of Broomehill-Tambellup and the Tambellup Community Resource Centre (Inc.) for the provision of library services for a period of five years from the date of execution of the agreement.**

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/



## 9.5 BUSH FIRE RISK MANAGEMENT PLAN

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<b>Attachment:</b>	Variation to Grant Agreement with DFES Bush Fire Risk Management Planning Program
<b>File Ref:</b>	CLAF191
<b>Author:</b>	Rob Stewart
<b>Date:</b>	30 March 2022
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

To recommend that the CEO be authorised to sign a variation to a Grant Agreement with the Department of Fire and Emergency Services regarding the Bush Fire Risk Management Planning Program such that a Bush Fire Risk Management Coordinator can be engaged with grant funds to assist with the development of a Bush Fire Risk Management Plan.

### BACKGROUND

The Bushfire Risk Management (BRM) program commenced in 2015 and focuses on the identification and mitigation of bush fire risks within local government areas. Through the development and implementation of BRM Plans stakeholders work together to effectively manage bush fire risk to protect local communities and their assets.

The program has expanded considerably over recent years and currently has 91 LGs involved, with 61 of those achieving an endorsed plan. The introduction of Bush Fire Risk Planning Coordinators (BRPCs) has undoubtedly contributed to the success of the program, as many LGs across the State have acknowledged they do not have the capacity or capability to develop a BRM Plan using their own resources.

### COMMENT

BRM Plans are developed in line with the *Guidelines for Preparing a Bushfire Risk Management Plan 2020* and are essentially made up of two main components – a contextual document and BRM data that is entered into the State’s Bushfire Risk Management System (BRMS).

The written part of the plan establishes the context for managing bushfire risk in a LG and also defines the risk assessment criteria, process and the level of acceptable bushfire risk. The BRM data identifies assets of value that are at risk from bushfire and captures risk ratings assigned to these assets, so that appropriate treatment strategies can be prioritised and implemented.

BRPCs are integral to the development of BRM Plans in LGs that do not have internal resources to undertake the work themselves. The number of LGs serviced by a single BRPC will vary depending on the locality of each LG and their known bushfire risk profile, however their primary role is to develop and obtain endorsement of each BRM Plan. This outcome is supported by the completion of the following activities:

- Consultation with stakeholders and landowners regarding their bushfire risk.
- Identification and mapping of community assets at risk from bushfire.
- Desktop risk assessment, and in-field validation, of assets at risk to determine their risk rating.
- Development of treatment strategies and prioritisation of mitigation works.

It is proposed that the BRPC developing the Shire of Broomehill-Tambellup’s plan, will also work within the Shires of Kojonup and Katanning. The hosting arrangements will be managed by the Shire of Kojonup, and DFES will liaise directly with them to manage the grant allocation, BRPC deliverables and acquittal process.

To formalise the BRPC arrangements all three LGs and DFES will be expected to approve the Bushfire Risk Planning Program Grant Agreement. The Agreement details the conditions of the grant and confirms the terms under which the BRPC will be employed. These include:

- Agreement term (date Agreement signed until 30 June 2023).
- Grant amount (2021-22 prorated / \$149,785 for 2022-23).
- Budget breakdown.
- Purpose of the grant.
- Resource allocation across three Shires.

The resource allocation in the Grant Agreement is summarised below, however it is expected this will need to be updated to reflect the delay to the appointment of the BRPC.

Year of Support	Grantee (Host LG)	Organisation (Local Government)	Support Days Per Fortnight
2021/22	Shire of Kojonup	Shire of Kojonup	4
		Shire of Katanning	4
		Shire of Broomehill-Tambellup	2
2022/23	Shire of Kojonup	Shire of Kojonup	2
		Shire of Katanning	4
		Shire of Broomehill-Tambellup	4

The Mitigation Activity Fund Grants Program (MAFGP) was established in 2017 to proactively treat extreme, very high and high bushfire risks on Crown land vested in LGs. The MAFGP has proven to be extremely valuable in supporting the delivery of on-ground mitigation works, having allocated \$34M to 53 LGs to undertake over 4500 treatments.

To apply for MAFGP funding a LG needs to have had their BRM Plan endorsed by DFES Office of Bushfire Risk Management. Once this process has been completed a LG can apply for funding through the two rounds that take place during the year. There is no limit on the amount of funding that any one applicant can request, however the application process is becoming more competitive as more LGs become eligible.

**CONSULTATION**

Chief Executive Officers of the Shires of Broomehill-Tambellup, Kojonup and Katanning.

**STATUTORY ENVIRONMENT**

*Bush Fires Act 1954*

**POLICY IMPLICATIONS**

There are no policy implication and no adopted policy refers.

**STRATEGIC IMPLICATIONS**

The Council’s Community Strategic Plan 2018 – 2028 provides under Key Result Area one (Our People) the following Objective:

‘1.1.3 Promote and support activities that enhance the community’s sense of safety and wellbeing.’

**ASSET IMPLICATIONS**

There are no asset implications for the Council.

**FINANCIAL IMPLICATIONS**

BRPCs are fully funded by the State Government, but employed by a designated hosting LG.

**RISK IMPLICATIONS**

The number of wildfires appears to be increasing in the Great Southern. Wildfire risk depends on a number of factors, including temperature, soil moisture, and the presence of trees, shrubs, and other potential fuel. All these factors have strong direct or indirect ties to climate variability and climate change. Climate change enhances the drying of organic matter in forests (the material that burns and spreads wildfire).

