

# **SHIRE OF BROOMEHILL - TAMBELLUP**

**Minutes of an Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on Tuesday 22<sup>nd</sup> June 2010 commencing at 4.15pm.**

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

<b>Present:</b>	Cr BG Webster	President
	Cr KW Crosby	Deputy President
	Cr MJ Bowman	
	Cr GM Sheridan	
	Cr MR Turner	
	Cr M Sadler	
	Cr SJF Thompson	
	Cr EK Schlueter	
	Cr DCN Kempin	
	JM Trezona	Chief Executive Officer
	VN Webster	Acting Manager Administration & Customer Services
	GC Brigg	Manager of Works

**Apologies:** Nil

**Leave of Absence:**  
Nil

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

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

Harley Coyne and Ros Fraser from the Department for Indigenous Affairs and May Penny entered the meeting at 4.15pm.

Craig Dennis, Chief Bush Fire Control Officer entered the meeting at 4.15pm.

Harley Coyne addressed Council about the Preliminary Ground Penetrating Radar Imaging Report and the request to erect a memorial sign at the Tambellup Cemetery. May Penny also addressed Council from the local community's perspective about the graves of noongar people at the cemetery that are unmarked.

Cr Webster thanked them for addressing Council and they left the meeting at 4.44pm.

Craig Dennis, Chief Bush Fire Control Officer addressed Council on the Fire Advisory Committee meeting held on 12<sup>th</sup> May 2010.

Cr Webster thanked Craig for his attendance and invited him to remain for the rest of the meeting.

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

Nil

**4. PUBLIC QUESTION TIME**

Nil

**5. APPLICATION FOR LEAVE OF ABSENCE**

Cr Sadler requested a leave of absence for the July Ordinary Meeting of Council.

**100601**

*Moved Cr Kempin, seconded Cr Crosby*

*“That Cr Sadler be granted a leave of absence for the July 2010 Ordinary Meeting of Council”*

**CARRIED 9/0**

**6. DECLARATION OF INTEREST**

Nil

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

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

8.1 ORDINARY MEETING OF COUNCIL MINUTES 20 MAY 2010

**100602**

*Moved Cr Bowman, seconded Cr Schlueter*

*“That the minutes of the Ordinary meeting of Council held on the 20<sup>th</sup> May 2010 be confirmed as a true and accurate record of proceedings with the following amendments:*

- Council resolution 100524 be amended to ‘That provision of \$4,500 is made in the 2010/2011 draft budget to enable concept planning for the Broomehill Village Heritage Precinct to proceed, to be utilized if the proposed Lotterywest funding application is unsuccessful.’*
- Item 11.1 – Sublease Reserve 22607 Under Separate Cover amended to ‘Cr Bowman declared a Financial Interest in this matter’.”*

**CARRIED 9/0**

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

Nil

**10. MATTERS FOR DECISION**

**10.1 FINANCIAL STATEMENTS FOR MAY 2010**


---

<b>Program:</b>	<b>Other Property and Services</b>
<b>Attachment:</b>	<b>Monthly Financial Statements for May 2010</b>
<b>File Ref:</b>	<b>Nil</b>
<b>Author:</b>	<b>KP O'Neill                      Finance Officer</b>
<b>Date:</b>	<b>11<sup>th</sup> June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

---

**Summary:** Attached are the monthly financial statements for May 2010

**Background:**

**Comment:** Notes have been provided throughout the statements for Councillors information and comment.

**Consultation:** Nil

**Statutory Environment:** Local Government Act 1995 – Financial Management Regulation 34

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

**Council Resolution:** **100603**

*Moved Cr Kempin, seconded Cr Schlueter*

*“That the Financial Report for the period ending 31<sup>st</sup> May 2010 be received.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.2 CREDITORS ACCOUNTS PAID MAY 2010**


---

<b>Program:</b>	<b>Other Property and Services</b>
<b>Attachment:</b>	<b>List of Payments for May 2010</b>
<b>File Ref:</b>	<b>Nil</b>
<b>Author:</b>	<b>KP O'Neill                      Finance Officer</b>
<b>Date:</b>	<b>9<sup>th</sup> June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

---

**Summary:** Attached is a list of payments made from the Municipal and Trust Funds during May 2010.

**Background:** The Local Government Act 1995 – Financial Management Regulation 13 states 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.

**Comment:** SUMMARY

Municipal Fund	\$504,893.73
Trust Fund	\$6,718.50
Credit Card	\$4,192.43
<b>TOTAL</b>	<b><u>\$515,804.66</u></b>

**Consultation:** Nil

**Statutory Environment:** Local Government Act 1995 – Financial Management Regulation 13

**Policy Implications:** Nil

**Financial Implications:** List of payments made during the previous month

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

**Voting Requirements:** Simple Majority

**Council Resolution:** ***100604***

***Moved Cr Bowman, seconded Cr Sheridan***

***“That the list of Creditors accounts paid during May 2010, being:-***

- Municipal Fund cheques numbered 952 to 984 inclusive, electronic payments numbered EFT1218 to EFT1300 inclusive and totalling \$504,893.73;***
- Trust fund cheques numbered 156 to 163 inclusive totalling \$6,718.50; and***
- Credit card expenses totalling \$4,192.43;***

***be adopted.”***

***CARRIED 9/0***

---

**Reason For Change to  
Recommendation:**

**10.3 INTERIM AUDIT REPORT**


---

<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>Copy of Interim Audit Report</b>
<b>File Ref:</b>	<b>ADM0058</b>
<b>Author:</b>	<b>KP O'Neill</b> <b>Finance Officer</b>
<b>Date:</b>	<b>8<sup>th</sup> June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

---

**Summary:** The Interim Audit for the year ending 30 June 2010 was undertaken on the 3<sup>rd</sup> and 4<sup>th</sup> May 2010 by Councils Auditors, Lincolns Accountants.

