



AGENDA

Ordinary Council Meeting

21 September 2023

**SHIRE OF BROOMEHILL-TAMBELLUP
NOTICE OF MEETING**

**An Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup will be held
in the Tambellup Council Chambers 46-48 Norrish Street, Tambellup
on 21 September 2023 commencing at 4.30pm.**



**Anthony Middleton
Chief Executive Officer**

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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 Clause 22 of the Shire's Code of Conduct for Council Members, Committee Members & Candidates.

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.

Strategic Community Plan 2023-2033

'People Power'



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**Agenda for the Ordinary Council Meeting to be held on 21 September 2023
in the Tambellup Council Chambers, 46-48 Norrish Street, Tambellup.**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Presiding Member, Cr White shall declare the meeting open at ____pm.

2. ATTENDANCE

Councillors

Cr ME White	President
Cr DT Barritt	Deputy President
Cr CJ Letter	
Cr MC Paganoni	
Cr JL Wills	
Cr CM Dewar	
Cr SH Penny	

Staff

AP Middleton	Chief Executive Officer
KP O'Neill	Manager of Finance & Administration
PA Hull	Strategic Support & Projects Officer
TO Korthuis	Governance & Executive Assistant
P Vlahov	Manager of Works

Apologies

3. DISCLOSURE OF INTEREST

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

6. PRESENTATIONS/PETITIONS/DEPUTATIONS

Nil

7. APPLICATION FOR LEAVE OF ABSENCE

Cr White wishes to apply for a leave of absence for the 19 October 2023 Council Meeting

8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

9. CONFIRMATION OF MINUTES

9.1 ORDINARY COUNCIL MEETING 17 AUGUST 2023

Recommendation:

That the minutes of the Ordinary Meeting of Council held on 17 August 2023 be confirmed as a true and accurate record of proceedings.

10. KEY PILLAR 1: BROOMEHILL-TAMBELLUP POINT OF DIFFERENCE

10.1 SOUTH WEST NATIVE TITLE SETTLEMENT - LAND BASE CONSULTATION - LAND LIST 1601

ATTACHMENT(S)	Nil.
FILE NO	ADM0147
APPLICANT	Department of Planning, Lands and Heritage
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	6 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Point of Difference	
3. An Appreciated Culture 3.1 - BT community reconciliation: This is a community-wide and celebrated Reconciliation Action Process to enable the Broomehill-Tambellup region to be even more spirited and renowned to achieve the vision of 'a region driven by community spirit'	3.1.1 Make changes to every day Shire BT organisational processes that represent and recognise our First Nations people.

SUMMARY

The purpose of this report is to provide feedback to the *Native Title Agreements and Partnerships* section of the *Department of Planning, Lands and Heritage* with regards to the proposed transfer of land under the South West Native Title Settlement.

BACKGROUND

The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits.

A key negotiated benefit is the delivery of a 320,000 hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy (Annexure J to the ILUAs). The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.

Over the next five years, the Department of Planning, Lands and Heritage (DPLH) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- Unallocated Crown land;
- Unmanaged reserves;
- Land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and
- Land owned or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.

A key part of the process being followed by the DPLH involves the referral of land under consideration for inclusion in the Noongar Land Estate to relevant State agencies and Local Government Authorities. As a result, the DPLH have requested the Shire's comments on:

- 29 March 2021 Council meeting - 44 parcels of land within the Tambellup town site;
- 16 February 2023 Council meeting - 53 parcels of land within the Broomehill town site;
- 16 March 2023 Council meeting - 17 parcels of land within the Pootenup town site; and
- This request for 78 Norrish Street, Tambellup.

Specifically, DPLH have requested comments on each of the following nine (9) questions:

1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?
2. Does the Shire have any interest in the land?
3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.
4. Is the land parcel subject to any mandatory connection to services?
5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?
7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).
9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

COMMENT

A map showing 78 Norrish Street, Tambellup is as follows:



Land details of the lot concerned are as follows:

PIN	Lot Number	Survey Number	Street Address	Area (Ha)	CLT	Selected Tenure
618834	270	DP224165	78 NORRISH ST, TAMBELLUP	0.11	LR3154/983	Freehold (State of WA)

Anecdotally, it was thought that the Water Corporation had a water easement on the southern boundary of this lot, as the water hydrant seems to be on the lot rather than the road reserve. It does not appear from the above map that this is the case.

There are no other known Shire interests or infrastructure located on this lot, and considering the Shire has other vacant lots in the vicinity, it is not envisaged that the Shire would have any objection to the transfer of these lots under the native title process. As such, it is recommended that the DPLH be advised that the Council supports the proposed transfer.

CONSULTATION

The DPLH request for comment was received on 1 September 2023 and the Shire's advice is required to be returned within 40 days of receiving the email (by 11 October 2023). Unfortunately, providing the DPLH with the feedback requested in the time frame provided does not allow for extensive community consultation to be undertaken. Ideally, community and elected member input would also have been sought to provide a more robust response.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

This agenda item only provides comment to the DPLH.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "low" and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

The lot proposed is currently freehold land in the name of State of Western Australia and therefore does not relate to Shire assets.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the proposed transfer of land under the South West Native Title Settlement (land list 1601), being 78 Norrish Street Tambellup, be supported noting that there appears to be water infrastructure on the southern boundary of this lot and an easement may be required.

10.2 TAMBELLUP YOUTH PRECINCT - DRAFT MASTER PLAN

ATTACHMENT(S)	10.2.1 – Draft Tambellup Youth Precinct Master Plan
FILE NO	ADM0646
APPLICANT	n/a
AUTHOR	Pam Hull - Strategic Support & Projects Officer
DATE	4 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Point of Difference	
2. A United Community 2.1 BT well-being and safety: This is the community and Shire working more boldly to provide advanced wellbeing programs for all ages (such as the Albany Youth Support Association, Strong and Proud, Active Farmers and OFFFLL). This also includes further development of neighbourhood safety programs, facilities and products and a Youth Centre upgrade.	2.1.1 Adoption by the Council of the Tambellup Youth Precinct Master Plan

SUMMARY

The purpose of this report is to consider implementing a staged plan for the development of the Tambellup Youth Precinct.

BACKGROUND

The Tambellup Youth Centre is located on Reserve 19757, the site of the Tambellup Sports Ground. Other facilities on the site include the Tambellup Community Pavilion, grassed oval with cricket pitch and nets, tennis courts, bowling green and basketball court/skate park. The Youth Centre occupies the south west corner of the site with the current building, a 12m x 6m transportable building, transported to the site in the late 1990's. The building comprises an open activity area with tables and seating, a small kitchenette with sink and fridge and single toilet.

The Youth Centre is currently utilised by Albany Youth Support Association (AYSA) for delivery of its youth support program two days per week, with an average of fifteen (15) young people attending each session. In recent times the Youth Centre has also provided a venue for programs including the Strong & Proud program, and various school holiday sporting and activity programs.

AYSA staff and program coordinators have advised that the building barely meets requirements for safe or effective program delivery, and does not comply with current Work Health & Safety or disability access standards. Maintenance works to the building since its installation have been minimal, and reactive.

Rather than undertake an upgrade of the building in isolation, it was determined that a review of the facilities and user requirements could inform a master plan for the area, the elements of which could be implemented in a staged approach.

A draft Master Plan for the future development of the area has been prepared by H&H Architects and is presented for consideration.

COMMENT

Staff have met with youth program coordinators, parents and other interested parties on a number of occasions seeking ideas for a proposed facility upgrade. Feedback included the following:

- Increased internal space for activities
- Provision of an undercover area outside to extend the activity space
- Improved access to building
- Kitchen upgrade to include cooking facilities and lockable cupboards
- Provision of an additional toilet and shower
- Provision of internal storage (lockable)
- Tables and seating (external)
- External trough for cleanup of messy activities
- Extension of the bitumen court area to enable the court to be used for ball games
- Removal of the fence between Youth Centre and tennis courts
- Define parking area
- Plant trees for shade

The Master Plan prepared by H&H Architects captures these elements, and introduces a number of optional activity areas and upgrades that will extend the appeal of the precinct for all users.

The main features of the Plan are:

- Relocation of the existing building to the north side of the gravel car park area to better utilise the natural shade and grassed area;
- Installation of a second building with compliant access alongside the relocated building to provide additional internal space and storage;
- Construction of a new undercover area to provide sheltered external space;
- Install a new skate park surface with shade structure and seating adjacent to the existing court area;
- Defined car park area;
- Construct/install additional activity areas to the north side of the relocated building, utilising the grassed area towards the pedestrian gate off George St/East Terrace – a pump track and ‘rage cage’ (see www.ragecage.com.au/home for more information) have been suggested;
- Provision for a community garden with raised garden beds;
- Planting of a buffer zone between the bowling green and basketball court to help mitigate against noise from the court;
- Install additional seating around the site;
- Resurfacing of the lower two tennis courts;
- Conversion of the bitumen access to the Pavilion between East Terrace and the tennis courts to pedestrian only.

The highest priority items in the plan are to complete the relocation of the building, installation of a second building, undercover area, and extension of the sealed court area. Funds have been allocated in the 2023/2024 annual budget to commence these priority items. Future developments at the site will be dependent on the ability to secure either Council or external funding, and it is anticipated it will take a number of years to fully implement.

Endorsement of the Master Plan by the Council will enable staff to commence work on the priority actions for this financial year.