Any opportunity to address the prevalence of wildfires will reduce the risk of damage to property and impact on humans, fauna as well as protecting native flora and crops.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the CEO be authorised to sign the attached variation to the Grant Agreement with the Department of Fire and Emergency Services regarding the Bush Fire Risk Management Planning Program.**

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

## 9.6 APPOINTMENT OF BUSH FIRE CONTROL OFFICERS AND FIRE WEATHER OFFICERS

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<b>Attachment:</b>	Policy No. 6.2 'Appointment of Bush Fire Control Officers'
<b>File Ref:</b>	ADM0119
<b>Author:</b>	L Paskevicius, Finance/Administration Officer
<b>Date:</b>	05 April 2022
<b>Disclosure of Interest:</b>	NIL

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### SUMMARY

To endorse the appointment of Bush Fire Control Officers and Fire Weather Officers for the 2022/2023 bushfire season.

### BACKGROUND

Bush Fire Control Officers and Fire Weather Officers for the Shire of Broomehill-Tambellup are appointed by the Bush Fire Advisory Committee on an annual basis, in accordance with Section 38 of the *Bush Fires Act 1954*. Bush Fire Control Officers are nominated by the respective Brigade annually.

The Council's endorsement of these appointments is required.

### COMMENT

Brigades are required to nominate one member each to take the role of Brigade Fire Control Officer for a one year term.

Nominations are presented to the Bush Fire Advisory Committee for endorsement and recommendation to the Council.

At the Bush Fire Advisory Committee meeting held on 29 March 2022, the following nominations were endorsed:

#### **Bush Fire Control Officers:**

Broomehill East Brigade – Craig Dewar  
Broomehill West Brigade – Brant Dennis  
Broomehill Central Brigade – Andrew Webster  
Tambellup East Brigade – Alistair Clark  
Tambellup West Brigade – Nicholas Lockyer  
Tambellup Volunteer Fire & Emergency Service – Laurie Hull

#### **Fire Weather Officers:**

Fire Control Officers as appointed above are also to be appointed as Fire Weather Officers.

All incoming Bush Fire Control Officers are aware of the requirements of *Policy No. 6.2 - Appointment of Bush Fire Control Officers*, which states in part:

1. *To be eligible for appointment as a Bush Fire Control Officer a person must have completed the Bush Fire Control Officer Training Program not more than five years prior to appointment and must be fully vaccinated pursuant to the Booster Vaccination (Restrictions on Access) Directions, as amended from time to time.*

2. *Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Officer if they complete the Bush Fire Control Officer Training Program within six months of appointment.*

**CONSULTATION**

Community Emergency Services Manager  
 Brigade Officers

**STATUTORY ENVIRONMENT**

*Bus Fires Act 1954, Section 38*  
*Shire of Broomehill-Tambellup Bush Fire Brigades Local Law 2020*

**POLICY IMPLICATIONS**

*Policy 6.2 - Appointment of Bush Fire Control Officers*

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018-2028: Key Result Area One - Our People  
 1.1.3 Promote and support activities that enhance the community’s sense of safety and wellbeing.

**ASSET IMPLICATIONS**

There are no asset implications for the Council.

**FINANCIAL IMPLICATIONS**

This issue has no financial implications for the Council.

**VOTING REQUIREMENTS**

Simple Majority

**COMMITTEE RECOMMENDATION**

**That the following appointments to the position of Brigade Bush Fire Control Officers and Fire Weather Officers for the 2022/2023 fire season are endorsed:**

- Broomehill East Brigade – Craig Dewar**
- Broomehill West Brigade – Brant Dennis**
- Broomehill Central Brigade – Andrew Webster**
- Tambellup East Brigade – Alistair Clark**
- Tambellup West Brigade – Nicholas Lockyer**
- Tambellup Volunteer Fire & Emergency Service – Laurie Hull**

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

## 9.7 APPOINTMENT OF CHIEF BUSH FIRE CONTROL OFFICER AND DEPUTY CHIEF BUSH FIRE CONTROL OFFICERS

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<b>Attachment:</b>	Nil.
<b>File Ref:</b>	ADM0119
<b>Author:</b>	L Paskevicius, Finance/Administration Officer
<b>Date:</b>	05 April 2022
<b>Disclosure of Interest:</b>	Nil.

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### SUMMARY

To endorse the appointment of the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officers for 2022/2023 and 2023/2024.

### BACKGROUND

The Chief and Deputy Chief Bush Fire Control Officers are appointed by the Bushfire Advisory Committee (BFAC) as per section 38 of the *Bush Fires Act 1954*. Appointments are for a two year term on a rotation basis between Broomehill and Tambellup brigade officers.

### COMMENT

At the BFAC meeting held on 29 March 2022, the following appointments were endorsed:

- Chief Bush Fire Control Officer – Kim Oliver
- Deputy Chief Bush Fire Control Officer – Michael Altus
- Deputy Chief Bush Fire Control Officer – Rhys Brown

The Council's endorsement of these appointments is required.

The BFAC inadvertently omitted to appoint the Chief and Deputy Chief Bush Fire Control Officers as Fire Weather Officers, as has been the practice in previous years. The office recommendation to the Council seeks the endorsement of these appointments.

### CONSULTATION

Bush Fire Advisory Committee  
Community Emergency Services Manager

### STATUTORY ENVIRONMENT

*Bush Fires Act 1954*  
*Shire of Broomehill-Tambellup Bush Fire Brigades Local Law 2020*

### POLICY IMPLICATIONS

*Policy 6.2 - Appointment of Bush Fire Control Officers*

### STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028: Key Result Area One - Our People  
1.1.3 Promote and support activities that enhance the community's sense of safety and wellbeing.

