

SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Ordinary Meeting of Council of the Shire of Broomehill – Tambellup held in the Tambellup Council Chambers on Thursday December 15th 2011 commencing at 2.03pm.

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:	Cr BG Webster	President
	Cr KW Crosby	Deputy President
	Cr GM Sheridan	
	Cr MR Turner	
	Cr SJF Thompson	
	Cr M Sadler	
	Cr DCN Kempin	
	JM Trezona	Chief Executive Officer (CEO)
	JA Stewart	Manager Corporate Services
	GC Brigg	Works Manager
	KP O'Neill	Senior Finance Officer

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.1 The President welcomed Councillors and staff and declared the meeting open at 2.03pm

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FOR LEAVE OF ABSENCE

Cr Thompson requested a Leave of Absence for the February 2012 Ordinary Meeting of Council

111201

Moved Cr Kempin, seconded Cr Crosby

“That Cr Thompson be granted leave of absence for the February 2012 Ordinary Meeting of Council.”

CARRIED 7/0

6. DECLARATION OF INTEREST

Manager Corporate Services Judy Stewart declared a Financial Interest in Item 10.6 – 1.4 Appointment of Acting Chief Executive Officer.

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

8. CONFIRMATION OF PREVIOUS MEETING MINUTES**8.1 ORDINARY MEETING OF COUNCIL MINUTES OCTOBER 20TH 2011.**

Motion 111001 needs to be amended under the heading “Planning and Economic Services Committee” and replace “Technical Services” with “Building”. This needs to be reflected in the motion to adopt the minutes.

111202

Moved Cr Thompson, seconded Cr Sheridan

“That the Minutes of the Ordinary Meeting of Council held on the 20th October 2011 with the following amendment –

Motion 111001 under the sub heading of ‘Planning and Economic Services Committee’ replace the words ‘Technical Services’ with ‘Building’

Be confirmed as a true and accurate record of proceedings.”

CARRIED 7/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

10. MATTERS FOR DECISION

10.1 FINANCIAL STATEMENTS FOR OCTOBER & NOVEMBER 2011

Program:	Other Property and Services
Attachment:	Monthly Financial Statements for October & November 2011
File Ref:	Nil
Author:	KP O’Neill Finance Officer
Date:	6 December 2011
Disclosure of Interest:	Nil

Summary: A monthly financial report is to be prepared at the end of each month in accordance with the provisions of Regulation 34 of the Local Government (Financial Management) Regulations 1996.

The report is to be presented to an ordinary meeting of Council within 2 months after the end of the month to which the report relates.

Background: As there was not a Council meeting during November, the October and November financial reports are presented for adoption.

Comment: Points to note from the November 2011 report:-

- Approximately 82% in rates and charges have been received by 30 November 2011.
- The second quarterly instalment of Financial Assistance Grants was been received from the WA Local Government Grants Commission during November.
- A second progress payment in funding from the Roads to Recovery program was received of \$120,200. The total funding received has been allocated to the resheeting of Greenhills South Road, which is nearing completion. The balance of funding of \$52,000 is allocated to the Toolbrunup Road, and will be claimed in the new year.
- 25% instalments have been paid to commence fabrication of the tray for the new truck, the dolly and trailer.

At previous meetings, Council has endorsed the following unbudgeted expenditure:-

- Tambellup Hall – works to install floor vents in the kitchen, replacement of carpet and lino, termite treatment under the main floor. Total cost approximately \$13,900;
- 27 East Terrace – replace kitchen benches and cupboards costing around \$7,000.
- An amendment to the Plant Replacement Program which saw the net changeover for Ford Ranger utility TA001 increased from \$10,000 to \$18,950 and Ford Ranger utility BH00 from \$10,000 to \$15,100.

The increase in changeover for the two utilities will have no effect on this current budget as they are offset by deferring changeover of the two Toyota utilities TA052 and BH009 until the 2012/2013 Budget.

Amendments for this unbudgeted expenditure above will be reflected in the annual Budget Review, which is required to be undertaken between 31 December and 31 March each year.