CONSULTATION

CEO

Doug Goodwin, AYSA and program stakeholders

Council Briefing Session 15 June 2023

The draft Master Plan has been provided to the Tambellup Community Pavilion Association (TCPA) for comment. The Tambellup Bowling Club, through the TCPA, has provided the following feedback:

- *“Will it be accessed 24/7 and have lights and supervision*
- *Needs to have access to toilets, drinking facilities and wi-fi*
- *They need to really want it, where has the concept come from, who has asked for this?*
- *Numbers are dropping at the primary school, and is there a need for the teenagers in town*
- *From the Bowling Club view, noise & unruly behaviour towards club members is a concern*
- *How close is it to the bowling green will it be, don’t want fruit & vegetables on the greens (We already have issues with stones on the green)*
- *Who’s responsible for maintaining & or breakages”*

This planning process is being undertaken concurrently with consultation around the Tambellup Caravan Park, Tambellup Railway Precinct Townscape Plan and with consideration to existing facilities at Diprose Park.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

The 2023/2024 budget includes provision of \$170,000 for works at the Youth Centre:

- LR301 \$150,000 Building upgrades
- LR302 \$ 20,000 Extend seal (court surface/parking)

These works are to be funded through the Local Roads & Community Infrastructure Program Round 3 and have a deadline of 30 June 2024. Subsequent works will be dependent on the ability to secure either Council or external funding, and will be presented for consideration as part of the annual budget process.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This agenda item deals with a Council asset that is utilised by service providers and the broader community, and issues with its ability to be used safely and effectively have been raised. Undertaking the relocation of the building and installation of a second building as proposed will ensure safety issues including compliant access, adequate space for program participants, and an appropriate level of amenities can be addressed.

A well-considered plan that incorporates all elements from the outset will ensure the project is delivered within a set scope and budget, reducing financial risks.

ASSET MANAGEMENT IMPLICATIONS

This agenda item deals with Council assets that are utilised by service providers and the broader community. The upgrade to the building in particular will extend the life of the asset and ensure that it is fit for purpose. The redevelopment of the site as proposed will enhance the amenity of the area, and potentially increase usage.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

That:

1. The Tambellup Youth Precinct Master Plan, as presented, be endorsed; and
2. The following priorities for 2023/2024 be commenced:
 - Relocation of the existing building as proposed;
 - Installation of a second building adjacent to the existing building;
 - Construction of an undercover area
 - Extension of the sealed court area.

10.3 TOWNSCAPE ELEMENTS – BANNER POLES

ATTACHMENT(S)	Nil.
FILE NO	ADM0492
APPLICANT	n/a
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	6 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Point of Difference	
8. Enjoyed Built Environments 8.1 Broomehill Heritage Precinct renewal: This is the renewal of the Broomehill Heritage Precinct (including Broomehill Roads Board Museum, and Holland Track Start Point). The renewal includes footpaths, seating, interpretive panels, photo opportunity sites, static machinery displays and advocacy with Coolgardie to support and promote the Track.	8.1.3 Undertake townscape planning with extensive community consultation, incorporating: <ul style="list-style-type: none"> • Banner poles; • Deciduous street trees, including in centre of road in India St (opposite Henry Jones) • Entry statement upgrade or replacement; and • Extend new paving selection around the town centre
8.2 Tambellup Railway Precinct development: This is the development of the Tambellup Railway Precinct including toilets, accommodation at the old Railway Station, signage, banner poles and EV charging options.	8.2.1 Undertake townscape planning with extensive community consultation, including banner poles, deciduous street trees and facilities to encourage community use. (see also 1.1.2)
1. A Distinct BT Brand 1.1 BT identity: This is a continual commitment to promote that Broomehill-Tambellup is the region driven by community spirit. This is the next stage brand development (such as signage consistency, banner poles, message consistency, and storytelling tools).	1.1.2 Adoption by the Council of a Broomehill Streetscape Plan

SUMMARY

The purpose of this report is to consider the purchase of replacement banner poles in the Tambellup and Broomehill town sites, prior to the completion of the Broomehill streetscape and Tambellup railway precinct planning processes.

BACKGROUND

There are currently eight (8) banner poles in Tambellup and two (2) in Broomehill, as shown below:



Corner of Garrity Street & Tambellup-Gnowangerup Road, Tambellup (looking North)



Corner of Garrity Street & North Terrace, Tambellup (looking South)



South of corner of Janus Street & Great Southern Highway, Broomehill (looking North)



Corner of Lavarock Street & Great Southern Highway, Broomehill (looking South)

Unfortunately, these banner poles are all different sizes and take different and unusual shaped banners, making the purchase of new banners difficult and expensive. In addition, the installation of banners requires the use of a cherry picker or similar safe work platform, which the Shire does not own, making the ability to display or change a banner conditional on the availability of the contractors or machinery hire. One of the banner poles in Broomehill is also precariously close to power lines.

COMMENT

As a result of all of the above operating difficulties experienced at present, banners are rarely displayed in either town, and when they are, any problems experienced (such as a ripped banner) takes a long time to be rectified (as can be seen from the photos above). As such it is recommended that new banner poles, operable from ground level be purchased to replace the existing banner poles.

Type of Banner Pole:

There are flag style banners that involve the banner being raised and lowered from the ground similar to a flag, solving the previously mentioned banner installation issues. These banner poles are also bolted in place using a cage bolt installation, enabling their location to be moved at minimal cost, if required following the completion of the Broomehill streetscape and Tambellup railway precinct planning processes.

There are several suppliers for these flag style banner poles, with one example being:



(source <https://pila.com.au/flagpoles/>)

6.0m Banner Pole - Lower banner arm on rope halyard & change banner from the ground while the pole remains vertical.

- *80mm x 2.3mm 2-piece tube*
- *Gloss white UV stabilised powdercoat*
- *6063 T6 high tensile marine-grade aluminium*
- *Rotating head with lowering banner arm at top*
- *Marine-grade rope halyard with keyed door & flag clips*
- *Bolt-down hinge base*
- *Suit 2.5m x 0.8m single-thickness 130gsm trilobal banner*

These banner poles are approximately \$1,200 each.

Locations:

The Shire is currently going through a townscape planning process for the Tambellup railway precinct and one of the initiatives set in the Corporate Business Plan is the adoption of a streetscape plan for Broomehill, although this is yet to be started. Ideally the placement of banner poles would be addressed in both of these planning processes, however, it is considered that the current banner arrangement does not portray either town in a positive light and should be rectified as soon as possible.

The displaying of banners can assist in slowing down traffic, can educate, celebrate and inform issues within the community and also give passing traffic the idea that there is more to see down a side street. As such, their placement should be given careful consideration. It is suggested that the placement of new, ground operated banner poles be as follows:

- Tambellup – (in the existing banner pole location) corner north terrace and Great Southern Highway and Great Southern Highway and Gnowangerup-Tambellup Rd. It is suggested each location be a row of three (3) banners; and
- Broomehill – The island opposite the Imperial Hotel on Great Southern Highway and opposite the Broomehill Heritage Precinct on Great Southern Highway. It is suggested each location be a row of three (3) banners.

These suggested locations are as follows:



Tambellup



Broomehill

Cost:

The cost of what is proposed above is as follows:

Total cost = 12 banner poles x \$1,200 per banner
= \$14,400

or

= \$7,200 per town.

The banners for this style of banner pole are approximately \$250 each, making a complete set of banners for both townsites \$3,000, or \$1,500 if purchasing banners for a theme for just one townsite.

Guidelines:

It is recommended that any upgrade to banner poles within the Shire be completed in conjunction with new Council guidelines and who could place banners, for what durations, who buys the banners and the like. Such a Council policy could govern the purposes that the banners poles be used, such as:

- a) Shire logo and/or branding;
- b) Christmas and Easter;
- c) Road Safety messages;
- d) Celebrate local achievements (Sporting victories or big competition weekends, Showcase in Pixels winners, etc);
- e) Tourism (Bloom Festival, Gordon River, Holland Track, etc); or
- f) Private advertising (e.g. 124 Deli, Henry Jones, etc.)

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

Main Roads WA approval may be required for placements on Great Southern Highway.

FINANCIAL IMPLICATIONS

The 2023/2024 Annual Budget contains \$400,000 for townscape works for the Tambellup Railway Precinct (account LR404). While this provision was allocated for the construction of new public toilets, it is considered that there will be sufficient funds to also implement new banner poles.

POLICY IMPLICATIONS

It is recommended that a new Council Policy be drafted to accompany any upgrade to banner poles within the Shire covering issues such as who can place banners, for what duration and financial consideration.

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "low" and can be managed by routine procedures, the appropriate approvals and with current resources.

ASSET MANAGEMENT IMPLICATIONS

The recommendation includes decommissioning existing outdated assets and replacing with easier to operate, standardized assets, thus greatly reducing the asset's whole of life costs.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That new ground operated banner poles be purchased for the Broomehill and Tambellup town sites, as follows:

1. Tambellup – a row of three (3) banners to be located in the existing banner pole locations; being the corner of North Terrace & Great Southern Highway and the corner of Great Southern Highway and Gnowangerup-Tambellup Rd (6 banner poles in total);

2. Broomehill - a row of three (3) banners to be located in the traffic island opposite the Imperial Hotel on Great Southern Highway and a row of three (3) banners to be located opposite the Broomehill Heritage Precinct on Great Southern Highway (6 banner poles in total);
3. The new banner poles chosen must be able to be relocated to another site if required, following the finalisation of the Broomehill streetscape and Tambellup railway precinct planning processes;
4. Purchase and installation be funded from (account LR404) - Townscape - Tambellup Railway Precinct; and
5. The Chief Executive Officer draft a new Council Policy for the Council's consideration covering issues such as:
 - a. Who can place banners;
 - b. Allowable purposes of each banner;
 - c. For what duration; and
 - d. Financial considerations.

10.4 ROADWISE COUNCIL INVITATION

ATTACHMENT(S)	10.4.1 – Sample Vision Statements and Statements of Intention.
FILE NO	ADM0639
APPLICANT	WALGA
AUTHOR	Anthony Middleton - Chief Executive Officer
DATE	21 August 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Point of Difference	
2. A United Community 2.1 BT well-being and safety: This is the community and Shire working more boldly to provide advanced wellbeing programs for all ages (such as the Albany Youth Support Association, Strong and Proud, Active Farmers and OFFFFL). This also includes further development of neighbourhood safety programs, facilities and products and a Youth Centre upgrade.	2.1.16 - Participate in the WALGA Roadwise program to provide education and awareness about safe road use and driver behaviour, to reduce the risks and impacts of road trauma.

SUMMARY

The purpose of the report is to consider an invitation from WALGA to register as a RoadWise Council.

BACKGROUND

Correspondence has been received from WALGA inviting the Shire to sign up to a new initiative and register as a RoadWise Council.