### ASSET IMPLICATIONS

There are no asset implications for the Council.

**FINANCIAL IMPLICATIONS**

This issue has no financial implications for the Council.

**VOTING REQUIREMENTS**

Simple Majority

**COMMITTEE RECOMMENDATION**

**That the following appointments for the 2022/2023 and 2023/2024 fire seasons:**

- Chief Bush Fire Control Officer – Kim Oliver**
- Deputy Chief Bush Fire Control Officer – Michael Altus**
- Deputy Chief Bush Fire Control Officer – Rhys Brown**

**be endorsed.**

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

**COMMITTEE RECOMMENDATION**

**That the following appointments for the 2022/2023 and 2023/2024 fire seasons:**

- |                               |   |
|-------------------------------|---|
| <b>Fire Weather Officers:</b> | <b>Chief Bush Fire Control Officer – Kim Oliver</b>           |
|                               | <b>Deputy Chief Bush Fire Control Officer – Michael Altus</b> |
|                               | <b>Deputy Chief Bush Fire Control Officer – Rhys Brown</b>    |

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

## 9.8 APPOINTMENT OF FIRE CONTROL OFFICERS

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<b>Attachment:</b>	Nil
<b>File Ref:</b>	ADM0461
<b>Author:</b>	L Paskevicius, Finance/Administration Officer
<b>Date:</b>	05 April 2022
<b>Disclosure of Interest:</b>	NIL

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### SUMMARY

To appoint Community Emergency Services Manager, Cindy Pearce and the Shire Ranger, Stephanie Swain as Bush Fire Control Officers for the 2022/2023 fire season.

### BACKGROUND

Bush Fire Control Officers are appointed on an annual basis. Section 38 of the *Bush Fire Act 1954* gives local authorities the authority to appoint such persons as it deems necessary.

The Council's endorsement of these appointments is required.

### COMMENT

The Department of Fire and Emergency Services has requested that the Community Emergency Services Manager be appointed as a Fire Control Officer. This assists brigades with on ground operations, administration and compliance.

The appointment of the Shire Ranger as a Bush Fire Control Officer will assist the current Bush Fire Control Officers, Community Emergency Services Manager and other shire staff in undertaking seasonal tasks such as the property inspections and issuing of infringements as per the *Bush Fires Act 1954*.

The Community Emergency Services Manager and Shire Ranger's appointment will be reviewed on an annual basis in with the other brigade Bush Fire Control Officer Appointments.

Given the Shire Ranger's recent commencement with the Shire, training requirements under Policy 6.2 'Appointment of Bush Fire Control Officers' will be addressed.

### CONSULTATION

Acting Chief Executive Officer

### STATUTORY ENVIRONMENT

*Bush Fires Act 1954*

### POLICY IMPLICATIONS

The Council's Policy 6.2 – 'Appointment of Bush Fire Control Officers' which states:

- '1. To be eligible for appointment as a Bush Fire Control Officer a person must have completed the Bush Fire Control Officer Training Program not more than five years prior to appointment.'*
- '2. Notwithstanding Item 1 above, a person will be eligible for appointment as a Bush Fire Control Officer if they complete the Bush Fire Control Officer Training Program within six months of appointment.'*

### STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028: Key Result Area One - Our People

1.1.3 Promote and support activities that enhance the community's sense of safety and wellbeing.



**ASSET IMPLICATIONS**

There are no asset implications for the Council.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this matter.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the appointments of:**

- **Community Emergency Services Manager Cindy Pearce and**
- **Shire Ranger Stephanie Swain**

**as Bush Fire Control Officers for the 2022-2023 fire season be endorsed.**

**COUNCIL DECISION**

MOTION

Moved Cr

Seconded Cr

CARRIED /

## 9.9 FORMATION OF CONTIGUOUS LOCAL AUTHORITY GROUP

---

<b>Attachment:</b>	Mosquito Management Plan
<b>File Ref:</b>	ADM0516
<b>Author:</b>	RJ Stewart, Acting CEO
<b>Date:</b>	6 April 2022
<b>Disclosure of Interest:</b>	NIL

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### SUMMARY

To recommend the formation of a Contiguous Local Authority Group (CLAG) with the Shires of Gnowangerup and Katanning so that government assistance may be sought for the control of mosquitoes in the contiguous Shires of Broomehill-Tambellup, Gnowangerup and Katanning.

For government assistance to be made available, each Council is required to have a Mosquito Management Plan in place.

### BACKGROUND

By email copied to the Shires of Broomehill-Tambellup and Katanning in August 2021, the Shire of Gnowangerup advised that it had written to the Mosquito Control Advisory Committee seeking further information regarding the formation of a CLAG. The intention of the formation of the CLAG was to formalise an already close working relationship between the three Shires relating to mosquito control

### COMMENT

To form a CLAG certain criteria must be met. These are:

- A demonstrated public health risk and/or a significant nuisance issue associated with mosquitoes in the region.
- Developing a MOU between the Shires and the Department of Health.
- Submission of an approved mosquito management plan for each Shire.
- Submission of a CLAG annual report.
- Commitment by each Shire to contribute 50% of the funding towards mosquito management requests submitted to the CLAG.
- A commitment to establish and contribute annually to a Trust Fund.

There are currently 19 CLAGs in operation throughout the state.

### CONSULTATION

Chief Executive Officers of Gnowangerup and Katanning and the Department of Health.