**Background:** Local Government Act 1995 Section 7.9 and the Local Government (Audit) Regulations 1996 prescribe the conduct of the Audit. The Auditor is required to provide a report to the President, CEO or Minister within 30 days of the audit being conducted.

An interim audit is undertaken prior to the end of the financial year mainly to check that appropriate controls and procedures are in place in the organisation. The final audit is conducted after the 30<sup>th</sup> June once all the end of year procedures have been finalised, and the Annual Financial Report is compiled.

A copy of the Interim Audit report is provided for Councillors information and comment.

**Comment:** I provide the following responses to the feedback provided in the Auditors report:-

Rates, Debtors and Creditors Subsidiary

Reconciliation of the subsidiary ledgers is part of the end of month procedure. The reconciliations are carried out at the end of each month and reports filed accordingly, however the reports are not on file for December due to the relevant staff member being on leave at that time.

The rates ledger report is not on file for September due to our financial system being unable to retrospectively generate the required reports.

Public Works Overheads and Plant Operating Costs

These costs are continually monitored over the year and will be reallocated to the appropriate accounts at 30 June.

**Consultation:** Nil

**Statutory**

**Environment:** Local Government Act 1995 – Part 7 “Audit”  
Local Government (Audit) Regulations 1996

**Policy Implications:** Nil

**Financial**

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

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100605*

*Moved Cr Turner, seconded Cr Thompson*

*“That Council accepts the Interim Audit Report for the year ending 30 June 2010.”*

***CARRIED 9/0***

**Reason For Change to  
Recommendation:**

## 10.4 BROOMEHILL HISTORICAL SOCIETY – PUBLIC LIABILITY INSURANCE

---

<b>Program:</b>	<b>Recreation &amp; Culture</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>ADM0122</b>
<b>Author:</b>	<b>KP O'Neill</b> <b>Finance Officer</b>
<b>Date:</b>	<b>8<sup>th</sup> June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

---

**Summary:** The Broomehill Historical Society has written requesting Council to consider paying all, or part of, the cost of Public Liability and Personal Accident for Volunteers Insurance for the coming year.

**Background:** All users of Council facilities (other than Casual Hirers) are required to have their own Public Liability Insurance policies. All groups are contacted each year to provide a copy of their policy for our records. Groups do not automatically come under the umbrella of Councils policy unless they are an official Committee of the Council.

The Historical Society operates out of a Council building and as they are not a Committee of Council, are required to have their own Public Liability and Personal Accident insurance policies. The Historical Society has obtained quotes for Public Liability and Personal Accident insurances, the lowest cost being \$1,760.

The cost of the insurance policies are a significant impost on the Historical Society's finances, they have requested:-

1. That Council pays all or part of the insurance for the Broomehill Historical Society.
2. That Council places the Broomehill Historical Society and its Volunteers under the umbrella of the Councils Public Liability insurance, and if this draws an additional cost the Society contributes to the cost.

**Comment:** At present without insurance, the Historical Society has not been able to open its doors to the public as it cannot afford any injuries to its visitors.

As an aside to this, the Historical Society have applied to Centrelink to have Community workers provide assistance with restoration work and cleaning up of the Museum and Cemetery. Approval may not be forthcoming without insurance cover for Public Liability and Personal Accident for Volunteers.

Council may consider making the Broomehill Historical Society a formal Committee of the Council, or alternatively make provision in the 2010/2011 Budget for a donation to the Broomehill Historical Society equivalent to the amount of the lowest quotation received for Public Liability and Personal Accident insurances.

**Consultation:** Nil



**Statutory****Environment:** Nil**Policy Implications:** Nil**Financial****Implications:** Provision would be made in the 2010/2011 Budget.**Strategic****Implications:** This issue is not dealt with in the Plan**Voting Requirements:** Simple Majority**Council Resolution:** *100606**Moved Cr Thompson, seconded Cr Bowman**“That Council makes provision in the 2010/2011 Budget for a donation to the Broomehill Historical Society of \$1500 to assist with the purchase of Public Liability and Personal Accident insurances”.**CARRIED 8/1***Reason For Change to  
Recommendation:**

## 10.5 REQUEST FOR DONATION – VI BARHAM AWARD FOR EXCELLENCE

---

<b>Program:</b>	<b>Education and Welfare</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>ADM0061</b>
<b>Author:</b>	<b>VN Webster</b> <b>Acting Manager Admin &amp; Customer Service</b>
<b>Date:</b>	<b>8<sup>th</sup> June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

---

**Summary:** Council to consider a request from the Narrogin District Education Office for a donation to support the Vi Barham Award for Excellence for 2010.