The new RoadWise Councils Framework informs the approach WALGA's road safety team takes in supporting local governments in working towards delivering best practice road safety. The Framework takes into account the elements which determine the level of safety of the road transport system within the context of Local Governments.

To register, Local Governments can accept the invitation by providing a Council resolution or a written declaration of commitment to road safety and nominating at least two personnel (Officers and/or Elected Members) to be the primary point of contact for road safety matters.

COMMENT

The benefits for Local Governments that register as RoadWise Councils include:

- Use of the RoadWise logo,
- Priority access to WALGA's road safety services and products,
- Exclusive quarterly meetings and support from a Road Safety Advisor,
- Priority access to participate in WALGA's road safety policy development, training,

- Professional development forums and knowledge-sharing workshops offered by WALGA,
- Access to incentives and sponsored programs, and
- Participation in the new *RoadWise Recognised* initiative.

The *Roadwise Recognised* aspect of being a RoadWise Council provides formal recognition for, and enables benchmarking and monitoring of road safety management, actions and interventions. *RoadWise Recognised* will assist Local Governments with continuous improvement in road safety actions and outcomes through regular support, monitoring and sharing of information.

Signing up as a Roadwise Council will demonstrate leadership towards initiatives and actions to improve road safety outcomes for our communities and is therefore recommended.

As part of the signing up process, WALGA have provided sample Vision Statements and Statements of Intention that they would like local governments to commit to (see attachment 10.4.1). It is envisaged that the statements chosen by the Council to best represent Broomehill-Tambellup should also be added to the adopted Roads Hierarchy document in the form of an introduction. The statements recommended for adoption are as follows:

Road Safety Vision statement

To work towards embedding road safety actions across the organisation to improve local road safety outcomes.

Road Safety Statements of Intention

The Shire recognises that:

- It has an opportunity to influence road safety outcomes on the local road network through our role in building, maintaining and managing roads; and
- It invests significant resources in managing an extensive network of local roads and is well placed to influence road safety performance;

The Shire will provide leadership in road safety by:

- Striving to work within the framework of the Road Safety Governing Principles for Local Government; and
- Lobbying and advocating for safety improvements in the State road network within the Shire;

The Shire will demonstrate action in road safety by:

- Working towards identifying and implementing measures to improve road safety outcomes on the local road network;
- Identifying opportunities and implementing measures, within our capacity and resources, to improve road safety outcomes on the local road network; and
- Working towards implementing a systems approach to improve road safety on our local network for our community and visitors.

CONSULTATION

Senior Management Team.

Vivienne Gardiner, Regional Road Safety Advisor, WALGA RoadWise Program

STATUTORY ENVIRONMENT

Road authorities have a duty of care to all road users and must do what is reasonable to be aware of deficiencies in the road transport system, to assess and prioritise these deficiencies, and have a system for corrective action.

FINANCIAL IMPLICATIONS

There are no budget implications to register as a RoadWise Council.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Road authorities have a duty of care to all road users and must do what is reasonable to be aware of deficiencies in the road transport system, to assess and prioritise these deficiencies, and have a system for corrective action. Becoming a RoadWise Council is another strategy in meeting this duty of care in addition to existing practices such as regular inspection and maintenance of the network.

ASSET MANAGEMENT IMPLICATIONS

This agenda item deals with a Council asset that is always open to the public. An improved level of maintenance and upgrade will increase the life of the asset and ensure that it is fit for purpose.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. The invitation from WALGA to register as a RoadWise Council be accepted; and
2. The following Vision Statement and Statements of Intention be adopted and added to the Roads Hierarchy document to create an introduction:

‘Road Safety Vision statement

To work towards embedding road safety actions across the organisation to improve local road safety outcomes.

Road Safety Statements of Intention

The Shire recognises that:

- It has an opportunity to influence road safety outcomes on the local road network through our role in building, maintaining and managing roads; and
- It invests significant resources in managing an extensive network of local roads and is well placed to influence road safety performance;

The Shire will provide leadership in road safety by:

- Striving to work within the framework of the Road Safety Governing Principles for Local Government; and
- Lobbying and advocating for safety improvements in the State road network within the Shire;

The Shire will demonstrate action in road safety by:

- Working towards identifying and implementing measures to improve road safety outcomes on the local road network;

- Identifying opportunities and implementing measures, within our capacity and resources, to improve road safety outcomes on the local road network; and
- Working towards implementing a systems approach to improve road safety on our local network for our community and visitors.'

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY**11.1 TAMBELLUP BUSINESS CENTRE – RATE CONCESSION**

ATTACHMENT(S)	Nil
FILE NO	A505
APPLICANT	Tambellup Business Centre
AUTHOR	Kay Squibb – Manager of Finance & Administration
DATE	23 August 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Economy	
5. Healthy Existing Businesses 5.2 BT BEC Activation: This is the maximization and promotion of the Tambellup Business Enterprise Centre. Maximisation requires creative community minds and partnership between BEC, Shire and community groups (such as Community Cropping team)	5.2.4 Increase the Shire's role in the management and future of the BEC

SUMMARY

The Council to consider a request for a rate concession for the 2023/2024 financial year.

BACKGROUND

The Tambellup Business Centre has written requesting the Council consider granting a concession on the rates levied for the 2023/2024 financial year. They are a not for profit organisation that provides storage and facilities for businesses, as well as start-up assistance and premises for new businesses.

The Business Centre is unique in this area and is managed by a volunteer Committee made up from local and regional members. The Council has a representative on this Committee.

COMMENT

The rates levied on this assessment is \$3,041.03 for the 2023/2024 financial year, which has been paid in full during the discount period. A discount of \$152.05 has been applied. A concession has not been requested for rubbish and recycling charges, or the Emergency Services Levy.

A rate concession has been granted to the Tambellup Business Centre since 2001.

The net value of the concession, if granted, would be \$2,888.98.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.47 Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

**Absolute majority required*

FINANCIAL IMPLICATIONS

Provision of \$9,000 has been included in the 2023/2024 budget against general ledger account 03111.70 – Rates Written Off in anticipation of such requests. The account has a balance of \$8,338.73 and is sufficient to accommodate this request if granted.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

There are no risk implications for the Shire.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the Tambellup Business Centre be granted a rate concession of \$2,888.98 for the 2023/2024 financial year.

11.2 PROPOSED SINGLE HOUSE – LOT 393 (NO 83) CHILLICUP ROAD, BROOMEHILL VILLAGE

ATTACHMENT(S)	Nil
FILE NO	A6086
APPLICANT	WA Country Builders
AUTHOR	Liz Bushby - Town Planning Innovations (TPI)
DATE	12 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcome	Corporate Actions
Key Pillar: BT Economy	
4. Versatile Accommodation 4.3 BT quality house and land options: This is the shire expediting house and land releases, and investing in quality shire or community-owned houses.	No corporate business plan initiative.

SUMMARY

The purpose of this report is for Council to consider a development application for a single house on Lot 393 (No 83) Chillicup Road, Broomehill Village.

BACKGROUND

Lot 393 is zoned Rural Residential under the Shire of Broomehill Town Planning Scheme No 1 (the Scheme). All development in the Rural Residential zone requires development approval.

Lot 393 has an approximate area of 5.2 hectares, and contains an existing outbuilding and water tanks.

The closest intersection to the lot is the corner of Nelson Street and Chillicup Road.

An aerial image is included over page for ease of reference.

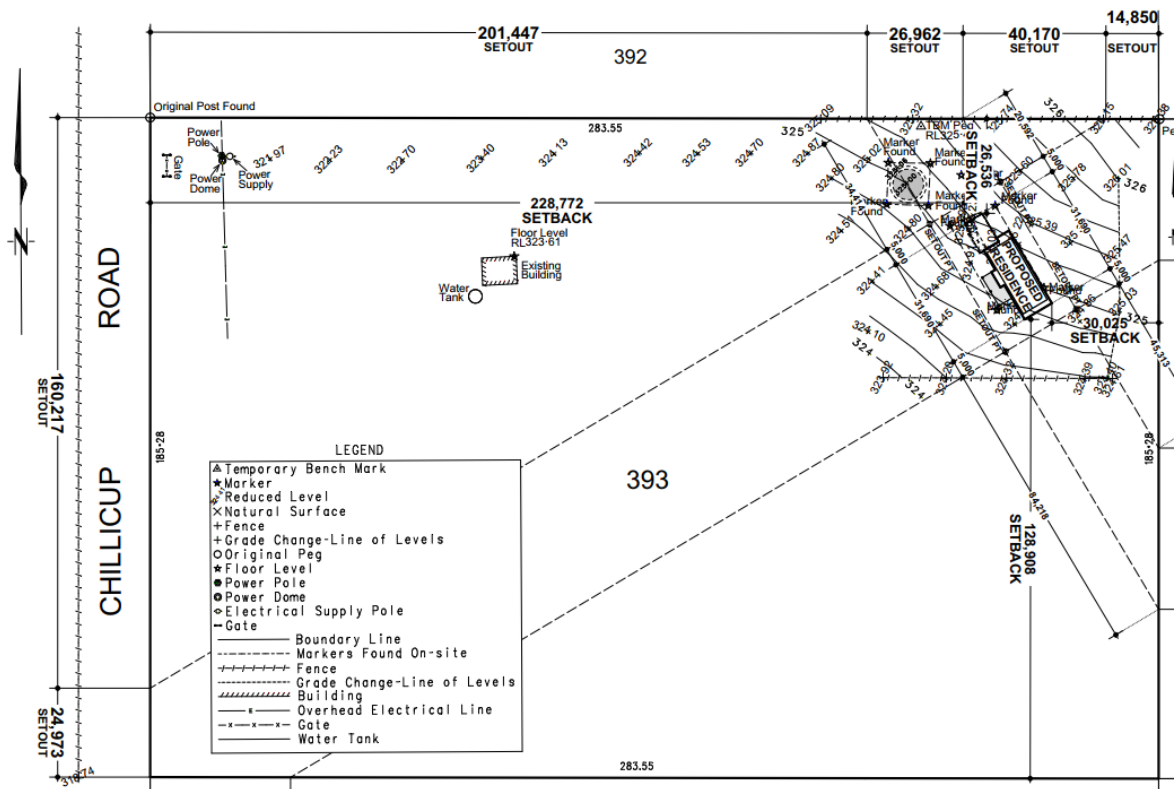
COMMENT

The application proposes a single house in the north east portion of Lot 393. The dwelling is proposed to be single storey and will include a new attached garage.