### STATUTORY ENVIRONMENT

*Public Health Act 2016*

### POLICY IMPLICATIONS

The Council's Policy Manual is silent in regard to this matter.

### STRATEGIC IMPLICATIONS

The Council's Community Strategic Plan notes at Key Result Area One – Our People the objective:

Promote and support activities that enhance the community’s sense of safety and wellbeing.

**ASSET IMPLICATIONS**

There are no asset implications for the Council.

**FINANCIAL IMPLICATIONS**

In the 2020/2021 financial year, the Council spent \$10,621.00 on mosquito control. With the formation of a CLAG this expenditure could form 50% of total expenditure with a similar amount being made available through membership of the CLAG.

**RISK IMPLICATIONS**

The health impacts on humans from mosquito borne diseases are well researched. The main viruses transmitted by mosquitoes in WA are:

- Ross River virus (RRV) - this is the most common virus transmitted by mosquitoes in WA. Symptoms of RRV disease include joint pain and swelling, sore muscles, rash, fever and fatigue. Symptoms may persist for several weeks to months.
- Barmah Forest virus (BFV) – BFV disease has similar symptoms to RRV disease but is not as common.
- Murray Valley encephalitis (MVE) virus – MVE is a rare but potentially fatal disease that occurs mainly in the northern two thirds of WA. Symptoms include fever, drowsiness, confusion, headaches and stiff neck, nausea and vomiting, muscle tremors and dizziness. In severe cases brain damage, paralysis or death may result.
- West Nile virus (Kunjin subtype) (WNVKUN) – This has previously been known as Kunjin virus or KUN. While the symptoms of this rare but serious disease can be similar to MVE, illness is generally milder and not life threatening.

There are no specific cures or registered vaccines for any of these diseases, so managing mosquitoes and human/mosquito interaction via an integrated mosquito management program is the only way to reduce the risk of mosquito-borne disease transmission.

In 2021 there was one reported case of Ross River Virus in Broomehill-Tambellup. Without an integrated regional plan the risk is high that disease from mosquitoes will become more widespread.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That:

1. The intention of the Shire of Broomehill-Tambellup to join with the Shires of Gnowangerup and Katanning to form a Contiguous Local Authority Group be endorsed; and
2. The attached Mosquito Management Plan be adopted.

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

## 9.10 REVIEW OF POLICY 2.12 CONFERENCES, SEMINARS AND TRAINING COURSES – GENERAL STAFF ATTENDANCE

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<b>Attachment:</b>	Draft Policy 2.12 Conferences, Seminars and Training Courses – General Staff Attendance
<b>File Ref:</b>	ADM0165
<b>Author:</b>	PA Hull, Strategic Support & Projects Officer
<b>Date:</b>	11 April 2022
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

To review Policy 2.12 Conferences, Seminars and Training Courses – General Staff Attendance.

### BACKGROUND

The Council's Administration has adopted a process whereby the Council's policies will be brought before the Council on a monthly rolling basis such that over a two year time frame, all policies will be reviewed. The process will then begin again.

Policies are one method adopted by local government to advise the CEO, administration and members of the public how a local government will interpret legislative and other requirements.

The monthly review of policies precludes the need to examine a large proportion of policies at one sitting. A matrix has been prepared internally setting out the future review dates.

### COMMENT

Policy 2.12 'Conferences, Seminars and Training Courses – General Staff Attendance' was last reviewed by the Council in February 2021. The purpose of the policy is ensure an appropriate budget for staff training is considered each year, and to provide a process for the approval of employees to attend relevant training and events required for ongoing professional development.

Staff have reviewed the policy, and aside from minor grammatical amendments, consider the policy is appropriate in its current format.

It is recommended that the Council endorse the reviewed policy as presented.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Section 2.7 (2) (b) of the *Local Government Act 1995* states that the Council is to '*determine the local government's policies*'.

### POLICY IMPLICATIONS

Scheduled review of Policy 2.12 Conferences, Seminars and Training Courses – General Staff Attendance

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018-2028:

Key Result Area One - Our People

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

1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interests of our residents.

**ORGANISATIONAL RISK**

The regular review of policies ensures that policies are always current and that the pertinent legislation impacting policies is reviewed regularly, thus reducing organisational risk.

**FINANCIAL IMPLICATIONS**

This matter has no financial implications for the Council.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION**

That Policy 2.12 Conferences, Seminars and Training Courses – General Staff Attendance, as follows:

**'2.12 CONFERENCES, SEMINARS AND TRAINING COURSES – GENERAL STAFF ATTENDANCE**

<b>Objective:</b>	<i>To provide guidelines surrounding employees attendance at conferences, seminars and training courses.</i>		
<b>Date of adoption:</b>	<i>18 April 2019</i>	<b>Minute No.</b>	<i>190409</i>
<b>Date of amendment:</b>	<i>11 February 2021</i>	<b>Minute No.</b>	<i>210208</i>
<b>Date of last review:</b>	<i>21 April 2022</i>		
<b>Legislative References:</b>			
<b>Internal References:</b>	<i>Employee Code of Conduct</i>		

**OBJECTIVE**

*The Chief Executive Officer has authority to approve staff attendance at conferences, seminars and training courses based on advice from the relevant Manager.*

*All approvals and funding of expenses shall be as per the following guidelines –*

- (a) To achieve uniform practice throughout the organisation;*
- (b) To reduce matters placed on agendas for the Council's consideration;*
- (c) To maximise training opportunities and therefore productivity and efficiency of staff;*
- (d) Minimising delay in accepting training opportunities.*