**Background:** The Vi Barham Award for Excellence provides a scholarship to further the education of a selected Year 7 student from within the district. The Vi Barham Award was set up to acknowledge her contribution over twenty three years from 1963 to 1986 to the Upper Great Southern Regional Education Office. Since the inception of the award in 1987, no student from the Broomehill Primary School, which is part of the Narrogin District has been a recipient.

**Comment:** For Council discussion and comment.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

**Financial Implications:** Provision can be made in the 2010–2011 budget.

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100607*

*Moved Cr Kempin, seconded Cr Bowman*

*“That Council does not make a donation to the Narrogin District Education Office in support of the Vi Barham Award for Excellence for 2010.”*

**CARRIED 8/1**

**Reason For Change to Recommendation:**

**10.6 VACANT POSITIONS ON BLACKWOOD BASIN GROUP (INC)**

<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>ADM0101</b>	
<b>Author:</b>	<b>VN Webster</b>	<b>Acting Manager Admin &amp; Customer Service</b>
<b>Date:</b>	<b>8<sup>th</sup> June 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

**Summary:** The Blackwood Basin Group (Inc) is calling for nominations from Council for two vacant positions on the management group.

**Background:** Council has been invited by the Blackwood Basin Group (Inc) to nominate any interested person for two vacant positions – one is for a two year term commencing 1<sup>st</sup> July 2010 and the second, which has remained vacant since July 2009 will expire on 30<sup>th</sup> June 2011.

The members of the Blackwood Basin Group are Broomehill-Tambellup, Dumbleyung, Gnowangerup, Katanning, Kent, Kojonup, Kulin, Narrogin, West Arthur, Wickepin, Williams and Woodanilling.

Council was approached last year and did not nominate anyone for these vacant positions.

The Broomehill Land Conservation District Committee was also approached to nominate any interested person, but this group has disbanded.

**Comment:** As a general observation it seems that the interest in organisations such as this one is waning and this appears to be common across the whole of the Blackwood Basin group as evidenced by the vacant position since July 2009.

Unless Councillors are interested themselves or definitely know of a member of the community who is prepared to be nominated, members should advise the Blackwood Basin Group that they will not be making a nomination.

For Council consideration and comment.

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100608*

*Moved Cr Sheridan, seconded Cr Thompson*

*“That Council does not make a nomination for the two vacant positions on the Blackwood Basin Group committee.”*

***CARRIED 9/0***

**Reason For Change to  
Recommendation:**

**10.7 PLANNING APPLICATION LOT 531 REILLY ST BROOMEHILL**

<b>Program:</b>	<b>Economic Services</b>	
<b>Attachment:</b>	<b>Block Plan</b>	
<b>File Ref:</b>	<b>A4059</b>	
<b>Author:</b>	<b>Darryle Baxter</b>	<b>Building Surveyor</b>
<b>Date:</b>	<b>3<sup>rd</sup> June 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

**Summary:** Council to consider a planning application to construct a 180m<sup>2</sup> shed at Lot 531 Reilly Street, Broomehill Village.

**Background:** The owner of Lot 531 Reilly Street Broomehill Village has made an application to Council seeking approval to construct a 180m<sup>2</sup> shed on the Lot. The land is zoned Rural Residential.

**Comment:** The designated builder, Murray Cooke, Builders Registration number 7940, has supplied a block plan and engineered plans for the proposed shed.

**Consultation:** Murray Cooke has supplied all the documentation for this project.

**Statutory Environment:** Broomehill Town Planning Scheme No 1 requires that Council grants approval for any development on land that is zoned Rural Residential.

**Policy Implications:** Nil

**Financial Implications:** Council will receive planning application fees as per the adopted list of fees and charges.

**Strategic Implications:** Nil

**Voting Requirements:** Simple Majority

**Council Resolution:** **100609**

*Moved Cr Kempin, seconded Cr Schlueter*

*“That Council grants planning approval to the owner of Lot 531 Reilly Street Broomehill Village to construct a 180m<sup>2</sup> shed. The owner to construct the shed in keeping with the approved drawings that will be issued once the approval is granted.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**10.8 REVIEW OF COUNCIL'S DELEGATION REGISTER**

<b>Program:</b>	<b>Governance</b>	
<b>Attachment:</b>	<b>Index to the Delegations Register</b>	
<b>File Ref:</b>	<b>ADM0239</b>	
<b>Author:</b>	<b>JM Trezona</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>9<sup>th</sup> June 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

**Summary:** Councils Delegation Register must be reviewed once every financial year

**Background:** Council has the ability to delegate authority relating to a variety of powers and tasks to the Chief Executive Officer.

This is done to facilitate prompt business transaction and streamline customer service of the Council so that waiting times and delays are kept to a minimum. In addition it alleviates the necessity for Council to deal with routine items at its monthly meetings thus freeing up time for matters of strategy and policy.

*The Local Government Act 1995* states that at least once every financial year, delegations are to be reviewed by the Delegator.

**Comment:** A list of delegations is attached and a full copy of the delegations register is in the file containing Councils Policy Manual and Management Practices. Each member of Council has been issued with a copy.

Does Council wish to amend or delete any of the delegations?

**Consultation:** Nil

**Statutory Environment:** Local Government (1995) Act Sections 5.42 & 5.43

**5.42. Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

\*Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegate on.