Table 2 under the Scheme sets out site requirements, and requires a minimum front setback of 15 metres, and 10 metre rear/side setback for the Rural Residential zone.

A site plan is included over page.



- **Assessment**

The proposed house will be high quality and meets the minimum setbacks required under the Scheme. The development is compatible with other single houses already developed in this locality. Accordingly conditional approval is recommended.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015 - The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire's Scheme.

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Shire of Broomehill Town Planning Scheme No 1 -

Under Clause 5.12.5 b) the Scheme states that '*in addition to a building licence, the Council's prior planning consent is required for all development including a single house and such application shall be made in writing to the Council and be subject to the provisions of the Scheme*'.

Clause 5.12.6 states that:

“In considering an application for planning consent for a proposed development (including additions and alterations to existing development) the Council shall have regard to the following:

- a) the colour and texture of external building materials;*
- b) building size, height, bulk, roof pitch;*
- c) setback and location of the building on its lots;*
- d) architectural style and design details of the building; e) relationship to surrounding development; and*
- f) other characteristics considered by the Council to be relevant. ‘*

Clause 5.8 requires each dwelling to be provided with a supply of potable water either from a reticulated system, or underground bore, or a rainwater-storage system with a minimum capacity of 92,000 litres to the satisfaction of the Council.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the application for a single house on Lot 393 (No 83) Chillicup Road, Broomehill Village be approved subject to the following conditions and footnote:

1. The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
2. The dwelling is to be provided with a rainwater storage system with a minimum capacity of 92,000 litres unless an alternative potable water source is approved separately in writing by the Chief Executive Officer.
3. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into road reserve unless otherwise approved in writing by the Chief Executive Officer.
4. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnote:

- (a) This is a planning consent only and owners need to apply for a separate building permit prior to commencing any site works or construction.

11.3 PROPOSED OUTBUILDING (SEA CONTAINER) – LOT 123 (NO 2974) PAUL VALLEY ROAD, TAMBELLUP

ATTACHMENT(S)	Nil
FILE NO	A183
APPLICANT	Scott Booth
AUTHOR	Liz Bushby - Town Planning Innovations
DATE	13 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Economy	
4. Versatile Accommodation 4.3 BT quality house and land options: This is the shire expediting house and land releases, and investing in quality shire or community-owned houses.	No corporate business plan initiative.

SUMMARY

The purpose of this report is for the Council to consider a development application for a sea container (outbuilding) on Lot 123 (No 2974) Paul Valley Road, Tambellup.

BACKGROUND

Lot 123 is zoned Special Rural under the Shire of Tambellup Town Planning Scheme No 2 (the Scheme). All development in the Special Rural zone requires development approval.

Lot 123 has an approximate area of 2.02 hectares, and contains an existing house and outbuildings.

The lot is located on the corner of Paul Valley Road and Forrest Street, however Forrest Street is unconstructed road reserve.

An aerial image is included over page for ease of reference.



Above: Aerial Image/ Location Plan

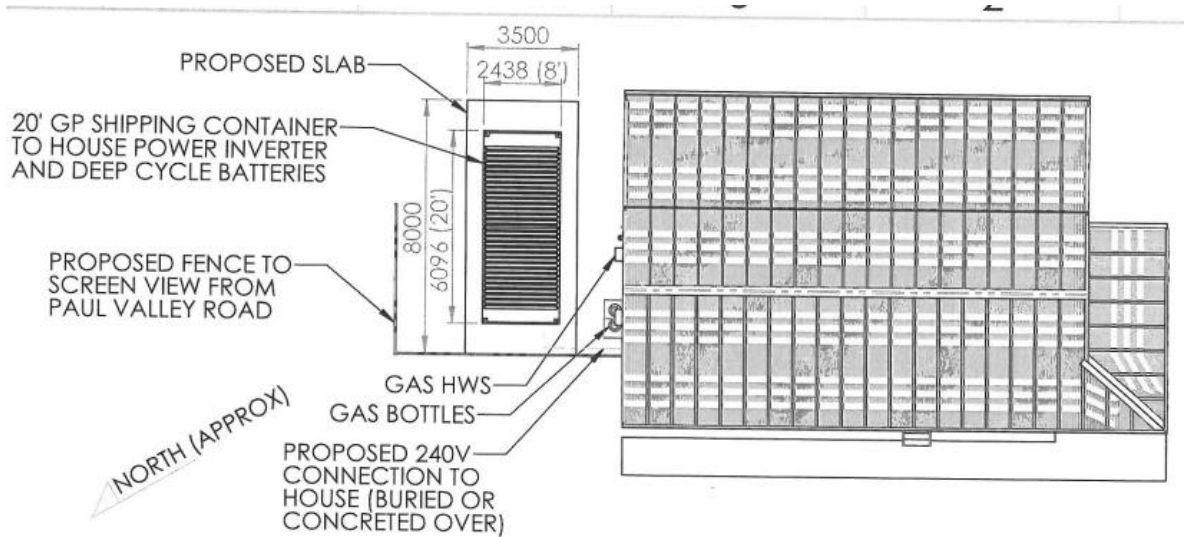
COMMENT

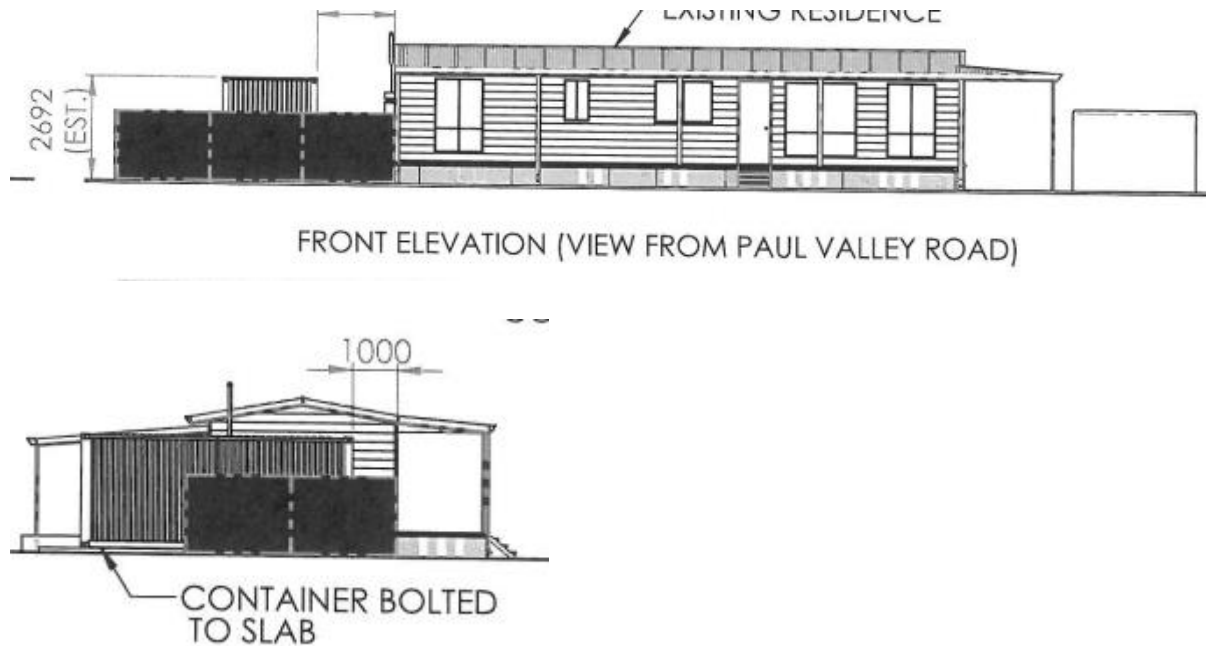
- Description of Proposed Development*

The owner proposes to place a sea container adjacent to the existing dwelling on the lot to use as an outbuilding.

The sea container/outbuilding is proposed to house power equipment including a deep cycle battery bank and power inverter.

The structure will measure 2.4 metres in width, 6.0 metres long and have a height of 2.6 metres. The owner proposes a fence around a portion of the sea container to screen it from Paul Valley Road.





- *Setbacks*

Clause 6.5.3 of the Scheme requires a minimum front setback of 15 metres, and a 10 metres side/rear setback.

The proposed sea container/outbuilding complies as it is proposed to be setback 48 metres from Paul Valley Road and 80 metres from the nearest side lot boundary.

- *Local Planning Policy No 1 – Sea Containers*

The Shire's Local Planning Policy has specific requirements for sea containers in a Residential, Special Rural or Rural residential zone as summarised in the table below:

Policy Requirement	Officer Comment
The Shire has discretion to consider development applications for sea containers in a Residential, Special Rural or Rural Residential zone, subject to the following requirements:	
7a) All external walls of any container are to be painted or clad in new materials within 3 months of any approval; and /or	Complies. The owner advised Shire Administration that the sea container will be brand new and white.
7b) The container shall be suitably screened and/or fenced from view of any road frontage and neighbouring lot to the satisfaction of the local government; and	Complies. Fencing is proposed to the north west and north to screen the container from Paul Valley Road.

7c) Containers are to be located to the side or rear of an existing dwelling or existing outbuilding. A container will not be permitted within the front setback area or forward of an established building line.	Complies. The structure is proposed to the side of the existing dwelling.
7d) Sea containers proposed on vacant lots will generally not be supported. The Shire may consider a temporary approval if a dwelling is proposed to be constructed within 15 months.	Not Applicable. The lot is not vacant and has been developed with a house.
7e) A maximum of one sea container will be considered on a Residential zoned lot. A maximum of 2 sea containers may be considered for any lot zoned Special Rural or Rural Residential.	Complies. Only one sea container is proposed.

- *State Planning Policy 3.7 Planning in Bushfire Prone Areas and Bushfire Attack level Assessment*

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas' (SPP 3.7).