*Standards associated with the attendance of staff at conferences/seminars/courses –*

- (a) Accommodation in the hotel or venue at which the conference/seminar/course is held, or other nearby venue;*
- (b) Economy class airfare if necessary;*
- (c) Reasonable meal costs and out of pocket expenses.*

**BACKGROUND**

**Attendance at conferences, seminars and training courses is considered to be a component of the ongoing education and training of staff, which results in a more efficient service to the Council and the community. Such forums provide a means by which information and knowledge can be obtained from other organisations and bodies.**

**In some cases there is a mutual benefit to both the employer and employee in attending conferences and training courses and as such the conditions of attendance may be negotiated between the employee and the CEO.**

**Attendance at Conferences, Seminars and Training Courses**

**During the budget preparation process, the Chief Executive Officer shall determine an allocation of funds sought for conferences, seminars and training courses in the ensuing year.**

**Consideration will be given to –**

- (a) The cost of each known conference, seminar and training course plus a contingency allowance for unforeseen events;**
- (b) The duration of the event and expected period of absence;**
- (c) The benefit expected to be derived from attendance at such an event.**

**Approval to attend is only to be granted if the relevant budget provides sufficient funds and the conference, seminar or training course is of particular relevance to the Council's operations.**

**When special funding is required, which is not included in the adopted budget for the financial year, the application must be submitted to the Council with a report prepared by the Chief Executive Officer on the application.**

**In respect of employees attending approved conferences, seminars and training courses at the Council's discretion, the following expenses will be met by the Council –**

- (a) Registration fees;**
- (b) Accommodation and reasonable meal costs, excluding alcohol;**
- (c) Minor expenses such as taxi's, parking, telephone calls and laundry etc.;**
- (d) Travelling expenses.**

**Accommodation**

- (a) Should an employee require accommodation, then this will be available at a specified venue at the Council's expense. Extras such as mini-bars, in house movies and telephone calls will be the employee's responsibility except if calls are work related. A register of these calls must be kept to claim reimbursement.**
- (b) If an employee chooses to stay with relatives or friends, there shall be no payment for accommodation.**
- (c) Officers may request upgraded accommodation to cater for personal taste or other family members. The Council will only be responsible for reimbursement of the cost of standard accommodation. Additional charges will be the Officer's responsibility.**

**Meals**

- (a) Breakfast – maximum up to \$20 per day on production of receipts.**
- (b) Lunch is normally provided by the course, however if not provided, the Council will pay up to a maximum of \$20 per day on production of receipts.**
- (c) Evening meal – maximum up to \$40 per day, excluding alcohol, on production of receipts.**

**Travelling**

- (a) The Council will allow employees to travel to the course in work hours ie: if the course is to be held in Perth the employee can depart the Broomehill or Tambellup office at 2pm on the day prior to the course in order to arrive at the employee’s approximate normal finishing time. The same principal would apply for any other destinations.**
- (b) In acknowledging the dual benefit of attending a conference or training, in most cases it is expected that travelling home from a course will be in the employee’s own time and no overtime will be paid.**
- (c) The Council will provide a vehicle for travel, however the vehicle must be returned to the Tambellup Depot on the same day, unless prior arrangements are made with the Chief Executive Officer.**
- (d) If any employee wishes to use their own vehicle in preference to a Council vehicle, then fuel only for the vehicle for travel to and from the course will be reimbursed. No vehicle allowance or kilometre rate will be paid.**

**An informative written report on the attendance at each conference/seminar shall be prepared and submitted to the Chief Executive Officer or appropriate Manager if requested.’**

**be endorsed.**

**COUNCIL DECISION**

MOTION

Moved Cr

Seconded Cr

CARRIED /

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## 9.11 REVIEW OF POLICY 1.2 USE OF SHIRE FACILITIES

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<b>Attachment:</b>	Policy 1.2 Use of Shire Facilities
<b>File Ref:</b>	ADM0165
<b>Author:</b>	KP O'Neill – Manager Finance & Administration
<b>Date:</b>	11 April 2022
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

To consider a review of the Policy for Use of Shire Facilities.

### BACKGROUND

The Policy was first adopted in October 2008, and its last review in October 2020.

The purpose of the Use of Shire Facilities Policy is to 'ensure that Shire facilities are available for appropriate use by the community'. The Policy recognises that a number of community groups host events for the benefit of the wider community, often having limited funds available. Those community groups and events are listed within the policy.

### COMMENT

The Policy was amended in October 2020 to update the community groups and/or events that the Council is prepared to waive hire costs for.

Aside from a minor amendment to update references to the current Local Law, it is not proposed to amend the policy.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Section 2.7(2)(b) of the *Local Government Act 1995* states the role of the Council is to determine the local government's policies.

### POLICY IMPLICATIONS

Review of Policy 1.2 Use of Shire Facilities

### STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

KRA One – Our People

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

1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interest of our residents.



**FINANCIAL IMPLICATIONS**

There are no financial implications resulting from this item.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That reviewed Policy 1.2 Use of Shire Facilities, as follows:

**'1.2 USE OF SHIRE FACILITIES**

<b>Objective:</b>	To ensure that Shire facilities are available for appropriate use by the community.		
<b>Date of adoption:</b>	13 October 2008	<b>Minute No.</b>	091228
<b>Date of amendment:</b>	15 October 2020		
<b>Date of last review:</b>	11 April 2022		
<b>Legislative References:</b>			
<b>Internal References:</b>	Local Government Property Local Law 2020 Management Practice 7.2 – Tambellup Agricultural Show		

**Policy Statement**

The Council is committed to ensuring that its community facilities are used to the benefit and advantage of all sections of the community and keeps fees and charges at a level to permit ready access by user groups.

