



Ordinary Meeting of Council

MINUTES

21 March 2019

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 21 March 2019 commencing at 4.37pm.

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:	Cr SJF Thompson	President
	Cr MC Paganoni	Deputy President
	Cr GM Sheridan	
	Cr ME White	
	Cr MC Nazzari	
	Cr CJ Letter	
	KB Williams	Chief Executive Officer (CEO)
	P Vlahov	Manager of Works
	KP O’Neill	Manager Finance and Administration
	PA Hull	Strategic Support & Projects Officer
	LK Cristinelli	Governance and Executive Assistant

Apologies: Cr KJ Holzknecht

Leave of Absence: Nil

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

- 2.1 The President welcomed Councillors and Staff and declared the meeting open at 4.37pm.
- 2.2 The President welcomed Ms Nicki Polding, attending for Item 11.08, and Mr Justin Taylor and Mr Nic Lockyer, attending for Item 13.1, to the meeting.
- 2.3 Mrs Lynthia Flowers, attending for Item 11.08, is an apology due to hospitalisation.

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

Item 11.03: Proposed Planning Application – Lot 2 Nardlah Road, Broomehill

Cr Thompson, Cr Paganoni, Cr Sheridan, Cr White, Cr Holzknrecht, Cr Nazzari and Cr Letter have declared in writing, a Financial Interest in Item 11.03.

Cr Thompson has a Proximity Interest as well as a Financial Interest, and will therefore vacate the chair for the decision.

An application has been made to the Minister for Local Government for approval for all seven members to participate in the discussion and decision of Item 11.03.

Approval was granted on 20 March 2019 for Crs Paganoni, Sheridan, White, Nazzari and Letter to participate in the discussion and decision making process for Item 11.03 subject to the following conditions:

- 1. The approval is only valid for the 21 March 2019 Ordinary Council Meeting when Agenda Item 11.03 is considered;*
- 2. Councillors Mark Paganoni, Garry Sheridan, Monica Nazzari, Michael White and Carl Letter must declare the nature and extent of their interests at the Ordinary Council Meeting of 21 March 2019 when the matter is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department's letter of approval to Councillors Mark Paganoni, Garry Sheridan, Michael White, Monica Nazzari and Carl Letter; and*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the Ordinary Council Meeting of 21 March 2019; and*
- 5. The CEO is to provide a copy of the confirmed minutes of the Ordinary Council Meeting of 21 March 2019 to the Department to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act would apply.*

Approval was not granted for Cr Scott Thompson and Cr Kelly Holzknrecht to participate.

Item 13.1: Urgent matter by decision of Council – Lease of Sandalwood Villas Unit

Cr Sheridan, Cr White, Cr Nazzari and Cr Letter have declared in writing, a Financial Interest in Item 13.1.

An application has been made to the Minister for Local Government for approval for all four members to participate in the discussion and decision of Item 13.1.

Approval was granted on 20 March 2019 for Crs Sheridan, White, Nazzari, and Letter to participate in the discussion and decision making process for Item 13.1 subject to the following conditions:

- 1. The approval is only valid for the 21 March 2019 Ordinary Council Meeting when Agenda Item 13.1 is considered;*
- 2. The abovementioned Councillors must declare the nature and extent of their interests at the abovementioned Meeting when the matter is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillors; and*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned Meeting when the Item is considered; and*
- 5. The CEO is to provide a copy of the confirmed minutes of the Ordinary Council Meeting of 21 March 2019 to the Department of Local Government, Sport and Cultural Industries to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act would apply.*

Cr White declared a Financial Interest in Item 11.04

Cr Letter declared a Proximity Interest in Item 11.09

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Mr Justin Taylor and Mr Nic Lockyer addressed Council regarding Item 13.1 – Lease of Sandalwood Villas.

Council Decision: 190301

Moved Cr White, seconded Cr Letter

“That Item 13.1 on the Agenda be brought forward for consideration while Mr Taylor and Mr Lockyer are present.”

CARRIED 6/0

Pam Hull left the meeting at 4.49pm.

Pam Hull returned to the meeting at 4.50pm.

13.1 URGENT MATTER BY DECISION OF COUNCIL - LEASE OF SANDALWOOD VILLAS UNIT

Program: Economic Development
Attachment: **UNDER SEPARATE COVER:**

- Letter from Tambellup Cooperative
- Letter from Tambellup Delicatessen Leaseholder

File Ref: ADM0417
Author: KB Williams Chief Executive Officer
Date: 15 March 2019
Disclosure of Interest: Crs Sheridan, White, Nazzari and Letter have declared a Financial Interest in this matter.

In order to maintain a quorum the declarations have been forwarded to the Minister for Local Government to seek 'approval to participate' for each of the Councillors.

Cr White declared an Impartiality Interest as the Chairperson of the Tambellup Cooperative Committee and left the meeting at 4.51pm.

Council Decision: **190302**

Moved Cr Paganoni, seconded Cr Letter

"That Council agrees to consider the item as urgent business due to the need to provide a response to the Applicant and the Tambellup Cooperative."

CARRIED 5/0

Summary: For Council to consider permitting a lease of a unit within Sandalwood Villas to the leaseholder of the Tambellup Delicatessen for a six month period.