The Shire has a mandatory obligation to consider SPP3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

The Western Australian Planning Commission released SPP3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Lot 123 is within the declared bushfire prone area.

Under Clause 5.4 of the Guidelines all planning applications in Bushfire Prone Areas are to be accompanied by a BAL (Bushfire Attack Level) assessment. There is no specific exemption for outbuildings/ sea containers.

Despite the above, the Guidelines that make it clear that application of SPP3.7 is to the discretion of the decision maker, being the Shire Council.

TPI does not recommend that any Bushfire Attack Level assessment be required at the planning stage for the following reasons:

- A BAL will be required as part of the separate building permit process if the owner pursues the current sea container location;

- b) If the sea container can be placed 6 metres away from the dwelling, the Shires Building Surveyor has advised that a BAL will not be required as part of the separate Building permit process;
- c) TPI has liaised with the owner who will investigate the cost of a BAL assessment versus the costs of additional electrical trenching.
- d) TPI has advised the owner that the planning approval can allow some flexibility for the sea container to be moved from 2 metres to 6 metres from the house if the BAL assessment is found to be too costly.
- e) All development is non habitable and will be used for storage.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015 - The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire's Scheme.

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Shire of Tambellup Town Planning Scheme No 2 -

Under Clause 6.5.4.1 i) the Scheme states that *'in addition to a building licence, the Council's planning approval is required for all development including a single house and such application shall be made in writing to the Council and be subject to the provisions of Clause 8.2 of the Scheme'*.

Clause 6.5.4.2 states that:

"In considering an application for planning approval for a proposed development (including additions and alterations to existing development) the Council shall have regard to the following:

- a) the colour and texture of external building materials;*
- b) building size, height, bulk, roof pitch;*
- c) setback and location of the building on its lots;*
- d) architectural style and design details of the building;*
- e) relationship to surrounding development; and*
- f) other characteristics considered by the Council to be relevant; and*
- g) provision to be made for bush fire control in accordance with a Planning Policy adopted by the Council.'*

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Assessment under Local Planning Policy No 1 is included in the body of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the application for an outbuilding/sea container on Lot 123 (No 2974) Paul Valley Road, Tambellup be approved subject to the following conditions and footnote:

1. The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
2. The owner shall install a fence within 6 months of the sea container being placed on the lot. The fence shall be constructed in accordance with the attached approved plans, or an alternative plan approved separate in writing by the Chief Executive Officer in accordance with Condition 1.
3. This approval is for a new white sea container.
4. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into road reserve unless otherwise approved in writing by the Chief Executive Officer.
5. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnote:

- (a) This is a planning consent only and owners may need to apply for separate Building permit prior to commencing any site works or placement of the sea container on the lot
- (b) Please be advised that the sea container is proposed on a lot within a declared bushfire prone area. Additional information, such as a Bushfire Attack Level assessment will be required as part of the separate Building Permit process.
Alternatively, the Shires Building Surveyor has advised that a BAL is not required if the sea container can be separated from the house by 6 metres. Condition 1 allows some flexibility to allow the owner to consider a larger 6 metre setback between the container and existing dwelling.

11.4 APPLICATION TO MODIFY PLANNING CONDITION ON COLOUR FINISH OF SILOS – DAP APPROVAL FOR RAIL LOADING INFRASTRUCTURE AND RAIL SIDING WITHIN RAILWAY CORRIDOR, BROOMEHILL

ATTACHMENT(S)	11.4.1 - Determination letter & notice - DAP
FILE NO	ADM0582
APPLICANT	Co-Operative Bulk Handling
AUTHOR	Liz Bushby – Town Planning Innovations
DATE	14 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Economy	
6. Attracted New Businesses 6.4 BT new business: This is the Shire making it easy for any new business to be attracted to the area such as a supportive Town Planning Scheme, commercial or industrial land development and encouraging value-adding to current business and industry.	6.4.1 Support existing businesses through innovative methods for Shire support to ensure their continuation and the basic provision of service for both visitors and local residents.

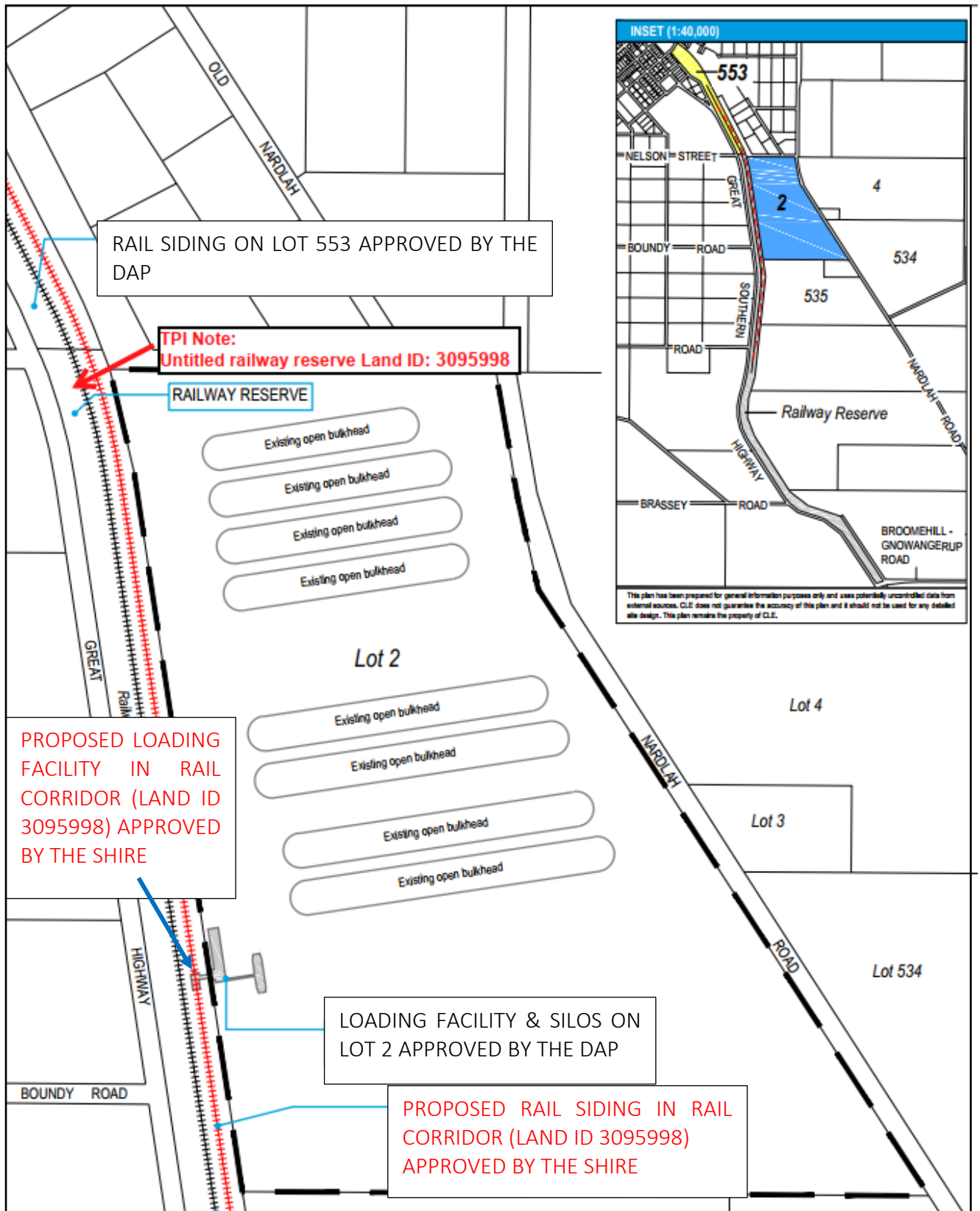
SUMMARY

In 2021, CBH lodged an application seeking planning approval for a Rural Industry and new rail loadout facility on Lots 2 and 535 Nardlah Road in Broomehill. A rail siding was also proposed on Lot 553 which forms part of existing railway reserve. The application was determined by a Development Assessment Panel (DAP), and conditional approval was issued on the 21 January 2022 – Attachment 11.4.1.

Condition 14 of the DAP approval required the silos to be a light grey colour. The purpose of this report is for Council to consider modified wording for Condition 14, as the silos are galvanised with white cone elements.

BACKGROUND

This report only relates to the approval issued by the Development Assessment Panel. Approved development is reflected in the plan over page.



Note: The proposed railway siding extends further south than shown on this site plan extract. It has an approximate length of 1.6 kilometres.

COMMENT

Condition 14 of the DAP approval dated the 21 January 2022 currently states:

14. The silos are to be constructed utilizing a light grey colour.

CBH has requested that the condition be modified to state:

14. The silos external finish/ colour is to be galvanised with white lower cone elements to the satisfaction of the Chief Executive Officer.

CBH has requested the modified condition to reflect the actual construction details of the silos. The silos are proposed to be galvanised with a white lower cone. CBH has provided the photographs below, and advised the silos will weather to the condition reflected in the photographs.



TPI is generally supportive of the proposed condition change, noting that it does not substantially change the approved development.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015 - The Regulations include 'Deemed Provisions' that automatically apply to all local governments.

Clause 67 outlines application considerations including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, the objectives of a reserve, the likely effect on the natural environment, amenity, loading, access, traffic and any submissions received on a proposal.

Clause 77 allows a local government to amend an existing approval.

- *Planning and Development (Development Assessment Panels) Regulations 2011* – Clause 17(1)(b) allows an owner to apply to amend any condition of a development approval that has been issued by a Development Assessment Panel.

Clause 17A(1) allows a local government to determine an application to modify a condition of an approval, issued by a Development Assessment Panel where the landowner has elected the local government to determine the application.