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

The Council recognises that a number of community groups and agencies provide substantial support to the community through their activities, and have limited funds to assist.

The following groups have their hire costs waived for the use of Shire facilities, until such time as the events are no longer held:

- Blue Light Discos – Hall
- Agricultural Society – Hall for the Tambellup Show
- Primary Schools and P & C Associations – Hall for end of year Presentation Night and Fundraising Activities.
- Senior Citizens Christmas Luncheon – Hall
- Broomehill religious organisations – Hire of tables and chairs for Christmas Eve church services.
- Broomehill Heritage Group – Hire of tables and chairs for Carols by Candle Light
- Seniors Soup Luncheon – Hall - Subject to the luncheons being advertised across the Shire
- Host Organisation for ANZAC Day Services Broomehill and Tambellup – Hall hire
- Daffodil Day event – Tambellup Hall hire costs

**Should any cleaning or repairs be required as a result of any of the above events, the organiser will be required to undertake or organise appropriate cleaning or repairs, or the Local Government will charge a fee for the cleaning or repairs.**

**This Policy applies for the purposes of Clause 3.5 of the Shire’s *Local Government Property Local Law 2020*.**

**be endorsed.**

**COUNCIL DECISION**

MOTION

Moved Cr

Seconded Cr

CARRIED /

## 9.12 SEA CONTAINER POLICY

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<b>Attachment:</b>	Draft Local Planning Policy No 1 – Sea Containers
<b>File Ref:</b>	ADM0165
<b>Author:</b>	Liz Bushby, Town Planning Innovations
<b>Date:</b>	8 April 2022
<b>Disclosure of Interest:</b>	Financial Interest as Town Planning Innovation [TPI] receive planning fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i>

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### SUMMARY

To consider a Draft Local Planning Policy to guide future sea container development within the Shire.

### BACKGROUND

#### ***Policy Basis***

The Shire has instructed Town Planning Innovation [TPI] to prepare a Draft Local Planning Policy on Sea Containers.

#### ***Reason for Policy***

In recent years, sea containers have readily become available on the second hand market and there is an increased use thereof for primarily storage purposes as it affords a cost effective and secure method of storing goods.

It is recognised that sea containers can provide affordable storage solutions in an economic environment where building and material costs have been escalating.

While sea containers can serve a functional role there have been concerns about aesthetics, impact on residential character and the amenity of the locality.

A Draft Local Planning Policy has been developed as guide for applicants and the Council when considering the placement of sea containers on land within the Shire.

#### ***Residential Design Codes***

The Residential Design Codes ('the Codes') operate as State Planning Policy 7.3 and apply to all development in a Residential zone.

The Codes have two separate options for the assessment of development including 'Deemed to Comply' criteria and 'Design Principles'.

Where a sea container is ancillary to and detached from an existing single house, and not proposed to be used for habitation, it falls under the 'outbuilding' definition contained in the Codes.

Under the Residential Design Codes there are specific ‘Deemed to Comply’ requirements for small and large outbuildings. The requirements for a large outbuilding are summarised below:

Clause 5.4.3 C3 B ‘deemed to comply’ criteria / Outbuildings that:
(i) individually or collectively does not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser
(ii) setback in accordance with Table 2a. <i>Note: Setbacks are based on the height and length of the wall. Most outbuildings are required to be setback 1 to 1.5 metres from any side boundaries.</i>
(iii) does not exceed a wall height of 2.4 metres
(iv) does not exceed a ridge height of 4.2 metres
(v) not located within the primary or secondary street setback area; and
(vi) do not reduce the open space and outdoor living area requirements in table 1.

Where a sea container / outbuilding complies with the ‘deemed to comply’ requirements of the Codes, it does not require development approval.

Where a proposal seeks a variation, a development application has to be lodged and it is assessed in accordance with an alternative ‘Design Principle’ (5.4.3 P3) of the Codes which is:

*‘Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties’.*

The Draft Local Planning Policy will only apply to sea containers in a Residential zone, where it entails a variation to the Codes.

**COMMENT**

***Description of Draft Local Planning Policy***

The Draft Local Planning Policy outlines the Policy Purpose, Basis, Aims, when planning approval is required, general requirements, and the different requirements for each zone – refer Attachment 1.

It is important to note that a Policy is a tool to guide and assist decision making. Other planning considerations can also be taken into account, and a Policy requirement can be varied having regard for the specific circumstances involved.

It is not a statutory document and cannot override other legislation such as the Shires Town Planning Schemes or the *Planning and Development (Local Planning Schemes) Regulations 2015*.

As the Policy is in a Draft form, the Council can modify any of the policy requirements.

***Summary of Policy Process***

The statutory process for preparing and adopting a Local Planning Policy is prescribed by the *Planning and Development (Local Planning Schemes) Regulations 2015*. The general process is summarised below:

1. The Council adopts a local planning policy for the purpose of commencing public advertising, with or without modifications.

2. Advertise the Policy for a minimum period of 21 days. Advertising can include:
  - (a) Publication of the Draft Policy on the Shire website (mandatory);
  - (b) Allow inspection of the Policy at the Shire Office (optional);
  - (c) A Notice in a local newspaper (optional);
  - (d) Giving notice to public authorities (mandatory).

The 21 day advertising period cannot include the Easter holidays.