Background: The Tambellup Cooperative (the Cooperative) has been incorporated and established with a remit to promote and enable the growth and development of the Tambellup town and community.

The Cooperative has identified an opportunity to acquire the Tambellup Delicatessen which is currently for sale.

This proposal has developed quickly with funds raised and an offer made and accepted. Settlement is scheduled for 20 March 2019.

The Cooperative is currently negotiating a lease with a prospective leaseholder, with negotiations progressing to the point of agreed terms, subject to settlement of the purchase by the Cooperative.

The Cooperative has recently raised an issue with Council regarding the availability of rental housing for the proposed leaseholder, and Council

resolved that it did not have, at that time, sufficient information to make a decision.

The prospective leaseholder and the Cooperative have now written to Council seeking a six month lease of a unit within Sandalwood Villas.

The application was referred to the Independent Living Seniors Accommodation Committee, however, this committee was unable to make a decision on this matter as three of the committee member are also members of the Tambellup Cooperative, and declared a financial interest in this matter. The meeting therefore had no quorum and the item lapsed.

Comment:

There are currently no known houses for lease in Tambellup, though several houses are available for purchase. The Applicant and the Cooperative is continuing to seek housing in or within close proximity to the town site.

The leaseholder has a business in Kojonup and would have to commute from there if no housing can be sourced, and is not in a position to purchase a house in the short term.

Two of the units at Sandalwood Villas are currently vacant. An application has recently been received seeking a lease for one of the units, and this application will be considered by the ILSA committee once additional information is received.

In the short term there is sufficient capacity to enable the proposed lease as well as accommodate any potential candidates that may apply, however, should the recent application be successful, and Council approve the application from the Delicatessen leaseholder, there would be no units available.

One unit at Lavieville Lodge is currently unoccupied, and Council is aware that another unit may become unoccupied in the near future.

The terms of the Sandalwood Villas and Lavieville Lodge leases require the occupants to be 55 years of age or older.

The proposed occupants are aged 30 and 32, with a child aged 2.5 years. The occupants are the sister and brother in law of the leaseholder and their child. It is understood that they will be the managers of the delicatessen, with the leaseholder overseeing the business while continuing to run their business in Kojonup.

The applicants do not meet the age criteria.

The Cooperative is contending that the leaseholder living locally will benefit the community and economy, as well as assist the leaseholder to become established in the community, and this argument is supported.

Limiting the lease to a term of six months would ensure that the purpose of the units is not compromised. A periodical lease could follow if there continues to be no interest from the community in a lease.

It is important, if approval is granted for a lease outside the normal terms of the units, to limit the term of the tenancy to encourage the tenant to source other accommodation.

It is considered that under the circumstances a short term use of a unit to facilitate the lease of the delicatessen would not compromise the purpose of these units, subject to conditions.

Consultation:	Proposed leaseholder TA Cooperative Tenants ILSA Committee Community Members
Statutory Environment:	Nil
Policy Implications:	Council Policy 6.3 - Independent Living Seniors Accommodation – Housing Allocations for Non-Local Applicants Delegations Register - Section 2 Delegation 1.1 Independent Living Seniors Accommodation Management Committee ILSA Management Practices
Strategic Implications:	This issue is not dealt with in the Plan
Asset Management Implications:	There are no asset management implications for Council
Financial Implications	Two of the Sandalwood Villa units are currently unoccupied. Units are currently leased at \$180 per couple or \$160 for a single person. Given that the lease is proposed outside the terms of the purpose of the units, a more commercial lease could be considered. A lease of \$200 - \$300 may also encourage the leaseholder to find alternative accommodation sooner.
Workforce Plan Implications:	There are no workforce plan implications

Voting Requirements: Simple Majority

Ms Nicki Polding left the meeting at 5.05pm.

Officer

Recommendation: *Moved Cr Sheridan, seconded Cr Letter*

“That Council agrees to allow a lease of a unit within Sandalwood Villas to the leaseholder of the Tambellup Delicatessen or their appointed manager subject to the following conditions:

- 1. A fixed term lease period of six months maximum;*
- 2. A periodical lease with 14 days notice of cancellation at expiry of the fixed term lease;*
- 3. Lease fees of \$215 per week;*
- 4. No pets permitted.”*

*CARRIED 2/3
Motion Lapsed*

Council Decision: **190303**

Moved Cr Letter, seconded Cr Sheridan

“That Council agrees to allow a lease of a unit within Sandalwood Villas to the leaseholder of the Tambellup Delicatessen or their appointed manager subject to the following conditions:

- 1. A lease period of six months maximum;*
- 2. A periodical lease with 14 days notice of cancellation;*
- 3. Lease fees of \$215 per week;*
- 4. No pets permitted*
- 5. No commercial use of the kitchen*
- 6. Should applications be made and approved by the Independent Living Seniors Accommodation (ILSA) Committee for the Unit, then the Unit will be vacated.*
- 7. A maximum of five people shall occupy the Unit.”*

CARRIED 4/1

Cr Paganoni wanted noted in the Minutes that he was against the amount of people tenanting the Unit.

Reason For Change to

Recommendation: To add and include Item numbers 5, 6 and 7 conditions of the lease conditions.

Cr White returned to the meeting at 5.17pm.