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: *111203*

Moved Cr Kempin, seconded Cr Crosby

“That the Financial Statement for the period ending 31 October 2011 and 30 November 2011 be adopted.”

CARRIED 7/0

Reason For Change to Recommendation:

10.2 CREDITORS ACCOUNTS PAID OCTOBER & NOVEMBER 2011

Program:	Other Property and Services	
Attachment:	List of Payments for October & November 2011	
File Ref:	Nil	
Author:	KP O'Neill	Finance Officer
Date:	7 December 2011	
Disclosure of Interest:	Nil	

Summary: Attached is a list of payments made from the Municipal and Trust Funds during October and November 2011.

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 of payments made during October and November 2011:-

October 2011

Municipal Fund	\$360,614.71
Trust Fund	\$3,738.00
<u>Credit Cards</u>	<u>\$605.18</u>
<u>Total</u>	<u>\$364,957.89</u>

November 2011

Municipal Fund	\$280,726.61
Trust Fund	\$1,310.82
<u>Credit Cards</u>	<u>\$1,362.76</u>
<u>Total</u>	<u>\$283,400.19</u>

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: **111204**

Moved Cr Sadler, seconded Cr Sheridan

“That the list of accounts paid during October and November 2011 represented by:-

- Municipal Fund cheques numbered 1458 to 1543 inclusive and electronic payments numbered EFT2565 to EFT2712 inclusive and totalling \$641,341.32;*
 - Trust Fund cheques numbered 242 to 258 inclusive and totalling \$5,048.82;*
 - Credit Card payments totalling \$1,967.94;*
- be adopted.”*

CARRIED 7/0

**Reason For Change to
Recommendation:**

10.3 AUDIT REPORT AND ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2011

Program:	Governance
Attachment:	2010-2011 Annual Report Including Finance Report and Independent Audit Report; and Auditors Management Letter
File Ref:	ADM058
Author:	KR Hastie Acting Chief Executive Officer
Date:	10 November 2011
Disclosure of Interest:	Nil

Summary: Council to:-

1. accept the 2010-2011 Financial Report and Audit Report;
2. adopt the 2010-2011 Annual Report;
3. determine a date for the annual electors meeting; and
4. determine a date to meet with the Auditor.

Background: The 2010-2011 Financial Report, as prepared by staff, has been audited by Council’s Auditor, Russell Harrison of Lincolns Accountants and Business Advisors.

Comment: Council will note that the Independent Audit Report contains no qualification which in turn identifies the integrity, quality and strength of the Shire’s financial recording and reporting systems and the staff who maintain these systems.

The management letter has identified:-

- the auditor has commented on three of the more salient ratios that identify the organisations financial strength and in each of these ratios the Shire is in a very solid position to meet liabilities and has a very low debt structure;
- outstanding rates debtors has been identified as a matter requiring attention. Council will recall that corrective action has already commenced in this regard as a procedure, developed by staff, regarding Recovery Of Overdue Rates was endorsed by Council at the October 2011 meeting; and
- provision for Doubtful Debts was raised however in the auditor’s words “*As the values are of a minor nature no correcting journals were requested.*” Notwithstanding the “minor” aspect this matter will be monitored and corrected prior to the preparation of next year’s Financial Report.

One legislative requirement associated with this audit report is that Council is required to meet (which can be by way of telephone) with the auditor at least once in every year.

The last meeting with the auditor was in March 2011.

At this point the auditor has been “pencilled in” for a telephone meeting in conjunction with the February 2012 or March 2012 Council meeting.

In regard to the Annual Report, legislation requires that the following are included in the report:

1. a report from the President;
2. a report from the Chief Executive Officer;
3. comment on the plan for the future of the district;
4. the financial report;
5. the auditor's report;
6. information regarding payments to certain employees;
7. a report in regard to Section 29(2) of the Disability Services Act;
8. National Competition Policy;
9. information regarding complaints made against elected members as per Section 5.121 of the Local Government Act 1995; and
10. information regarding Records Management.

All of these matters are included in the attached Annual Report together with additional information regarding some the Shire's achievements in the year under review.

The Annual Report is to be accepted by the Council, by absolute majority, by 31st December after the financial year under review.