3. Following the close of advertising, the Policy is to be reviewed having regard for public submissions. The Council can then proceed to:
  - (a) Adopt the Policy without modification;
  - (b) Adopt the Policy with modification;
  - (c) Not Adopt the Policy.
4. Publish any decision to adopt a Policy on the Shire website. The Policy should also be made available on the Shire website for public viewing.

### **Options Available to Council**

This Policy is an opportunity for the Council to decide how it seeks to control sea containers in some or all zones, and whether there are specific criteria or restrictions that the Council seeks to impose.

The Council can adopt the Draft Policy for the purpose of conducting public consultation, with or without modifications.

If substantial modifications are required, or the Council seeks to have more preliminary input into the Draft Policy, the item can be deferred to allow more Policy development with Councillor input.

It should be noted that following public advertising a second report on the Draft Policy will be referred to a future Council meeting. At that point the Council still has options as to whether to:

- (a) Adopt the Draft Policy for final approval (with or without modifications);or
- (b) Not to adopt the Policy for final approval.

### **CONSULTATION**

Once adopted by the Council (for the purpose of advertising) then public consultation will proceed. It should be noted that 21 days is the minimum formal advertising period. The Council can advertise the Draft Policy for a longer period to allow for informed community engagement.

### **STATUTORY ENVIRONMENT**

*Planning and Development (Local Planning Schemes) Regulations 2015 –*

Clause 3 and 4 under Part 2, Schedule 2 of the Deemed Provisions contained in the Regulations sets out the power for local governments to make a local planning policy and the procedure for making a local planning policy, including a requirement to advertise a Draft Policy for a period not less than 21 days.

The Deemed Provisions contained in the Regulations also outlines procedures for amending a Local Planning Policy, or revocation of any Local Planning Policy.

Clause 87 of the deemed provisions outline advertising requirements. As explained in this report the 21 day advertising period excludes the Easter Holiday period.

Clause 61 of the Regulations outlines development that is exempt from the need for any development approval. It includes an outbuilding on the same lot as a single house which complies with the ‘deemed to comply’ requirements of the Codes.

Whilst not legislative, it is noted that the Western Australian Planning Commission Fact Sheet on Outbuildings states that ‘Depending on the dimensions and placement of a shipping container, it may be capable of meeting the deemed-to-comply requirements of the R-Codes.’

**POLICY IMPLICATIONS**

Explained in the body of this report.

**STRATEGIC IMPLICATIONS**

The Policy will provide some strategic guidance for sea container developments.

**FINANCIAL IMPLICATIONS**

The Shire pays consultancy fees to Liz Bushby (Town Planning Innovations) for planning advice.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That:**

1. **Local Planning Policy No. 1 (Sea Containers) as attached be adopted for the purposes of public consultation pursuant to Schedule 2, Part 2, Division 2, Clause 4 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
2. **The Acting Chief Executive Officer be authorised to advertise the Draft Local Planning Policy to comply with Clause 87 of the Deemed Provisions under Part 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
3. **The matter be referred back to the Council after advertising, but not later than July 2022.**

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

### 9.13 CORPORATE BUSINESS PLAN 2018-2022 QUARTERLY PROGRESS REPORT

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<b>Attachment:</b>	Corporate Business Plan 2018-2022 Quarterly Progress Report January – March 2022
<b>File Ref:</b>	ADM0543
<b>Author:</b>	PA Hull - Strategic Support & Projects Officer
<b>Date:</b>	11 April 2022
<b>Disclosure of Interest:</b>	Nil

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#### SUMMARY

To receive the Corporate Business Plan 2018-2022 Quarterly Progress Report for the period January – March 2022.

#### BACKGROUND





The *Local Government (Administration) Regulations 1996* require that a Council shall prepare a Corporate Business Plan which reflects the aspirations of the Strategic Community Plan and translates these into Council priorities and operations within available resources.

The Corporate Business Plan is a medium term document which covers the first four years of the Strategic Community Plan 2018-2028. A major review of the Corporate Business Plan is completed at the end of the four year period in conjunction with the major review of the Strategic Community Plan. A yearly desktop review is also conducted to review the financial implications for the year ahead in context of the annual budget, Strategic Resource Plan and other informing documents.

The Council adopted the Corporate Business Plan 2018-2022 at the April 2019 Ordinary Meeting. A desktop review of the document was completed and endorsed at the July 2021 Ordinary Council meeting.

While not compulsory, the quarterly report (attached) provides the Council and the community with a ‘snapshot’ of progress towards achieving the objectives of the Strategic Community Plan, for the quarter January-March 2022.

A ‘traffic light’ status and comments are assigned to each action, based on the following:

<b>Action Status</b>	<b>Means</b>
	Action is <u>on track</u> . Includes actions that are considered ‘day to day’ including advocacy, identified support, ongoing liaison, routine and scheduled reporting and activities, and progress on specific projects.
	Action is <u>being monitored</u> . Includes actions that are awaiting further information or consideration by staff or Council, initiatives that are planned, and actions where there has been little or no progress or activity.
	Action is <u>on hold</u> . Generally includes actions that are planned for a future financial year (refer to ‘Delivery Timelines’ column), or if it has been determined through review that an action is no longer relevant.
	Action is <u>complete</u> . Will generally relate to discrete time- or funding-specific projects and initiatives.

Senior staff have provided input into the January – March 2022 quarterly report.

#### COMMENT

In general, the nature of the Shire’s Corporate Business plan is that many of the actions are incorporated into ‘day to day business’ and as such, are never really ‘completed’. The review of the Strategic Community Plan which is due in 2022 will provide the opportunity to review strategies and actions where there has been little or no progress.