Ms Nicki Polding returned to the meeting at 5.17pm.

Cr Thompson informed Cr White on Council’s decision on Item 13.1.

Mr Justin Taylor and Mr Nic Lockyer retired from the meeting at 5.18pm.

Ms Nicki Polding addressed Council to outline a proposal for a Tambellup Noongar Learning Centre.

Council Decision: 190304

Moved Cr White, seconded Cr Letter

“That Item 11.08 on the Agenda be brought forward for consideration while Ms Polding is present.”

CARRIED 6/0

11.08 TAMBELLUP NOONGAR LEARNING CENTRE PROPOSAL

Program:	Education and Welfare	
Attachment:	Letter and supporting information	
File Ref:	ADM0145	
Author:	PA Hull	Strategic Support & Projects Officer
Date:	14 March 2019	
Disclosure of Interest:	Nil	

Summary: Council to consider a proposal for an alternative use for the Tambellup Bowling Club building.

Background: In 2017 the Shire of Broomehill-Tambellup purchased the Tambellup Bowling Club site from the Bowling Club, which had relocated to the new facilities at the Tambellup Sports Ground. The site consists of four separate freehold lots, as per below:



To date, Council's discussion and decision for the future use of the site has included:

- allocation of Lot 8 (No. 17) Taylor St for staff housing as part of the Great Southern Housing Initiative
- approval for Lot 5 and 6 (No. 11 and 13) Crowden St to be used as overnight parking for self-contained recreational vehicles pending the construction of a new caravan park in Tambellup.

A determination on future use of Lot 19 (No. 19 Taylor St) has not yet been made. A proposal is presented for Council's consideration, seeking the use of the site and premises to establish a Learning Centre incorporating after school tutoring for primary and high school students, and ultimately an independent alternative education facility aimed at addressing the needs of local high school aged youth not currently engaged with the education system.

The Tambellup Noongar community, in partnership with service providers including Relationships Australia and Amity Health, has successfully established the After School Learning Centre program operating from the Relationships Australia building on Tambellup West Rd. The program is delivered on a volunteer basis, and currently has over sixteen primary aged students attending each Monday after school for afternoon tea, extended learning and group activities. The group is supported by an experienced teacher who assists with homework and extended classroom learning on a voluntary basis. The program has been operating with minimal external funding or resources for twelve months.

The community has identified there are a number of high school aged youth who are disengaged with education, training or employment and are at significant risk of falling through the cracks. A proposal and business plan is currently being developed to support a funding submission to the Federal Government for the establishment of an independent alternative education facility for high school aged students based on successful models operating in both WA and the eastern states, to capture and engage these students. The intent of the proposal is not to offer an alternative to mainstream local education for the general public, rather it will provide a targeted learning environment for identified local high school aged students who are not engaged with education, training or employment

A key success factor for this proposal is securing a venue for the program delivery, and the group considers the former Bowling Club would provide a suitable venue. At this stage, the group is seeking Council's in principle support for the use of Lot 19 Taylor St for the establishment of an independent alternative educational facility.

Ms Nicki Polding and Mrs Lynthia Flowers will be addressing Council at the March Ordinary Council meeting to outline the proposal further.

Comment:	<p>As stated above, Council has made no formal determination on the future use of the former Bowling Club. If Council is supportive of the proposal, some maintenance work would be required to the site and the building to make it safe, and to improve the amenity. The works program already includes removal of the banks on the old bowling greens, and the building would require a thorough clean, both of which can be accomplished relatively quickly.</p> <p>A formal agreement for the use of the building will also need to be considered, for example Memorandum of Understanding, lease or other arrangement.</p>
Consultation:	<p>Chief Executive Officer Ms Nicki Polding</p>
Statutory Environment:	<p>Nil</p>
Policy Implications:	<p>Nil</p>
Strategic Implications:	<p><i>Strategic Community Plan 2018-2028:</i> <i>1.2 Our community has services and facilities that meet our needs and expectations</i> <i>1.2.1 Support agencies to enhance locally delivered services and activities for all members of the community</i> <i>1.4 Organisations in our community demonstrate strong leadership and commitment</i> <i>1.4.1 Provide support to our community groups to achieve outcomes that benefit the community</i></p>
Asset Management Implications:	<p>Lot 19 Taylor St is owned freehold by the Shire and as such forms part of Councils assets.</p>
Financial Implications:	<p>There will be some expenditure incurred in works to remove the banks and clean the premises.</p>
Workforce Plan Implications:	<p>There are no workforce plan implications</p>
Voting Requirements:	<p>Simple Majority</p>

Officer

Recommendation: *“That Council grants in principle support for the use and development of Lot 19 Taylor St Tambellup for an independent alternative education centre subject to development of a formal agreement between the Shire of Broomehill-Tambellup and the proponents.”*

Council Decision: **190305**

Moved Cr Paganoni, seconded Cr White

“That Council grants in principle support for the development of an independent alternative education centre in Tambellup subject to development of a formal agreement between the Shire of Broomehill-Tambellup and the proponents.”

CARRIED 5/1

Reason For Change to

Recommendation: To remove the address included in the recommendation so that Council can investigate other sites that may be suitable for an alternative education centre.

Ms Nicki Polding retired from the meeting at 6.14pm.