- *Shire of Broomehill Town Planning Scheme No 1 (the Scheme)* – The lots are zoned Rural.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

- A. Accept that the development application lodged by CBH to modify Condition 14 of the existing DAP approval dated the 21 January 2022 (Ref: DAP/21/02104) is appropriate for consideration in accordance with Clause 17A(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
- B. Approve that the development application lodged by CBH (Ref: DAP/21/02104) in accordance with Clause 17A(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011*, and with the provisions of the Shire of Broomehill Town Planning Scheme No 1 for the proposed minor amendment to the approved rural industry and associated rail infrastructure on Lot 2, Lot 533 and Lot 535 (No 333) Nardlah Road, Broomehill subject to the following modified condition and new advice note:

14. The silos external finish/ colour is to be galvanised with white lower cone elements to the satisfaction of the Chief Executive Officer.

Advice Note:

1. All other conditions and requirements detailed on the original approval dated 21 January 2022 shall remain unless:
 - (a) Altered by this application; or
 - (b) Altered by the separate application to modify Condition 9 as approved on 7 September 2023.

11.5 BROOMEHILL VILLAGE CO-OPERATIVE LTD – RATE CONCESSION

ATTACHMENT(S)	Nil
FILE NO	A1066
APPLICANT	Broomehill Village Co-operative Ltd.
AUTHOR	Kay Squibb – Manager Finance & Administration
DATE	13 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Economy	
5. Healthy Existing Businesses 5.3 BT business support: This is a program of work to stimulate business interaction through events, education, sharing and celebrating. This is the Shire supporting a ‘shop local’ philosophy (such as stimulating Shire purchases at local store).	5.3.2 Actively support the Tambellup and Broomehill Cooperatives (& other community groups such as the CRC) in innovative and resourceful ways to ensure the future success of our towns.

SUMMARY

The Council to consider a request for a rate concession for the 2023/2024 financial year.

BACKGROUND

The Broomehill Village Co-operative Ltd. (the Co-op) purchased the Imperial Hotel, Broomehill in April 2022 as an inactive business. The building and amenities require significant investment to bring up to a standard for re-opening. The Co-op are in the very early stages of this process, and are applying for grants and raising funds to enable the renovations required to open the doors. It will be some time before they are in a position to open and generate an income themselves.

The Co-op has written requesting the Shire’s assistance by way of granting a rate exemption for the Imperial Hotel for the 2023/2024 financial year.

COMMENT

The rates levied on this assessment is \$5,271.12 for the 2023/2024 financial year. When considering similar applications for a rate concession, the Council have required the property owners to pay the refuse collection service charge and the Emergency Services Levy (the Tambellup Golf Club and Tambellup Business Centre). The Co-op was first granted a concession on rates levied in 2022/2023.

The Shire’s support to the Co-op during the initial stages of clean-up and planning, by way of a rate concession, will ensure their limited funds can be put towards renovation of the building and amenities.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.47 Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

**Absolute majority required*

FINANCIAL IMPLICATIONS

Provision of \$9,000 has been included in the 2023/2024 budget against general ledger account 03111.70 – Rates Written Off. The account currently has a balance of \$8338.73 available, however the Council is considering another request for a rate concession of \$2,888.98 during the meeting. The budgeted allocation is sufficient to accommodate both requests.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications for the Shire.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the Broomehill Village Co-operative Ltd. be granted a rate concession of \$5,271.12 on assessment A1066 for the 2023/2024 financial year.

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

12.1 GORDON RIVER WALK TRAIL & FACILITIES – PROPOSED 5 YEAR PLAN

ATTACHMENT(S)	12.1.1 - Draft Gordon River Walk Trail & Facilities 5 Year Plan
FILE NO	RES14855
APPLICANT	n/a
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	5 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Lifestyle	
7. Celebrated Natural Environments 7.1 Gordon River advancement: This is the upgrading of the Gordon River site, including BBQ stand, grasslands, toilets, benches, children play, signage, storytelling of its historical significance and possible event organisation.	7.1.1 Adopt a plan for the Gordon River weir area clearly showing upgrades to the site and integration with trails, including: <ul style="list-style-type: none"> • BBQ stand; • Grasslands; • Toilets; • Street Furniture; • Children play Facilities; • Signage; and • Storytelling of its historical significance 7.1.2 Investigate the development of facilities that encourage natural asset attractions, such as Bird watching hides 7.1.3 Restrict all vehicle access to walk trails and repair trail surface 7.1.4 Formalise carpark area and access ways 7.1.5 Improve directional signage 7.1.6 Investigate the construction of a pedestrian bridge on Tambellup West road.
Key Pillar: BT Point-of-Difference	
3. An Appreciated Culture 3.5 BT recreation: This is a community and Shire recreation program that stimulates community spirit and maximises interaction (such as orienteering, fun run, wildflower walks, bike rides, Indigenous tours and Gordon River swims).	3.5.3 Support existing groups to develop and deliver alternative activities.

SUMMARY

The purpose of the report is to consider implementing a five (5) year plan for upgrades and improvements to the Gordon River walk trail and facilities.

BACKGROUND

The existing facilities and walk trails at the Gordon River require both an increase in maintenance and an upgrade of the built environment. To ensure this is completed in a planned and coordinated manner and to garnish both the Council's and the community's wishes, the Senior Management Team (SMT) has prepared a draft five (5) year plan for this focal point of the Tambellup townsite.

COMMENT

The attached plan has identified potential upgrades and improvements to address the poor state of current infrastructure on site and impacts of flooding. Each item has been allocated a Shire SMT member who is responsible and a proposed financial year in which the upgrade will be completed.

Major features of the draft plan as attached are:

- Formalise and seal carpark area and access ways;
- Install BBQ in, or adjacent to, the gazebo;
- Improve directional signage (from Great Southern Highway to the site)
- Install new Toilet facilities;
- Storytelling of the river's historical significance;
- Installation of a raised viewing area at the Weir;
- Review solar lighting and upgrade.
- Restrict all vehicle access to walk trails;
- Install directional signage around the trail;
- Install interpretative & Trail Head signage to tell the story of the river along the trail;
- Investigate and cost estimate the construction of a pedestrian bridge on Tambellup West Road.
- Construction of pedestrian bridge on Tambellup West Road.
- Install culvert & gravel fill to repair wash outs on trail.
- Increase regular maintenance to ensure trafficability of trail, public safety and functionality of drainage.
- Develop a grassed area for recreation;
- Install picnic tables and chairs;
- Install Deck over the water;
- Investigate the development of facilities that encourage natural asset attractions, such as Bird watching hides.
- Review lot boundaries, ownership, zoning and tenure to protect the river as an asset for future generations.

It is recommended that once the Council are satisfied with the contents of the attached draft plan, the plan be advertised for community input and feedback prior to adoption. Once adopted by the Council, this plan will be reviewed and updated every two (2) years, with the first review to occur in 2025.

CONSULTATION

Senior Management Team.

The recommendation suggests that the attached draft five (5) year plan be advertised for community input and feedback prior to adoption by the Council.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Individual upgrade or improvement projects contained within the adopted five (5) year plan will be budgeted for in the corresponding year of the life of the plan. Planning in a coordinated and consultative way reduces the chances of wasted money through projects being completed that are not accepted to either the Council or the community.

This year's budget includes \$160,000 for the upgrade of facilities at the Gordon River. It is proposed that the components of the attached plan be completed in this current financial year as follows:

New BBQ	\$15,000
Seal Carpark	\$85,000
Solar Lights	\$12,000
New Bin Surrounds	\$6,000
Signage	\$12,000
Trail Repairs	<u>\$30,000</u>
	\$160,000

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This agenda item deals with a Council asset that is open to the public 24 hours a day, 7 days per week. A robust plan that addresses the issues identified assists in the reduction of possible harm to the public in an area that has the potential to attract large numbers of visitors each week without possible embarrassment or reputational risk to the Shire.

ASSET MANAGEMENT IMPLICATIONS

This agenda item deals with a Council asset that is always open to the public. An improved level of maintenance and upgrade will increase the life of the asset and ensure that it is fit for purpose.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Gordon River Walk Trail & Facilities Draft 5 Year Plan:

1. As attached, be endorsed for community consultation;
2. Be advertised for public comment and feedback via The Topics, Shire website and Facebook page for the month of October 2023; and
3. Along with all community feedback received, be considered for adoption at the 16 November 2023 Council Meeting.

12.2 WILDFLOWER SPECIMENS - REQUEST TO COLLECT

ATTACHMENT(S)	NIL
FILE NO	ADM0235
APPLICANT	Jo Kempin
AUTHOR	Tash Korthuis – Governance & Executive Assistant
DATE	11 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Lifestyle	
7. Celebrated Natural Environments 7.3 Boot Rock Reserve This is the beautification and recognition of the Boot Rock Reserve including public access, preservation of native flora, weed clearing and restoration works for wildflower walks.	No corporate business plan initiative.

SUMMARY

The Council to consider a request to collect wildflower specimens from the Broomehill Golf Course. A verbal request was also received to collect specimens from the Boot Rock Reserve.

BACKGROUND

The Broomehill Golf Course is located on Reserve 22820 which is vested with the Shire.

The Boot Rock Reserve is located on Reserve 21943 which is vested with the Shire.

The applicant requests the Council to consider an application to collect some specimens from the Broomehill Golf Course & Boot Rock Reserve to scientifically identify their 'true' name and if there are any high 'Priority' plants, particularly the Blue Tinsel Lily which they know there is only one to have been found so far in the Broomehill townsite.

COMMENT

The applicant is currently a member of The Wildflower Society Albany Branch and has a Flora Collectors License issued by the Department of Biodiversity, Conservation and Attractions. The purpose of this application is to allow for plant identification at the Albany and State Herbariums. Currently there is no delegation to the CEO to approve applications within the townsite, however the review of the delegation manual is being considered elsewhere in this agenda and this matter will be addressed.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

A Flora Collectors License has been obtained as issued by The Department of Biodiversity, Conservation and Attractions.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

There are no risk implications for the Shire.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the request from Jo Kempin to collect wildflower specimens within Broomehill Recreational Complex Reserve (Reserve 22820) and Boot Rock Reserve (Reserve 21943) be approved.