**5.43. Limits on delegations to CEO's**

A local government cannot delegate to a CEO any of the following powers or duties

- Any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;

- c) Appointing an auditor;
- d) Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- e) Any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, or 5.100;
- f) Borrowing money on behalf of the local government;
- g) Hearing or determining an objection of a kind referred to in section 9.5;
- h) Any power or duty that requires the approval of the Minister or the Governor; or
- i) Such other powers or duties as may be prescribed.

**Policy Implications:** Nil

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

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

**Voting Requirements:** Absolute Majority required

**Council Resolution:** *100610*

*Moved Cr Bowman, seconded Cr Crosby*

*“That Council, having undertaken a review of the Delegations Register in accordance with the requirements of the Local Government Act 1995 section 5.42(2), adopts the document with the listed changes.”*

**CARRIED 9/0**  
**By Absolute Majority**

**Reason For Change to Recommendation:**

**10.9 REQUEST TO ERECT SIGN AT TAMBELLUP CEMETERY**

<b>Program:</b>	<b>Community Amenities</b>
<b>Attachment:</b>	<b>Copy of report – ‘Preliminary Ground Penetrating Radar Imaging Results – Tambellup Cemetery’ Copy of Cemetery map Draft of proposed signage</b>
<b>File Ref:</b>	<b>ADM0184</b>
<b>Author:</b>	<b>PA Hull                                      Community Services Officer</b>
<b>Date:</b>	<b>3 June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

**Summary:** Council to consider the attached report relating to the Tambellup Cemetery and a request to install memorial signage.

**Background:** Members of the Tambellup Noongar community have raised concerns relating to the location of a number of graves in the ‘Anglican’ section (Section A on map) of the Tambellup cemetery.

The graves are shown on maps as being in this section, however family members believe, through oral histories passed down, that they are actually located towards the front of the cemetery in Section J and K.

The burials date from the 1930’s, and we have no way to determine the accuracy of the records from that time.

As part of a project initiated by the Tambellup Noongar community in conjunction with the Department for Indigenous Affairs, the area in Section J and K was the subject of a Ground Penetrating Radar investigation. This process can detect instances where the soil profile has been disturbed through any number of reasons, including burials, tree roots, vermin activity (burrowing) and underground water disturbance. A copy of the report is attached for Councillors information. Mr. Harley Coyne from the Department of Indigenous Affairs will be in attendance at the meeting to discuss the report.

Five recommendations have resulted from the report, of which two are the subject of this item:

“Protection and Recognition: It is recommended that:

1. The future grave plots allocated within these areas of investigation be removed and re-planned. This will prevent any chance that a future grave plot is excavated on top of an original burial.
2. The area is protected and appropriate signage is erected to acknowledge the oral histories. This will involve erecting plaques and other signs that not only identify the cultural importance of certain places, but also serve as an immediate protective mechanism against development or improper use.”

A draft of the proposed sign is attached for consideration. It is proposed to erect the sign inside the main cemetery gates on the right hand side.

Council will need to determine if the wording is appropriate.



**Comment:**

As stated, the graves in question date from the 1930's. The Tambellup Cemetery burial register has details of these burials, with the situation of the graves originally noted as being in the 'unsurveyed portion' of the cemetery. It should also be noted the cemetery maps have been redrafted a number of times over the years. There is no way of knowing at this point in time exactly where these graves are located.

To address the recommendations, the cemetery maps can be amended to close off the area in question, which will eliminate the possibility of excavation of old graves.

The erection of a marker of some sort would be an appropriate way of acknowledging the existence of unmarked indigenous graves at the cemetery.

The proposed sign will measure 600 x 450mm, and will be attached to two steel poles at an appropriate height.

**Consultation:**

May Penny  
Lynthia Flowers  
Cheryl Dowdell, Jan James – Great Southern GP Network  
Harley Coyne – Department of Indigenous Affairs

**Statutory****Environment:**

Shire of Broomehill-Tambellup Cemeteries Local Law 2008:

There is no reference made specifically dealing with signage within the cemetery grounds; however Council should give consideration to the nature and type of the installation in relation to its location at the cemetery.

Cemeteries Act 1986: Two sections of the Act should be considered in relation to this item. Section 25 relates to the issue of Grants of right of burial.

**25. Grant of right of burial**

- (1) *A Board may grant to a person for a term of 25 years the right of burial in a specified area of a cemetery and the right to place a memorial on that area.*
- (2) *Where the holder for the time being of a grant of a right of burial applies to the Board for the renewal of the grant the Board shall renew the grant for a further term of 25 years.*
- (3) *A right of burial granted under this section shall be subject to such conditions as may be prescribed by local law or by-law.*
- (4) *A right of burial granted under the Cemeteries Act 1897 or renewed under subsection (2) may, if the Board and the holder for the time being of the grant agree, be renewed from time to time for a further term not exceeding 25 years in the case of any one renewal.*

Grants of right of burial were originally issued for a period of 99 years. With the introduction of the Cemeteries Act 1986, this period was reduced to 25 years, the first period expiring in 2011. Grants are now

only issued for 25 year periods. While this will not be an issue at this time, Council cannot grant a lifetime guarantee over this or any other part of the cemetery. Section 33 of the Act may provide for the future preservation of this area:

**33. *Preservation of graves, etc.***

*A Board may preserve graves, memorials and records which are, in the opinion of the Board, of historical significance.*

Section 29-32 should be considered in relation to the installation of the signage as proposed:

**29. *Control of memorials***

*A Board shall control the kinds of memorial permitted in a cemetery and may impose different requirements for different areas of a cemetery.*

**30. *Permission for memorials***

- (1) *A person who wishes to place or erect a memorial in a cemetery shall apply to the Board specifying the proposed location, design and materials of which the memorial is to be composed and the Board may approve or, if the Board considers the location to be incorrect or the proposed memorial to be inappropriate or indecorous or contrary to a local law or by-law, refuse the application.*
- (2) *A person shall not place or assist in placing or erecting a memorial in a cemetery without the permission of the Board.*  
*Penalty: \$500.*
- (3) *A person shall not alter or add to, or assist in the alteration of or addition to or removal of, a memorial in a cemetery without the permission of the Board.*  
*Penalty: \$500.*

*[Section 30 amended by No. 14 of 1996 s. 4.]*

**31. *Removal or alteration of unauthorised memorial***

- (1) *If a memorial in a cemetery is placed or erected or altered without the permission of the Board or, although placed, erected or altered with such permission, is placed, erected or altered contrary to the local laws or by-laws or other requirements or conditions of the permission of the Board, the Board may give a written notice to the holder of the right of burial or other person who has caused the memorial to be so placed, erected or altered requiring that holder or other person within 28 days from receiving the notice to remove the memorial from the cemetery or to alter it in the manner specified in the notice to the satisfaction of the Board.*
- (2) *If the holder of a right of burial or other person to whom a notice is given under subsection (1) refuses to or otherwise fails to comply with the terms of the notice, the Board may remove or*

*alter the memorial and may recover from that holder of a right of burial or other person the costs of the removal or alteration as a debt in a court of competent jurisdiction.*

*[Section 31 amended by No. 14 of 1996 s. 4.]*

### **32. Removal or alteration of memorial in disrepair**

- (1) If a memorial in a cemetery is, in the opinion of the Board, in need of repair or is in such a state of disrepair that repairs are not feasible, the Board may give a written notice to the holder of the relevant right of burial requiring that person within 28 days from receiving the notice to repair the memorial to the satisfaction of the Board or to remove the memorial from the cemetery, as the case may require and as specified in the notice.*
- (2) If the holder of a right of burial to whom a notice is given under subsection (1) refuses to or otherwise fails to comply with the terms of the notice, the Board may cause the memorial to be repaired or removed from the cemetery and may recover from that holder of a right of burial the costs of the removal or repair as a debt in a court of competent jurisdiction.*

**Policy Implications:** Nil

**Financial**

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

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100611*

*Moved Cr Kempin, seconded Cr Turner*

*“That Council agrees at this time to reserve the section of the Tambellup Cemetery that has been identified as the area that may contain a number of indigenous graves.”*

**CARRIED 9/0**

**Council Resolution:** *Moved Cr Sadler, seconded Cr Bowman*

*“That Council agrees for signage to be erected at the Tambellup Cemetery acknowledging the unmarked indigenous graves, subject to the following conditions:*

- That consultation between Council and the Tambellup Noongar Community on the location of the sign within the Tambellup cemetery take place before the sign is erected.”*

**Amendment to the  
Motion: 100612**

*Moved Cr Webster, seconded Cr Kempin*

*“That the following be include in the motion:*

- The size of the sign does not exceed 600 x 450mm.”*

**CARRIED 9/0**

**Council Resolution: *Moved Cr Webster, seconded Cr Kempin***

*“That Council agrees for signage to be erected at the Tambellup Cemetery acknowledging the unmarked indigenous graves, subject to the following conditions:*

- That consultation between Council and the Tambellup Noongar Community on the location of the sign within the Tambellup cemetery take place before the sign is erected; and*
- That the size of the sign does not exceed 600 x 450mm.”*

**Amendment to the  
Motion: 100613**

*Moved Cr Kempin, seconded Cr Schlueter*

*“That the second sentence in the third paragraph of the proposed wording for the sign being:*

- Recent heritage studies reveal that this situation is all too common in Australia, where colonial authorities segregated and subjugated Aboriginal people in the name of progress be removed.”*

**CARRIED 7/2**

**Council Resolution: 100614**

*Moved Cr Kempin, seconded Cr Schlueter*

*“That Council agrees for signage to be erected at the Tambellup Cemetery acknowledging the unmarked indigenous graves, subject to the following conditions:*

- That consultation between Council and the Tambellup Noongar Community on the location of the sign within the Tambellup cemetery take place before the sign is erected;*
- That the size of the sign does not exceed 600 x 450mm; and*
- That the second sentence in the third paragraph of the proposed wording for the sign being:*

*Recent heritage studies reveal that this situation is all too common in Australia, where colonial authorities segregated and subjugated Aboriginal people in the name of progress be removed.”*

**CARRIED 6/3**

**Council Resolution:**     **100615**

*Moved Cr Schlueter, seconded Cr Thompson*

*“That Council accept the Preliminary Ground Penetrating Radar  
Imaging Results Report for the Tambellup Cemetery as presented.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

**10.10 EMPLOYEES INDUCTION MANUAL**


---

<b>Program:</b>	<b>Other Property and Services</b>
<b>Attachment:</b>	<b>Copy of Draft Employee Induction Manual</b>
<b>File Ref:</b>	<b>ADM0165</b>
<b>Author:</b>	<b>ZR Boyle                      Works Assistant</b>
<b>Date:</b>	<b>9<sup>th</sup> June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

---

**Summary:** Council to endorse the Employee Induction Manual

**Background:** As a result of the creation of the Shire of Broomehill-Tambellup Council is required to develop a new induction manual for staff. To date a combination of the former shire's manuals has been utilized. The information in the current Employee Induction Manual is outdated.