Pam Hull left the meeting at 6.14pm.

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 21 FEBRUARY 2019

Council Decision: **190306**

Moved Cr Letter, seconded Cr Sheridan

“That the Ordinary Meeting of Council Minutes of 21 February 2019 be accepted.”

CARRIED 6/0

9. RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING

9.1 ANNUAL ELECTORS MEETING MINUTES 11 MARCH 2019

Council Decision: 190307

Moved Cr Paganoni, seconded Cr Letter

“That the Annual Electors Meeting Minutes of 11 March 2019 be accepted.”

CARRIED 6/0

9.2 AUDIT COMMITTEE MEETING MINUTES 19 MARCH 2019

Council Decision: 190308

Moved Cr White, seconded Cr Nazzari

“That the Audit Committee Meeting Minutes of 19 March 2019 be accepted.”

CARRIED 6/0

9.3 ADOPTION OF THE RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING MINUTES 19 MARCH 2019

Council Decision: 190309

Moved Cr Sheridan, seconded Cr Paganoni

“That, having undertaken a review of the Compliance Audit Return 2018, the Audit Committee recommends that it be adopted by Council as presented and forwarded to the Department of Local Government, Sport and Cultural Industries by 31 March 2019.”

CARRIED 6/0

9.4 INDEPENDENT LIVING SENIORS ACCOMMODATION (ILSA) COMMITTEE MEETING MINUTES OF 19 MARCH 2019

Council Decision: 190310

Moved Cr Nazzari, seconded Cr Paganoni

“That the Independent Living Seniors Accommodation (ILSA) Committee Meeting Minutes of 19 March 2019 be accepted.”

CARRIED 6/0

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

11. MATTERS FOR DECISION

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***
Objective 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.

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: 190311

Moved Cr Paganoni, seconded Cr Letter

***“That the Financial Statements for the period ending 28 February 2019
be adopted.”***

CARRIED 6/0

**Reason For Change to
Recommendation:**

Pam Hull returned to the meeting at 6.17pm.

11.02 CREDITORS ACCOUNTS PAID FEBRUARY 2019

Program:	Other Property and Services	
Attachment:	List of Payments for February 2019	
File Ref:	Nil	
Author:	KP O'Neill	Manager Finance and Administration
Date:	15 March 2019	
Disclosure of Interest:	Nil	

Summary: Council to consider the list of payments made from the Municipal and Trust Funds during February 2019.

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	\$485,279.19
Trust Fund	\$0.00
Credit Cards	\$2,184.20
Total	\$487,463.39

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***
Objective 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.

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: ***190312***

Moved Cr Sheridan, seconded Cr Nazzari

That the list of accounts paid during February 2019, consisting of –

- Municipal Fund cheque, EFT and direct debit payments totalling \$485,279.19;***
- Trust Fund cheque payments totalling \$0.00; and***
- Credit Card payments totalling \$2,184.20***

be endorsed.”

CARRIED 6/0

Reason For Change to Recommendation:

11.03 PROPOSED PLANNING APPLICATION - LOT 2 NARDLAH ROAD, BROOMEHILL

Program: Planning

Attachment:

- Site Development Plans
- Construction Detail Plans

File Ref: A6042 & ADM0284

Author: KB Williams Chief Executive Officer

Date: 12 March 2019

Disclosure of Interest: Crs Thompson, Paganoni, Sheridan, Holzknrecht, Nazzari, White and Letter have declared a Financial Interest in this matter.

In order to maintain a quorum the declarations have been forwarded to the Minister for Local Government to seek 'approval to participate' for each of the Councillors.

Councillor Thompson has a Proximity Interest as well as a Financial Interest, and will not seek consent to participate, and will therefore vacate the chair for the decision.

Ministerial approval was not granted for Cr Thompson and Cr Holzknrecht to participate. Cr Holzknrecht was not present.

Shire President, Cr Thompson, vacated the Chair due to his Interests in this Item and left the meeting at 6.18pm.

Deputy President, Cr Paganoni, assumed the Chair at 6.18pm.

Summary: An application has been lodged seeking planning approval of a weigh bridge and hut, staff amenities and internal sealed roads on Lot 2 Nardlah Road, Broomehill. This report recommends that approval be granted.

Background: Lot 2 Nardlah Road is located between the Great Southern Highway and Nardlah Road, and is owned by Cooperative Bulk Handling (CBH) Limited.

Expansion of CBH's grain storage capacity has occurred through a series of approvals on Lot 2 and Lot 4 Nardlah Road over several years. Six existing bulkhead storage bins have been constructed on Lot 2, along with peripheral machinery such as conveyors and hoppers. Approval has been granted for an additional two bulkheads that will be constructed shortly.

Temporary planning consent has been granted for two bulkheads that have since been constructed on Lot 4, Nardlah Road, Broomehill. Drainage basins have also been constructed.

All of the constructed and proposed bulkheads are shown on the submitted plans attached.

Comment:Description of Application

The applicant lodged an application on 21 February 2019 seeking consent for a weigh bridge and hut, toilets, aerobic treatment unit, sealed roads, car bays and stormwater infrastructure associated with existing open bulkheads constructed on Lot 2 Nardlah Road.

Zoning

The subject lots are zoned 'Farming' under the Shire of Broomehill Town Planning Scheme No 1 ('the Scheme').