12.3 TAMBELLUP RAILWAY PRECINCT – TOWNSCAPE PLAN

ATTACHMENT(S)	12.3.1 Draft Tambellup Railway Precinct Townscape Plan
FILE NO	RES12684
APPLICANT	n/a
AUTHOR	Anthony Middleton – Chief Executive Officer
DATE	13 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Lifestyle	
8. Enjoyed Built Environments 8.2 Tambellup Railway Precinct development This is the development of the Tambellup Railway Precinct including toilets, accommodation at the old Railway Station, signage, banner poles and EV charging options.	8.2.1 Undertake townscape planning with extensive community consultation, including banner poles, deciduous street trees and facilities to encourage community use. (see also 1.1.2) 8.2.2 Adoption by the Council of the Tambellup Railway Precinct Townscape Plan 8.2.3 Installation of townscape elements planned for in 8.2.2. 8.2.4 Create a pedestrian link along Crowden Street between the railway precinct and recreation ground through improved footpaths and installation of street trees.

SUMMARY

The purpose of the report is to consider the draft Townscape Plan for the Tambellup Railway Precinct.

BACKGROUND

The Tambellup Railway Precinct represents one side of the town's main street and is the effective centre of the town site. It would be advantageous to update or replace individual facilities within the precinct, such as the public toilets and the war memorial, however it is vital to ensure this is completed in a planned and coordinated manner in accordance with both the Council's and the communities wishes.

To achieve this end, H&H Architects, in conjunction with the Senior Management Team and feedback from a Council briefing session, have prepared a draft Townscape Plan for the Tambellup Railway Precinct.

COMMENT

The attached draft plan provides structure to what is a long expanse of public open space by dividing the space into eight (8) distinct zones, giving each section a specific purpose and meaning. These eight zones are as follows (from south to north):

1. Long Vehicle Parking Zone;
2. Shop Zone;
3. Play Zone;
4. Bus Drop Off Zone;
5. War Memorial Zone;
6. Pine Tree Zone;
7. Open Space Zone; and
8. Museum Zone.

There is also a plan that incorporates updates to Crowden Street into the railway precinct. Using these zones, it is envisaged that one (or more) zone may be upgraded at a time as funding permits, based on the Council's and community's priorities.

The attached draft plan includes 15 pages of detail, and specifically pages 8-15 contain specific project scope of what is being proposed. The major features of the draft plan as attached are:

1. Long Vehicle Parking Zone
 - a) Demolition of existing public toilets and construct new toilets in the Shop Zone;
 - b) Signage for long vehicle parking entry/exit and line-marking;
2. Shop Zone
 - a) Construct new public toilets;
 - b) Move the old grader from the shelter to the Museum Zone – this shelter becomes seating area as a meeting place to eat lunch/drink coffee, etc;
 - c) Paved trafficable pedestrian crossing from shop to shelter;
 - d) Secondary seating location in parkland setting;
 - e) New railway line pedestrian crossing on the southern side of the station platform (to connect public toilets to the Great Southern Highway parking area/information bay opposite the Hotel);
 - f) Information Boards on local history and flood story (incorporating flood marker);
 - g) Flagging the Water Tower as a possible lookout into the future;
3. Play Zone
 - a) Nature play landscaping area to entertain the kids while using the Shop Zone as a gathering and meeting space;
 - b) Possible all ages swing;
4. Bus Drop Off Zone
 - a) Relocation of the School Bus/TransWA Bus Stop to the current horse hitching rail area;
 - b) Additional angle parking on western side of Norrish Street, incorporating future electric vehicle charging stations;
 - c) Bike racks and new bins;
 - d) Seating, trees & planter boxes on the Railway Platform;
 - e) Small lawn area for kids waiting for the bus;

- f) Current horse hitching rail area to be slightly moved and made a prominent feature, including information boards for story telling;
- 5. War Memorial Zone
 - a) Paved trafficable pedestrian crossing from Town Hall to War Memorial;
 - b) Narrowing of the road (western side parking only) to give prominence to this area;
 - c) New / additional flag poles;
 - d) Re-designed paving area flowing from Hall to War Memorial and onto the Railway Station creating a central focal point to the whole precinct;
 - e) Seating location in parkland setting;
- 6. Pine Tree Zone
 - a) Additional parking;
 - b) Story telling of the historical significance of pine trees in the town site of Tambellup;
 - c) Seating, trees & planter boxes on the Railway Platform;
- 7. Open Space Zone
 - a) Irrigated lawn area;
 - b) Redesign angle parking on the opposite side of the road, from the Shire Office to the old general store building;
 - c) Start of a Heritage Sculpture trail (relocation of Grader from Shop Zone) to connect the Museum with the rest of the precinct;
- 8. Museum Zone
 - a) Connection of the Old Station Master's House with the remainder of the precinct (currently very separate);
 - b) New garden beds lining the path (formal garden structure);
 - c) Removal of rose structure south of museum building
- 9. Crowden Street Zone
 - a) Centrally located street trees to create an avenue of shade;
 - b) Footpath extension from Norrish Street to East Terrace to join the:
 - i. Main Street;
 - ii. Caravan Park;
 - iii. Diprose Park;
 - iv. Youth Precinct/Recreation Facilities;
 - c) Old Caravan Park entry (east off East Terrace) to be restricted to pedestrian access only (main pedestrian entry for youth and sporting facilities from the town centre);
 - d) Change the intersection of Henry Street & Crowden Street so that Crowden Street has right of way
- 10. All Zones:
 - a) Redefinition of paving types;
 - b) Cycle path connecting all zones on the existing footpath;
 - c) Retention of existing (eastern) paving and curb;
 - d) Fencing off of the railway line;
 - e) Redefinition of parking on the western side of Norrish Street.

It is recommended that once the Council are satisfied with the contents of the attached draft plan, the plan be advertised for community input and feedback prior to adoption. A recommended community consultation process and timeline is as follows:

- 21 September 2023 - Adoption for advertising by the Council;
- All of October – Large scale plans printed with feedback forms on public display (suggest Tambellup Deli);
- 18 October - Two (2) community information sessions to be held, where the draft plans are presented and explained. One session at 2.00pm, the second at 6.00pm to encourage maximum attendance;
- Time frame for community comment to remain open until February 2024, to account for harvest, Christmas and January school holidays.
- Feedback considered by the Council at its February 2024 meeting.

While an extensive community consultation process is suggested for all components of the plan, there exists a sizeable budget allocation this year to commence works, and it was felt that the construction of new public toilets is the highest priority item for this budget. As such, if the Council is comfortable with deciding one component of the plan prior to public comment, the recommendation includes the adoption of the location of a new public toilet building and the authority to proceed on detailed designs.

CONSULTATION

Senior Management Team.

Council briefing session 27 July 2023.

The recommendation suggests that the attached draft plans be advertised for community input and feedback prior to adoption by the Council in 2024.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Individual components of the plan, when adopted, will be budgeted for as funding permits. Using the zones contained in the plan, it is envisaged that either one (or more) zone may be upgraded at a time, based on the Council's and community's priorities, or individual major components (such as curbing and parking) can be prioritized and budgeted accordingly.

Planning in a coordinated and consultative way reduces the chances of wasted money through projects being completed that are not accepted to either the Council or the community.

The 2023/2024 Annual Budget contains an allocation of \$400,000 for townscape works for the Tambellup Railway Precinct (account LR404). It was intended that this provision would fund the construction of new public toilets, however, no Council decision has yet been made on what is the priority component in the draft plan.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Undertaking adequate planning of a busy public area ensures that items such as disabled access, tactile pavement markers, pram ramps and trip hazards are considered prior to construction, minimizing the risk of harm or injury to the community.

ASSET MANAGEMENT IMPLICATIONS

This agenda item deals with numerous Shire assets in the Tambellup town centre location. An improved level of design consideration and how each component inter-relates with one another will increase the life of the asset and ensure that it is fit for purpose.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. The draft Townscape Plan for the Tambellup Railway Precinct, as attached, be endorsed for community consultation;
2. The community consultation process include community information sessions, public displays and feedback forms in addition to the normal channels used (The Topics, Shire website and Facebook page);
3. The Community Feedback period conclude in early 2024 and all feedback received be considered by the Council at its February 2024 Council Meeting; and
4. The proposed location of the new public toilets in the Shop Zone of the attached draft Townscape Plan for the Tambellup Railway Precinct be adopted, incorporating:
 - a. Authorisation to demolish the existing public toilets in the Long Vehicle Zone (upon completion of a new set of toilets);
 - b. The 2023/2024 Annual Budget allocation of \$400,000 for townscape works for the Tambellup Railway Precinct (account LR404) be utilised to construct the new public toilets; and
 - c. Concept designs and plans for the new toilets be considered by the Council prior to construction commencing.

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT**13.1 FINANCIAL STATEMENTS – AUGUST 2023**

ATTACHMENT(S)	13.1.1 Financial Statements August 2023
FILE NO	ADM0619
APPLICANT	n/a
AUTHOR	Kay O'Neill - Manager Finance & Administration
DATE	12 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
11. Delivered Shire Trust and Performance 11.2 SoBT financial sharing This is the Shire workforce releasing financial trends and results quarterly, transparently indicating where funds come from for each piece of work. The Shire is working well with the community to develop new revenue options to achieve community driven pieces of work.	11.2.1 Undertaking specific initiatives to improve meaning and understanding of the Shire's monthly financial reports.

SUMMARY

The Council to consider the monthly financial statements for August 2023.

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.

COMMENT

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 2023/24 budget process, the Council adopted 10% or \$10,000 (whichever is the greater) as the material variance for reporting purposes for the year.

The statement of financial activity identifies material variances, which is a requirement of the *Local Government (Financial Management) Regulations 1996*.

Councillors should note that final allocations are being made for the year ending 30 June 2023 which may affect the opening position for the current year. Depreciation for 2023/24 cannot be processed until the audit for the previous year is finalised, this will affect the variances reported in the statement of financial activity.

CONSULTATION

Chief Executive Officer

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 the previous month (the **relevant 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); and*
 - (b) budget estimates to the end of the month to which the statement relates; and*
 - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and*
 - (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 relevant month and a note containing a summary explaining the composition of the net current assets.*
- (2) Each statement of financial activity is to be accompanied by documents containing –*
- (a) [deleted].*
 - (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.*
- (3) The information in a statement of financial activity must be shown according to nature classification.*

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period ending 31 August 2023 be received.