**Comment:** Changes in the new manual include:

- The name of the induction manual from Occupational Health & Safety Policy & Employees Induction Manual
- Changes to the Hazard/Accident/Incident reporting forms and procedures
- Organisational chart has been included
- Other general small changes that were required

A copy of the new manual will be distributed to all staff for reading and signing once it has been endorsed by Council.

**Consultation:** Nil

**Statutory Environment:** Occupational Health and Safety Act 1984

**Policy Implications:** Members attention is drawn to the inclusion of three policies in the manual

- Fitness for Work Policy
- Sexual Harassment & Complaints/Grievance Procedures Policy
- Electronic Mail Policy
- These policies will be included in Councils Policy Manual as part of the endorsement of the Employee Induction Manual.

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

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

**Voting Requirements:** Simple Majority

**Council Resolution:**     **100616**

*Moved Cr Sheridan, seconded Cr Turner*

*“That the Employee Induction Manual for the Shire of Broomehill-Tambellup be endorsed as presented.”*

**CARRIED 9/0**

**Reason For Change to  
Recommendation:**

**10.11 SCHEDULE OF FEES AND CHARGES 2010/2011**


---

<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>Copy of Proposed Schedule of Fees and Charges</b>
<b>File Ref:</b>	<b>ADM0066</b>
<b>Author:</b>	<b>KP O'Neill</b> <b>Finance Officer</b>
<b>Date:</b>	<b>9<sup>th</sup> June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

---

**Summary:** Council to consider the Schedule of Fees and Charges for inclusion in the 2010/2011 Budget.

**Background:** In accordance with Section 6.2(4)(c) of the Local Government Act 1995, Council is required to include in its Annual Budget a schedule of the fees and charges to be imposed for the financial year.

**Comment:** Attached is the list of various fees and charges, showing the fees that were adopted for the 2009/2010 year and the proposed fees for 2010/2011.

Any proposed changes to the fees for 2010/2011 have been highlighted.

Councillors should note that some fees are set in accordance with other legislation and any changes in the fees are outside of the Councils control, namely:-

*Planning Fees* – set under the Planning and Development (Local Government Planning Fees) Regulations 2009;

*Septic Tank Fees* – set under the Health Act 1911 – Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;

*Dog Registrations* – set under the Dog Act 1976.

The Western Australian Planning Commission has advised of an increase to Planning fees and the Department of Health has increased Septic Tank application and inspection fees. Both come into effect from the 1<sup>st</sup> July 2010.

**Consultation:** Chief Executive Officer  
Manager of Works

**Statutory Environment:** Local Government Act 1995  
Planning and Development (Local Government Planning Fees) Regulations 2009  
Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974  
Dog Act 1976

**Policy Implications:** Nil

**Financial Implications:** For inclusion in the 2010/2011 Annual Budget.



**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100617*

*Moved Cr Bowman, seconded Cr Schlueter*

*“That Council includes the Schedule of Fees and Charges, as amended, in the 2010/2011 Annual Budget.”*

***CARRIED 9/0***

**Reason For Change to  
Recommendation:**

<b>Program:</b>	<b>Law Order &amp; Public Safety</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>ADM0244</b>	
<b>Author:</b>	<b>PA Hull</b>	<b>Community Services Officer</b>
<b>Date:</b>	<b>16 June 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

Chief Fire Control Officer	Tony Cristinelli
Deputy Chief Fire Control Officers	Craig Bignell Ray Squibb

**Council Resolution:** *100618*

**Chief Fire Control Officer Tony Cristinelli**  
**Deputy Chief Fire Control Officers Craig Bignell**  
**Ray Squibb.”**

***CARRIED 9/0***

---

**Reason For Change to  
Recommendation:**

**10.13 ENDORSEMENT OF FIRE CONTROL OFFICERS 2010-2011**

<b>Program:</b>	<b>Law, Order and Public Safety</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>ADM0244</b>
<b>Author:</b>	<b>PA Hull</b> <b>Community Services Officer</b>
<b>Date:</b>	<b>16 June 2010</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

**Summary:** Council to endorse the appointment of Brigade Fire Control Officers, Dual Fire Control Officers and Fire Weather Officers for the 2010-2011 fire season.

**Background:** Fire Control Officers, Dual Fire Control Officers and Fire Weather Officers for the Shire of Broomehill-Tambellup are appointed on an annual basis. Section 38 of the Bush Fire Act 1954 gives local authorities the authority to appoint such persons as it thinks necessary.