A 'Rural Industry' is permitted in Farming zone under the Scheme '*provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent.*'

A 'Rural Industry' is defined in the Scheme as '*means an industry handling, treating, processing, or packing primary products grown, reared, produced, or used in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.*'

The weigh bridge, hut, toilets and associated infrastructure are considered ancillary to the 'Rural Industry' use of the site, and the proposed use and development is consistent with Scheme provisions.

The weigh bridge is being developed as the 'out' weigh station to assist with traffic flows throughout the site. Currently there is only one weigh bridge so vehicles are required exit the site through local roads and re-enter the existing weigh bridge to be weighed on exit.

Vehicles will now be able to weigh in and out without exiting the site. This will result in reduced impact on local roads.

The site of the weigh bridge and staff facilities is located within a bush fire prone area, and a Bushfire Attack Level assessment has not been completed.

The applicant is aware that a BAL is required and is currently undertaking the assessment, however, it will not be completed in time for submission prior to this determination. It is recommended that the approval be conditioned to require a BAL assessment and that the BAL be addressed through the building permit.

It is recommended that the application for Planning Consent be approved with conditions.

Consultation:

Council has the ability to advertise any application under the Scheme. No consultation has been undertaken.

Statutory

Environment: Shire of Broomehill Town Planning Scheme No 1

Policy Implications: Nil

Strategic Implications: The buffer to CBH should be taken into account for strategic planning.

Asset Management

Implications: There are no asset management implications

Financial Implications: Planning application fees of \$2,933.42 have been paid.

Workforce Plan

Implications: There are no workforce plan implications.

Voting Requirements: Simple Majority

Council Decision: **190313**

Moved Cr White, seconded Cr Letter

“That Council

A. Pursuant to the Planning and Development Act 2005 and Local Planning Scheme No 1 hereby grants Planning Consent to Cooperative Bulk Handling Limited for the proposed development of a weigh bridge, staff facilities and associated sealed roads and drainage infrastructure at Lot 2 Nardlah Road, Broomehill, subject to the following conditions:

- 1. The term of this approval is limited and expires 12 months from the date of this planning consent;***
- 2. All development shall be in accordance with the submitted plans;***
- 3. A Bushfire Attack Level (BAL) assessment shall be completed and submitted to Council, and all buildings shall be constructed to ensure compliance with the BAL assessment. The building permit shall not be issued unless specifications for the buildings comply with the Building Code for the determined BAL.”***

CARRIED 5/0

Reason For Change to Recommendation:

Cr Thompson returned to the meeting at 6.30pm.

Cr Paganoni informed the elected members of Council Decision on Item 11.03.

Cr Paganoni vacated the Chair and Cr Thompson resumed the Chair at 6.30pm.

11.04	PROPOSED STORAGE SHED – LOT 6080 BEEJENUP ROAD, TOOLBRUNUP
Program:	Planning
Attachment:	Location Plan
File Ref:	A89
Author:	KB Williams Chief Executive Officer
Date:	13 March 2019
Disclosure of Interest:	Cr White declared a Financial Interest in this Item as the applicant and left the meeting at 6.31pm.

Summary: For Council to consider an application for a Storage Shed to be developed at Lot 6080 Beejenup Road, Toolbrunup.

Background: An application for the development of a Storage Shed was received on 26 February 2018.

The proposed development consists of a 30 x 13 metre metal shed with a height of 8 metres and a floor area of 390 square metres. The shed has wall heights of 6 metres and a maximum height of 8 metres at the roof apex.

The shed is proposed to be located near existing storage sheds and a dwelling located on the subject property.

Comment: Zoning

The subject lot is zoned for 'Farming' land uses under the Shire of Tambellup Local Planning Scheme No 2 ('the Scheme').

Description of Application

The applicant is seeking a planning approval to develop a storage shed.

Relevant Scheme Provisions

Zoning

Clause 8.1 of the Scheme requires that unless a use is exempt or identified as a 'P' or Permitted use under the zoning table then Planning Consent is required.

A storage shed is not exempt or currently listed as a 'P' use in the zoning table. The proposed development therefore requires planning approval.

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

ZONE	STREET	REAR	SIDE
<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>

The shed complies with the development standards. The nearest property boundary is over 500 metres away.

The proposed shed is not located within a Bushfire Prone Area.

It is recommended that the proposed use is consistent with the Scheme objectives and can be approved.

Consultation: Council has the ability to advertise any application under the Scheme.

Consultation has occurred with the applicant.

Statutory

Environment: Shire of Tambellup Town Planning Scheme No 2.

Policy Implications: Nil

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

Asset Management

Implications: There are no asset management implications for Council

Financial Implications: The applicant has paid the planning fees.

Workforce Plan

Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Council Decision: 190314

Moved Cr Sheridan, seconded Cr Nazzari

“That Council grant planning consent for the application lodged by ME White for the use and development of a storage shed at Lot 6080 Beejenup Road, Toolbrunup, subject to the following condition:

- 1. The term of this approval is limited and expires 24 months from the date of this planning consent.”***

CARRIED 5/0

Reason For Change to Recommendation:

Cr White returned to the meeting at 6.33pm.