13.2 MONTHLY LIST OF PAYMENTS – AUGUST 2023

ATTACHMENT(S)	13.2.1 Monthly Payments Listing August 2023
FILE NO	ADM0619
APPLICANT	N/A
AUTHOR	Kay O'Neill - Manager Finance & Administration
DATE	12 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: SoBT Shire Support	
11. Delivered Shire Trust and Performance 11.2 SoBT financial sharing This is the Shire workforce releasing financial trends and results quarterly, transparently indicating where funds come from for each piece of work. The Shire is working well with the community to develop new revenue options to achieve community driven pieces of work.	11.2.1 Undertaking specific initiatives to improve meaning and understanding of the Shire's monthly financial reports.

SUMMARY

The Council to consider the list of payments made from the Municipal and Trust Funds during August 2023.

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	477,533.39
Trust Fund	0.00
Credit Cards	2,206.53
TOTAL	479,739.92

Any comments or queries regarding the list of payments is to be directed to the Manager of Finance and Administration prior to the meeting.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

r13. 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.

FINANCIAL IMPLICATIONS

Reports the payments made for the previous month from the Municipal and Trust Funds, and purchases made on corporate credit cards held by the CEO and Manager of Finance and Administration.

POLICY IMPLICATIONS

Council Policy '3.1 Purchasing Policy' provides guidance and restrictions relative to purchasing commitments.

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That, in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments paid under delegated authority be noted for August 2023; comprising –

- Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$477,533.39; and
- Credit Card payments totalling \$2,206.53.

13.3 RATE WRITE OFF – SURRENDERED MINING TENEMENT

ATTACHMENT(S)	13.3.1 Extract from ASIC database
FILE NO	A939
APPLICANT	West Australia Resource Development Pty Ltd
AUTHOR	Kay Squibb – Manager of Finance & Administration
DATE	23 August 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Shire Support	
11. Delivered Shire Trust and Performance 11.2 SoBT financial sharing This is the Shire workforce releasing financial trends and results quarterly, transparently indicating where funds come from for each piece of work. The Shire is working well with the community to develop new revenue options to achieve community-driven pieces of work.	No corporate business plan initiative.

SUMMARY

The Council to consider writing off rates, penalty interest and legal fees charged against rates assessment A939.

BACKGROUND

Rate assessment A939 was established for a mining tenement first registered in 2017/18. Mining tenements are levied a minimum rate and are exempt from the Emergency Services Levy.

Rates were paid annually on this assessment until 2019/20 and payment has not been made since then. Landgate advised that the tenement had been surrendered from 31 March 2022, though rates and interest remained outstanding on the assessment.

Final notices were issued to West Australia Resource Development Pty Ltd, which were returned as undeliverable by Australia Post. The debt was referred to Ampac to proceed with recovery through the legal process.

Ampac have advised that West Australia Resource Development Pty Ltd deregistered as a company on 5 July 2022 and have recommended that the debt be written off.

COMMENT

A breakdown of the outstanding balance is as follows –

Rates (20/21 & 21/22)	\$880.19
Penalty Interest	\$176.98
Legal Fees	\$99.00
Total	\$1,156.17

The balance owing on this assessment is considered unrecoverable, as there is no longer an 'owner' to pursue for payment.

CONSULTATION

Ampac
Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.47 Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.*

**Absolute majority required*

FINANCIAL IMPLICATIONS

Provision of \$9,000 has been included in the 2023/2024 budget against general ledger account 03111.70 – Rates Written Off in anticipation of such requests. The account has a balance of \$8,338.73 and is sufficient to accommodate this request if granted.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

There are no risk implications for the Shire.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the balance of \$1,156.17 outstanding on rate assessment A939; comprising of rates \$880.19, penalty interest \$176.98 and legal fees \$99.00, be written off.

13.4 DELEGATION REGISTER REVIEW

ATTACHMENT(S)	13.4.1 Delegation Register Tracked Changes
FILE NO	ADM0239
APPLICANT	N/A
AUTHOR	Tash Korthuis – Governance & Executive Assistant
DATE	11 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Shire Support	
11. Delivered Shire Trust and Performance 11.1 SoBT monitoring and reporting This is the Shire workforce scoring all SCP pieces of work with a traffic light scoring system, and passing these results to all community members, quarterly.	No corporate business plan initiative.

SUMMARY

The purpose of this report is to review the Council's Delegation Register.

BACKGROUND

Sections 5.18 and 5.46 of the *Local Government Act 1995* require the Shire to maintain a register of delegations made under that Act, which includes delegations from:

- Council to Committees and the CEO; and
- CEO to employees.

The delegations are to be reviewed at least once every financial year. The register was last reviewed in September 2022.

COMMENT

Delegations are made to facilitate prompt business transactions and streamline the customer service functions of the Shire to ensure waiting times and delays are kept to a minimum. In addition, it alleviates the necessity for Council to deal with routine operations items at its monthly meetings thus freeing up time for matters of strategy and policy.

Senior staff have reviewed all current delegations and made minor changes, including to address any changes in circumstances or legislation, as well as clarify some ambiguities. It is believed that the amended document reflects the current needs of the Administration to provide an effective service to the residents of the Shire.

Delegation 1.10 – Hall Hire: The delegation provides for the waiving of hall hire bonds to specific organisations and events. It is considered the following should be added, given the broad relevance to the Shire:

- NAIDOC Week Events
- Gillamii Centre

Delegation 2.9 – Signing and issuing purchase orders: This delegation provides powers and duties for the signing and issuing of Council’s purchase orders be delegated to the Chief Executive Officer. It is considered the following be deleted:

The following purchasing limits apply to sub delegates:

<i>Manager of works</i>	<i>\$20,000</i>
<i>Manager of Finance & Administration</i>	<i>\$20,000</i>
<i>Strategic Support and Projects Officer</i>	<i>\$20,000</i>
<i>Works Assistant</i>	<i>\$2,000</i>
<i>Governance & Executive Assistant</i>	<i>\$2,000</i>

And the following comment be added:

Refer to Section 2 for purchasing limits and sub delegates.

This is a delegation from the CEO to other staff, therefore it is not required to be in this item.

Delegation 5.11 - Wildflower Picking: This delegation provides the authority to determine all applications for the picking of wildflowers on Shire reserves. It is considered that the following line be deleted:

This delegation is to be exercised in relation to reserves outside of townsites within the Shire.

Delegation 5.13 - Approval of collection of native seed from Council Reserves and Road Reserves: This delegation provides the authority to determine all applications for the collection of native seed from within the Shire of Broomehill-Tambellup reserves. It is considered that the following line be deleted:

This delegation is to be exercised in relation to reserves outside of townsites within the Shire.

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

Local Government Act 1995 Sections 5.42 to 5.46 and Regulation 19 of the *Local Government (Administration) Regulations 1996* relate to delegations.

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
- (a) this Act other than those referred to in section 5.43; or*
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).*

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Recommended conditions and limitations on delegated authorities contribute to minimizing risk and ensure that decisions are appropriately directed to the Council, where delegated authority is limited.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the Delegation Register dated September 2023, as attached be adopted.

13.5 LOT 274 GREENHILLS ROAD NORTH, BROOMEHILL WEST – LAND TENURE

ATTACHMENT(S)	13.5.1 Aerial Map showing Lot 274 13.5.2 Tenure Map showing Lot 274
FILE NO	ADM0253
APPLICANT	Department of Planning, Lands and Heritage
AUTHOR	Kay Squibb – Manager of Finance & Administration
DATE	14 September 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Shire Support	
12. Collected Region-wide Knowledge 12.1 SoBT community data: This is the Shire inspiring community to collect and release specific data important to the community (such as number of businesses, blackspots, visitation rates, caravan park occupancy rates, property sales). Data is being used to attract funding, developing greater community and partner engagement.	No corporate business plan initiative.

SUMMARY

To provide comments on the proposal to remove the Crown Grant in Trust condition from the title of Lot 274DP248895, Greenhills Road North Broomehill West and subsequent purchase of the property by the existing Trustee.

BACKGROUND

Prior to the introduction of the Lands Administration Act 1997, the Minister for Lands may have issued a freehold title over a Reserve, commonly known as a Crown Grant in Trust, for a particular purpose or any ancillary or beneficial purpose. Crown Grants in Trust were usually issued to an organisation that had a strong social or welfare reason for existence. The land was granted for a designated purpose, such as a church site, hall site, ambulance quarters etc.

Lot 274 Greenhills Road North, Broomehill West has been vested with the Bunbury Diocesan Trustees (the Trustees), and the Crown Grant in Trust condition on the certificate of title for this property is for 'Ecclesiastical Purposes'.

The Department of Planning Lands and Heritage (DPLH) has received a request from the Trustees to remove the Crown Grant in Trust condition from the certificate of title. In order to have the condition removed, the Trustees are required to purchase the land from the DPLH at the current unimproved market value.

To facilitate the removal of the Crown Grant in Trust condition, DPLH are seeking the Shire's comments on the proposal.

COMMENT

Lot 274 is a 2.6687 hectare land parcel on the southern end of Greenhills Road North. There are no improvements on the property.

The property is currently not rated, and the removal of the Crown Grant in Trust condition may allow for rating of the land parcel.

The current proprietors wish to retain ownership of this property, hence the request to remove the condition from the certificate of title.

CONSULTATION

Department of Planning, Lands and Heritage

STATUTORY ENVIRONMENT

Land Administration Act 1997, section 75

FINANCIAL IMPLICATIONS

There are no immediate financial implications, however, removal of the Crown Grant in Trust condition may allow for rating of this property once transferred freehold to the Trustees.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

There are no risk implications for the Shire.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Department of Planning, Lands and Heritage be advised that the Shire of Broomehill-Tambellup has no objection to the proposed removal of the Crown Grant in Trust condition for Lot 274 on deposited plan 248895 and subsequent sale of the property to the current proprietors, the Bunbury Diocesan Trustees.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

15. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

16. QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

18. CLOSURE

There being no further business to discuss, the Presiding Member, Cr White, declared the meeting closed at _____pm.