**Comment:** All Brigade meetings have been held recently and the following people have been elected to fill positions for the 2010-2011 fire season:

**Fire Control Officers**

Broomehill East	Scott Thompson
Broomehill West	Andrew Woithe
Broomehill Central	Peter Guazzelli
Tambellup East	Kim Oliver
Tambellup West	Ian Cunningham
Tambellup VESU Unit	Laurie Hull

**Dual Fire Control Officers**

Shire of Katanning	Andrew Woithe
	Craig Bignell
Shire of Kojonup	Andrew Woithe
	Nigel Sheridan
Shire of Cranbrook	Andrew Leonhardt
	Kim Oliver
	John Cristinelli
Shire of Gnowangerup	Craig Bignell
	Kim Oliver
	Al Clark

**Fire Weather Officers**

Tony Cristinelli  
Craig Bignell  
Ray Squibb

Council endorsement of these appointments is required.

**Consultation:** Broomehill and Tambellup Fire Brigades

**Statutory**

**Environment:** Bush Fires Act 1954

**Policy Implications:** Nil

**Financial**

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

**Strategic**

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *100619*

*Moved Cr Thompson, seconded Cr Sheridan*

*“That Council endorses the appointment of the following people as Fire Control Officers, Dual Fire Control Officers and Fire Weather Officers for the 2010-2011 fire season:*

*Fire Control Officers*

<i>Broomehill East</i>	<i>Scott Thompson</i>
<i>Broomehill West</i>	<i>Andrew Woithe</i>
<i>Broomehill Central</i>	<i>Peter Guazzelli</i>
<i>Tambellup East</i>	<i>Kim Oliver</i>
<i>Tambellup West</i>	<i>Ian Cunningham</i>
<i>Tambellup VESU Unit</i>	<i>Laurie Hull</i>

*Dual Fire Control Officers*

<i>Shire of Katanning</i>	<i>Andrew Woithe</i>
	<i>Craig Bignell</i>
<i>Shire of Kojonup</i>	<i>Andrew Woithe</i>
	<i>Nigel Sheridan</i>
<i>Shire of Cranbrook</i>	<i>Andrew Leonhardt</i>
	<i>Kim Oliver</i>
	<i>John Cristinelli</i>
<i>Shire of Gnowangerup</i>	<i>Craig Bignell</i>
	<i>Kim Oliver</i>
	<i>Al Clark</i>

*Fire Weather Officers*

*Tony Cristinelli*  
*Craig Bignell*  
*Ray Squibb.”*

**CARRIED 9/0**

**Reason For Change to Recommendation:**

**11. UNDER SEPARATE COVER**  
Nil

**12. MATTERS FOR INFORMATION**

Cr Sadler left the meeting at 5.44pm.

**12.1****PLANT REPORT FOR MAY 2010**

**Program:** Transport  
**Attachment:** Nil  
**File Ref:** Nil  
**Author:** GC Brigg Manager of Works  
**Date:** 10<sup>th</sup> June 2010  
**Disclosure of Interest:** Nil

Reg No.	Description	Kms/Hrs	Year of Manufacture	Year of Purchase	Changeover	Comments
BH000	Nissan Murano		2009	2009		OK
BH00	Ford Ranger Dual Cab	10889	2010	2010		10k Service Done
BH002	ISUZU 6 Wheel Tipper	33788	2008	2008	7 yrs / 250,000km	30k Service Due
BH003	Isuzu NPR300 Crew Cab Truck	10300	2009		5 yrs / 100,000km	Broken Lamp Cover FRH
BH004	CAT 12M	218	2009	2009		OK
BH005	Bomag Multi-Tyred Roller	4409	2002	2002	7yrs/8000 hrs	Service Due
BH006	Volvo 710	4563	2004	2004	7 yrs / 8,000 hrs	4500hr Service done
BH007	John Deere Ride on Mower		2003	2003	5 yrs / 5,000 hrs	OK
BH008	VOLVO L70D Loader	5410	2001	2001	7 yrs / 8000 hrs	Air con repairs
BH009	Toyota Hilux	6480	2009			6 month service done
BH010	6x4 Fuel Trailer		1981	1981		OK
BH012	Isuzu Fire Truck	5000	1995	2004		Damage to drivers door
BH013	John Deere 315SG Backhoe	2124	2003	2003	10 yrs / 8,000 hrs	New rear tyres, minor repairs
BH813	Multi Tyre Roller		1960	1980	8yrs / 8,000 hrs	

0TA	Holden Statesman		2010			OK
TA052	Toyota Hilux 4x4	8000	2009			6 month service done
TA001	Ford Ranger Dual Cab	13145	2009			10k service done
ITA	Ford Ranger Dual Cab	19800	2009	2009	1yr / 40,000kms	20k service done
TA1880	Isuzu Gigamax Truck	33370	2008	2008	5 yrs /250,000 km	30k service done
TA092	Isuzu Gigamax Truck	58000	2007	2007	5 yrs / 250,000 km	OK
TA386	Mitsubishi Fuso Truck	58000	2007	2007	5 yrs / 250,000 km	OK
TA18	12H Grader	3550	2006	2006	7 yrs / 8,000 hrs	3500hr service done
TA281	930G Loader	2438	2007	2007	7 yrs / 8,000 hrs	Coolant leak
TA392	Tractor Mower	1907			5 yrs / 5,000 hrs	OK
TA 417	John Deere Gator	55	2009			Water leak (warranty repair)
IDDA893	CAT vibe Roller	397	2009			ok
TA017	Isuzu Tipper	28867	2009			Seatbelt (warranty again)
TA219	Multipac Multi-tyred Roller	7493		2004	7 yrs / 8,000 hrs	Air con needs service legs need rebuilding
TA1196	Large Roller					
TA2015	Vibrating Roller			1977	7 yrs / 8000 hrs	OK
	Slasher				10 yrs	OK
XTR579	Road Broom				10 yrs	OK
	Mobile Fuel Tanker				10 yrs	OK
IDCF535	TORO 3500D	152	2009	2009		OK
TA005	John Deere Tractor 6330	690	2008	2008	10 yrs / 8000 hrs	6mth service done