Cr Thompson informed Cr White of Council Decision on Item 11.04.

11.05 ASSOCIATION HONOURS 2019

Program:	Governance
Attachment:	Honours 2019 - Categories of Awards
File Ref:	ADM0159
Author:	LK Cristinelli Governance & Executive Assistant
Date:	14 March 2019
Disclosure of Interest:	Nil

Summary: The Western Australian Local Government Association (WALGA) is calling for nominations for the 2019 Association Honours.

Background: Nominations for the 2019 WALGA Honours Program are now open and members of local governments and state councillors are invited to submit nominations.

The six categories of awards within the 2019 Honours program are as follows:

Local Government Medal – recognises outstanding achievement and significant contribution by Elected Members to the Association and/or to Local Government Sector. *Available for nomination by State Councillors and Local Government with a co-signature from a State Councillor.*

Life Membership – recognises the long and outstanding service of Elected Members and officers to the Association and/or to the Local Government sector. *Available for nomination by State Councillors and Local Governments.*

Eminent Service Award (previously Certificate of Appreciation) - recognises personal commitment, eminent service and contribution to the Local Government sector or the Association. *Available for nomination by State Councillors and Local Government.*

Long and Loyal Service Award – recognises Elected Members who have provided outstanding service as well as long and loyal service as an executive member of the Association for eight or more years, or as an Elected Member for twelve or more years. *Available for nomination by State Councillors and Local Governments.*

Local Government Distinguished Officer Award – recognises employees of Local Government or Agencies of the sector to reward their achievements. *Available for nomination by State Council Members and Member Local Governments.*

Merit Award (previously Distinguished Service Award) – recognises Elected Members who have provided distinguished service to the community through their Local Government. *Available for nomination by State Councillors and Local Governments.*

Comment: Does Council wish to make a nomination for Association Honours? Nominations for the 2019 WALGA Honours Program open 08 March 2019 and close at 5.00pm on Friday 10 May 2019. As in previous years, no late nominations will be accepted.
For Council discussion and comment.

Consultation: Nil

Statutory Environment: Nil

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: This issue has no financial implications for Council

Workforce Plan Implications: There are no Workforce Plan Implications

Voting Requirements: Simple Majority

Officer

Recommendation: *“That Council nominates for a Associations Honour.”*

Motion Lapsed

Reason For Change to Recommendation: This Item lapsed for want of a mover so that it can be considered at the 18 April 2019 Ordinary Council Meeting.

11.06	TAMBELLUP UNDER 16 NETBALL CLUB – REQUEST FOR CONTRIBUTION	
Program:	Recreation & Culture	
Attachment:	Correspondence from Relationships Australia & Tambellup Police	
File Ref:	ADM0061	
Author:	KP O'Neill	Manager Finance & Administration
Date:	15 March 2019	
Disclosure of Interest:	Nil	

Summary: Council to consider a request for a financial contribution from Relationships Australia, on behalf of the Tambellup Under 16 Netball Club.

Background: The Tambellup under 16 Netball Club members have been chosen by Eagles Netball to participate in a tour to the United Kingdom during the 2019 Netball World Cup.

The brochure accompanying the correspondence provides background to Eagles Netball, and the purpose for the tour –

“Eagles Netball has been set up to provide a platform for players from different clubs, schools and associations to come together to develop their game and enjoy the unique experiences that only a netball tour can provide. The focus of the tours is to see players improve their netball under high quality coaches as well as growing as individuals. The Eagles organisation strongly believes in the personal development opportunities offered through overseas travel including increased independence, maturity, confidence and self-awareness, as well as a greater global outlook through interaction with other people and cultures.”

A total of 14 people from the Tambellup area will be participating in the tour, 9 children and 5 adults. The cost for all to attend the tour is \$5,990 per player and \$5,780 per adult totalling \$83,000.

Comment: While the correspondence doesn't request a financial contribution Lynthia Flowers, Relationships Australia, has been contacted to seek further information. She has advised that the Netball Club would be appreciative of any support that the Shire could provide.

The recommendation is that Council makes a contribution of \$500 however the Council, after discussion, may decide an alternate amount.

Consultation: Lynthia Flowers, Relationships Australia

Statutory Environment: Nil

Policy Implications: Nil

Strategic Implications: ***Strategic Community Plan 2018***
Objective 1.1 Our community is safe, connected, harmonious and inclusive.
1.1.2 Encourage and support opportunities for development and participation of our youth.

Asset Management Implications: Nil

Financial Implications: Provision of \$5,000 has been made in the 2018/19 Budget of which \$1,695 has been expended. If Council agree to make a contribution it would be funded from this allocation.

Workforce Plan Implications: Nil

Voting Requirements: Simple Majority

Council Decision: ***190315***

Moved Cr White, seconded Cr Sheridan

“That Council makes a contribution of \$500 to the Tambellup Under 16 Netball Club towards the Eagles Netball 2019 UK Development Tour.”