Councillors will note from the attached report that a number of actions, specifically those which are funded through the Shire’s Drought Communities Program and Local Roads and Community Infrastructure Program streams are noted as ‘Being Monitored’.

This is due to the fact the delivery of projects (in particular the Drought Communities Program projects) has been impacted by significant delays stemming from insufficient budget allocation from the outset which required a budget amendment and reallocation of funding, project re-scoping and re-tendering, and eventual awarding of contracts. COVID-19 has also impacted the delivery of some projects, through delays to contractor availability and supply of goods and materials. These issues have impacted the Shire’s ability to deliver all projects within the respective time frames for each of the funding bodies, which consequently presents a risk to the Council in potentially losing funding.

Details of each of the projects funded through these two streams, and progress are provided below for the Council’s information:

**Drought Communities Program (DCP) projects:** Endorsed projects (as per budget amendment – September 2021) are as follows:

<b>Project</b>	<b>Budget</b>	<b>Status</b>
Adverse Events Plan / Audit	25,000	The final plan has been received and will be presented to the Council for endorsement.
Water Efficiency (standpipe controllers)	50,000	Awaiting installation of the second tank at the Tambellup Works Depot, prior to installation of the standpipe controller.
Broomehill Recreational Complex Accessibility Upgrade	182,000	Minor works required to complete.
Broomehill Townscape Enhancement	560,000	Waiting for final documentation including pavement design and traffic management plan for Main Roads approval. The Manager of Works is monitoring.
Broomehill Nature Play Park	100,000	Complete.
Holland Track Interpretive Centre	83,000	The consultants have provided content to the Broomehill Heritage Group for feedback. Work will commence on signage design. The Strategic Support and Projects Officer is monitoring.
Tambellup Townscape / Town Centre (funding reallocated)	0	
Tambellup Youth Centre (funding reallocated)	0	
	<b>\$1,000,000.00</b>	

Advice has been received from the funding body that the program has been extended to 31 March 2023. As such, a request to vary the end date of the Shire’s projects to that date has been submitted, with the intent to finalise all projects as soon as possible. A response has not yet been received.

**Local Roads and Community Infrastructure Program (LRCIP):** A total of \$1,645,000 in Federal funding has been allocated to the Shire over three grant rounds in 2020/2021 and 2021/2022. A range of road and community infrastructure projects has been nominated.



Phase 1 and 2 grant funding has been received, projects have been endorsed by the Council for inclusion in the 2021/2022 budget and most have commenced or are complete. These projects must be completed by 30 June 2022. Projects are as follows:

	<b>PHASE 1</b>	<b>Budget</b>	<b>Status</b>
LR3	Journal Street (Post office to Caravan Park) – widen seal, kerb and footpath	95,000	Complete
LR4	Town Streets - kerbing	21,000	Complete
LR5	Beejenup Road – resheeting slk 6.20 to 7.44	30,000	Commenced
LR6	Birt Road – resheeting 2-3kms	30,000	Complete
LR7	Paul Valley Road – resheeting 2-3kms	60,000	Complete
LR8	Yetermerup Road - resheeting 2-3kms	60,000	Complete
LR9	Stirling Access Road – resheeting 2-3kms	60,000	Complete
LR10	Flat Rocks Road – resheeting 2-3kms	85,000	Complete
		<b>441,000</b>	
	<b>PHASE 2</b>		
LR1	Nymbup Road – repair and extend culverts	20,000	Not commenced
LR2	Etna Road – repair and extend culverts	20,000	Complete
LR11	Broomehill Primary School Carpark - reconstruction	93,100	Complete
LR12	Broomehill Fire Shed – carpark seal and kerb	15,000	Complete
LR13	Emergency Management Incident Control Centre	25,000	Quotes being obtained
LR14	Greenhills South Road – widen, reconstruct and seal	150,000	Not commenced
		<b>323,100</b>	

Applications for Phase 3 funding of \$881,000 opened in January 2022. Projects have been included in the 2021-2022 budget following discussions with the Council, and the application will be submitted. Projects must be completed by 30 June 2023.

Officers are confident that, pending approval of the DCP variation request, all projects will be achieved within nominated timeframes. The notation in this report that these projects in particular are ‘Being Monitored’ is to ensure the Council is aware of the issues and the potential associated financial risk.

**CONSULTATION**

Acting CEO  
Senior staff

**STATUTORY ENVIRONMENT**

*Local Government (Administration) Regulations 1996:*  
r. 19DA. Corporate business plans, requirements for (Act s. 5.56)

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018-2028

Key Result Area 1: Our People

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

1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interests of our residents

**FINANCIAL IMPLICATIONS**

Provision for actions contained within the Corporate Business Plan is made in the current budget, or will be considered as part of future budget deliberations.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION**

*That the Corporate Business Plan 2018-2022 Quarterly Progress Report for the period January – March 2022 be received.*

**COUNCIL DECISION**

MOTION	Moved	Cr	Seconded	Cr
			CARRIED	/

**Motion to Proceed Behind Closed Doors:**

***That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:***

***(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting***

***(e) a matter that if disclosed, would reveal —***

***(ii) information that has a commercial value to a person;***

**COUNCIL DECISION**

MOTION

Moved Cr

Seconded Cr

CARRIED /



- 11. APPLICATIONS FOR LEAVE OF ABSENCE**
- 12. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 13. QUESTIONS FROM MEMBERS WITHOUT NOTICE**
- 14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 15. CLOSURE**