**RECEIVED**

Cr Sadler returned to the meeting at 5.46pm.



**12.2 WORKS AND MAINTENANCE REPORT FOR MAY 2010**


---

<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>GC Brigg</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>10<sup>th</sup> June 2010</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

---

**Broomehill**

- Pump is still transferring water from town dam to Recreational Complex. The dam level is currently about one metre under the inlet pipes and should be able to exceed last years level as it is still early in the season.
- Asphaltting is complete on the footpath and rail crossing. Fencing is still being installed. Staff had some problems with Telstra cables as they were within 30mm of the surface.
- There has been some difficulty in completing this project as there have been no specific plans from Westrail. Westrail have continually changed the scope of works from previous discussions on site.
- Gardeners will commence planting new flowers around town at the end of the month.
- After receiving information from 'dial before you dig', under drainage is not a viable option for handling of water on the high side of the university block. There are too many assets along the existing footpath to work with. Water will now be controlled within the kerbing on the bitumen and surface drainage will be installed. Kerbing will be completed within the next two weeks.
- A meeting was held between skate park users and myself to understand what extra equipment they would like to see installed in the skating area.
- Lockable bins have been installed in the skate park as there have been problems with people smashing glass on the concrete in the skating area.
- Footings have been poured for the gazebo, but this work may slow as the contractor has broken his leg and will not be available for some time.
- Reticulation in the caravan park needs major work. Council will need to consider this for the 2010-2011 draft. Budget.

**Tambellup**

- There are ongoing problems with vandals breaking the plants at Diprose Park. Some of the plants have been replaced three times.
- Plants have also been removed from the traffic islands along Norrish Street and needed to be replaced.
- Thinkwater have completed the pipeline from the No. 1 dam on Jam Creek Road to the oval. The pump is still to be installed.
- The dam, currently used for irrigation to the oval on Jam Creek Road has been set up to supply water automatically.
- Reticulation has been installed to the gardens in front of the public toilets on Norrish Street.
- The oval has been fertilised.

## **Roads**

- The construction crew have been working on Crosby Road widening and re-sheeting and is almost complete.
- Council staff have experienced some problems with existing culverts. Pipes have previously been set too low for maximum water flow and have not been cleaned out on a regular basis. The older concrete type pipes have been replaced with black poly Iplex pipes.
- Herron Road black spot project plan has been approved by Main Roads and are now waiting for the approval of the traffic management plan. A site meeting with Main Roads was held to discuss aspects of this project and Main Roads have scaled back some of the excavation and hopefully this will allow the work to be completed by the end of June.
- Graders have been making use of inconsistent rains and have concentrated on shouldering bitumen roads. Work has been completed in the Broomehill area and the graders are now working in Tambellup and are currently on the Toolbrunup Road.
- Road maintenance has slowed due to one of the crew being injured who will be off work for some time.

## **Plant**

- Modifications have been made to the tree saw. The saw needed guarding around the hydraulic hoses.
- The Isuzu Gigamax 2007 (TA 092) has been sent to Albany for work on the engine. Driveline is still covered by warranty.
- Albany Isuzu will be up to download new software onto the other 2008 trucks.
- The Multipac roller will be sent to Perth to sell through one of the plant auctions.
- The FFR 500 has again been sent to Albany to ascertain the problem with the seat belts. Hopefully Isuzu will have rectified this ongoing problem.

**RECEIVED**

**12.3 BUILDING SURVEYORS REPORT FOR MAY 2010**

---

**Program:** Economic Services  
**Attachment:** BSR Report and Activity Statement  
**File Ref:** ADM0076  
**Author:** D Baxter Building Surveyor  
**Date:** 10th June 2010  
**Disclosure of Interest:** Nil

---

**Summary:** Attached are the BSR Report and the Activity Statement for the month of May that have been sent to all the relevant authorities that are required by legislation.

**Background:** These reports advise of the building approvals and the activity of the Building Surveyor for the month of May

**Comment:**

**Consultation:** Nil

**Statutory Environment:** Nil

**Policy Implications:** Nil

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

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

**Voting Requirements:** Simple Majority

**Council Resolution:** *“Council discussed the Officers Report”*

**Reason For Change to Recommendation:**

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

Nil

**14. DATE OF NEXT MEETING**

15<sup>th</sup> July 2010

**15. CLOSURE**

There being no further business, the President thanked Councillors and staff for their attendance and declared the meeting closed at 6.05pm.