CARRIED 4/2

Reason For Change to Recommendation:

11.07 TAMBELLUP COMMUNITY RESOURCE CENTRE INC. – REVIEW OF THE MEMORANDUM OF UNDERSTANDING FOR USE OF THE PREMISES

Program:	Recreation & Culture	
Attachment:	Memorandum of Understanding	
File Ref:	ADM0111 & CLAF071	
Author:	KP O’Neill	Manager Finance & Administration
Date:	15 March 2019	
Disclosure of Interest:	Nil	

Summary: Council to review the Memorandum of Understanding (MOU) between the Shire of Broomehill-Tambellup and the Tambellup Community Resource Centre Inc. (CRC) for the use of the building situated at 34 Norrish Street, Tambellup as a resource centre and library.

Background: The current MOU was last reviewed in 2016, and at that time a minor amendment was included to Clause 5 clarifying that the maintenance referred to should be *minor building* maintenance.

The building has been occupied by the CRC for the past twenty years and has considerable refurbishment in the way of equipment, improvements and maintenance during that time. In many instances the CRC has been able to fund refurbishment through various grants and their own sources.

Comment: Consultation has occurred with CRC management, and there are no changes requested to the agreement.

Consultation: Beth Schlueter, Tambellup CRC Inc

Statutory Environment: Nil

Policy Implications: Nil

Strategic Implications: ***Strategic Community Plan 2018-2028***
Objective 1.2 Our community has services and facilities that meet our needs and expectations
1.2.1 Support agencies to enhance locally delivered services and activities for all members of the community

Asset Management Implications: Nil

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: Nil

Voting Requirements: Simple Majority

Council Decision: **190316**

Moved Cr White, seconded Cr Paganoni

“That Council extends its Memorandum of Understanding (MOU) with the Tambellup Community Resource Centre Inc. for the use of the building situated at 34 Norrish Street, Tambellup for the purpose of a community resource centre and library. The MOU is to be next reviewed in March 2021.”

CARRIED 6/0

**Reason For Change to
Recommendation:**

11.08 **TAMBELLUP NOONGAR LEARNING CENTRE PROPOSAL**

Program: Education and Welfare
Attachment: Letter and supporting information
File Ref: ADM0145
Author: PA Hull Strategic Support & Projects Officer
Date: 14 March 2019
Disclosure of Interest: Nil

This Item was brought forward to Item 7.2 for discussion and decision.

11.09 REQUEST TO AMEND RAV RATING – TOOLBRUNUP, NORTH STIRLING AND PALLINUP SOUTH ROADS, TAMBELLUP

Program:	Transport
Attachment:	Nil
File Ref:	ADM0220
Author:	KB Williams Chief Executive Officer
Date:	15 March 2019
Disclosure of Interest:	Cr Letter declared a Proximity Interest in this Item as he has property adjoining Pallinup South Road and left the meeting at 6.43pm.

Summary: For Council to consider a request to amend the Restricted Access Vehicle (RAV) rating for Toolbrunup, North Stirling and Pallinup South Roads.

Background: An application was submitted to Main Roads Western Australia (MRWA) requesting local access at RAV 7 for Toolbrunup, North Stirling and Pallinup South Roads.

North Stirling is a continuation of Toolbrunup Road. Pallinup South runs off the Tambellup - Gnowangerup Road connecting to Toolbrunup Road, and Toolbrunup Road runs off the Great Southern Highway.

Toolbrunup, North Stirling and Pallinup South Roads are all currently rated to accommodate RAV 6 vehicles.

Comment: The Works Manager and the Technical Officer have inspected the three roads. Pallinup South has recently undergone reconstruction and is bitumen sealed. Toolbrunup Road is bitumen sealed for the first 26km from the Great Southern Highway and the remaining 12km is constructed with a gravel pavement. North Stirling is constructed with a gravel pavement and has no change in road conditions in its continuation from Toolbrunup Road.

All three roads are well constructed and well maintained.

It is recommended that the proposed amendment of all mentioned roads to RAV 7 be approved with conditions:

- *No operation during school bus periods;*
- *headlights must be switched on at all times;*
- *operation only during daylight hours unless orange flashing lights are fitted and used;*
- *direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).*

It is also recommended that advice be provided to Main Roads about modifications to the road in the event that improvements are required to facilitate an upgrade from current ratings to RAV 7:

Any upgrades or works required to any of the roads to meet the specifications for RAV Network 7 status shall be met by the applicant. Any required works shall be to Council and Main Roads Western Australia specifications, and will be submitted to Council for approval prior to implementation.

Consultation: Manager of Works, Technical Officer, MRWA.

Statutory Environment: Nil

Policy Implications: Nil

Strategic Implications: This proposal is applicable to the Community Aspiration of *Living in a Safe Community* and the Community Aspiration of *Building Prosperity*.

Asset Management Implications: The whole of life estimates for these roads may be altered by a change in the RAV Network rating.

Financial Implications: There are no immediate financial implications, however a change in RAV Network Rating for all or part of the road has the potential to reduce the life of the road and increase the maintenance requirements of the road.

If additional works are required the matter will have to be reconsidered and a determination made on whether or not there is sufficient grounds to include any required works in future budget processes.

Workforce Plan Implications: There are no workforce plan implications

Voting Requirements: Simple Majority

Officer

Recommendation:

“That Council advise Main Roads Western Australia, having considered the proposal to amend the Restricted Access Vehicle Network rating of Toolbrunup, North Stirling and Pallinup South Roads, that it recommends that Toolbrunup, North Stirling and Pallinup South Roads be amended to a RAV category Network 7 subject to the following conditions:

- *No operation during school bus operational periods;*
- *headlights must be switched on at all times;*
- *operation during daylight hours only unless a flashing orange light is fitted and used;*
- *Maximum speed of 80 kilometres per hour;*
- *direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).”*

Council Decision:

190317

Moved White, seconded Cr Sheridan

“That Council advise Main Roads Western Australia, having considered the proposal to amend the Restricted Access Vehicle Network rating of Toolbrunup and North Stirling Roads, that it recommends that Toolbrunup and North Stirling Roads be amended to a RAV category Network 7 subject to the following conditions:

- ***No operation during school bus operational periods;***
- ***headlights must be switched on at all times;***
- ***Maximum speed of 80 kilometres per hour;***
- ***direct radio contact must be maintained with other RAV's to establish their position on or near the road (suggested UHF channel 40).”***

“That Council advise Main Roads Western Australia, having considered the proposal to amend the Restricted Access Vehicle Network rating of Pallinup South Road, that it recommends that Pallinup South Road be amended to a RAV category Network 7 without conditions.”

“That Council advise Main Roads Western Australia that any upgrades or improvements required to either Toolbrunup, North Stirling and Pallinup South Roads to meet the specifications for RAV Network 7 status shall be met by the applicant. Any required works shall be to Council and Main Roads Western Australia specifications, and will be submitted to Council for approval prior to implementation.”

CARRIED 5/0

Reason For Change to

Recommendation:

To remove the third condition: Operation during daylight hours only unless a flashing orange light is fitted and used from the motion for Toolbrunup and North Stirling Roads, as this requirement is onerous and potentially hazardous to road users, and to remove the conditions completely from Pallinup South Road, as this road has recently been upgraded and does not require conditions.

Cr Letter returned to the meeting at 6.48pm.

Cr Thompson informed Cr Letter of Council Decision on Item 11.09.

- Various museum jobs.
- Begin preparation work for the Ute Muster in Broomehill.
- New recycle bins have been delivered to the Tambellup Transfer Station.
- Repair various footpath hazards.
- Install bollards at the Tambellup Oval.

Occupational Health and Safety

- There have been no incidents to report.

Parks and Gardens

- Oval mowing and maintenance.
- Repair several solenoids at both ovals.
- The re use water has now been used up and we are back to using dam water.
- Spray oval for black beetles.
- Water all garden beds throughout the Shire (ongoing).
- Tree pruning.
- Water levels at all dams have dropped as expected for this time of year - monitoring will continue.

Workshop

- As per Plant Maintenance report.

For Council discussion and comment.

Consultation:	Nil
Statutory Environment:	<i>Local Government Act 1995</i>
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

Council Decision: 190318

Moved Cr Paganoni, seconded Cr Letter

“That Council receives the report from the Manager of Works for the month of March 2019.”

CARRIED 6/0

**Reason For Change to
Recommendation:**

12.01 CONFIDENTIAL ITEM

190319

Moved Cr White, seconded Cr Letter

“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 6/0

12.01

CONFIDENTIAL – PROPOSED GSHI AND GROH HOUSING LOCATIONS, BROOMEHILL AND TAMBELLUP TOWNSITES

Program:	Economic Development		
Attachment:	Nil		
File Ref:	CP.PR.63		
Author:	KB Williams	Chief Executive Officer	
Date:	13 March 2019		
Disclosure of Interest:	Nil		

Council Decision: 190320

*Moved Cr Paganoni, seconded Cr Letter**“That Council:*

- 1. Confirms the following locations as the preferred locations for housing under the Great Southern Housing Initiative;*

NO	PROJECT	PREFERRED LOCATION	
		Town site	Address
INDEPENDENT LIVING UNITS			
2	2x1 Units	Broomehill	Reserve 6730 Lot 368 Morgan Road
2	2x1 Units	Broomehill	Reserve 6730 Lot 368 Morgan Road
REGIONAL/KEY WORKER ACCOMMODATION			
1	1x1 Chalet	Broomehill	Reserve 6730 Lot 368 Morgan Road
1	2x1 Chalet	Broomehill	Reserve 6730 Lot 368 Morgan Road
1	4x2 Dwelling	Broomehill	Lot 6 Latham Street
1	3x2 Dwelling	Broomehill	Lot 12 Leven Street
1	3x2 Dwelling	Tambellup	Lot 8 Taylor Street
BHT GROH HOUSING			
1	4x2 Dwelling	Tambellup	Lot 384 Parnell Street
1	3x2 Dwelling	Tambellup	Lot 22 Taylor Street
1	3x2 Dwelling	Tambellup	Lot 22 Taylor Street

- 2. Requests the Department of Planning, Lands and Heritage modify the Management Order for Reserve 6730 be amended to add Seniors Housing as a permitted use of the Reserve.”*

CARRIED 6/0

190321

Moved Cr White, seconded Cr Sheridan

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

CARRIED 6/0

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

13.1 URGENT MATTER BY DECISION OF COUNCIL – LEASE OF SANDALWOOD VILLAS UNIT

This Item was brought forward to be discussed at Item 7.1 of the Agenda.

14. DATE OF NEXT MEETING

18 April 2019 at 4.30pm.

15. CLOSURE

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 6.56pm.