There are two legislative requirements that follow the adoption of the Annual Report.

Firstly the CEO is to give local public notice of the availability of the Annual Report and a general meeting of electors is to be held within 56 days of the acceptance of the Annual Report by the Council.

Thus the general meeting of electors will need to be held by Thursday 9th February 2012. As there is no January 2012 Council meeting and the February 2012 meeting is scheduled after this date the general electors meeting will need to be called as a standalone event.

Consultation:

Auditor
Finance Officer

Statutory Environment:

Sections 5.53 to 5.55 of the Local Government Act and Administration Regulations 19B and 19CA apply to the Annual Report processes.

Part 6 - Financial Management of the Local Government Act 1995 and the Financial Management Regulations define the processes and procedures that apply to the recording and reporting of financial matters.

Part 7 – Audit of the Local Government Act 1995 and Audit Regulations deals with audits.

Policy Implications:

Nil

Financial Implications:

There are no financial implications in regard to this matter

Strategic**Implications:** This issue is not dealt with in the Strategic Plan**Voting Requirements:** Simple majority to accept the Audit Report and associated matters.
Absolute Majority for the acceptance of the Annual Report. ie Recommendation 5 below.**Council Resolution:** *111205**Moved Cr Kempin, seconded Cr Sadler*

- 1. “That Council accept the Financial Report and Audit Report in relation to the year ending 30th June 2011.*
- 2. That Council accept the Auditor’s management letter and staff comments in relation to the matters in the management letter.*
- 3. That Council meet with the Auditor (by telephone) in conjunction with the Council meeting to be held in February 2012.*
- 4. That the general meeting of electors be held on Monday 6 February 2012.*

*CARRIED 7/0***Council Resolution:** *111206**Moved Cr Kempin, seconded Cr Turner**And*

- 5 That Council, by Absolute Majority, accept the Annual Report for the year ending 30th June 2011”*

*CARRIED 7/0
By Absolute Majority***Reason For Change to Recommendation:**

10.4 PROPOSED COMBINATION OF TWO OF COUNCIL'S STANDING COMMITTEES: BUILDING WITH PLANNING AND ECONOMIC SERVICES

Program:	Governance	
Attachment:	Part 17 Standing Orders Local Law 2008	
File Ref:	ADM0109	
Author:	JA Stewart	Manager Corporate Services
Date:	15 November 2011	
Disclosure of Interest:	Nil	

Summary: Council, at its October 2011 Ordinary Meeting, resolved to defer to this meeting the assigning of members to the Planning and Economic Services Committee with the intention of proposing to combine this Committee with the Building Committee.

Background: Council has historically operated with four Standing Committees, each with its own specific Terms of Reference. In accordance with the *Local Government Act (1995)*, each Committee has a membership of four Councillors and a quorum of two; at any given time, a Council member is entitled to be a member of at least one Committee and may nominate themselves for a Committee. The President can exercise his/her right to be a member of a particular Committee. The Terms of Reference for the two Committees proposed for combination are currently as follows:

Planning and Economic Services Committee

Will plan, develop and enhance the town, sport and recreation, youth, aged, health, heritage and arts matters towards the community vision. To investigate and make recommendations to Council on matters requiring decision on:

1. Economic Services
2. Town Beautification
3. All matters relating to Recreation and Sport
4. Town planning and development
5. Cemeteries
6. Cultural development
7. Protection of heritage
8. Provision of youth services
9. Tourism
10. Health
11. Other community and cultural issues

Building Committee

Investigate and make recommendations, where appropriate on the following;

1. Building Control
2. Land suitable for housing development
3. Planning construction and maintenance of Councils housing and public buildings
4. Other matters relating to Council owned/controlled buildings
5. Aged accommodation.

- Comment:** Council firstly needs to resolve one of two options, being to either:
- Maintain the status quo; that is, keep its four Standing Committees and elect members to its existing Planning and Economic Services Committee; **or**
 - Combine its Planning and Economic Services and Building Committees to form one Committee inclusive of both Committees' Terms of Reference.

Given Council's discussion at its last Ordinary Meeting, wherein it was suggested that there may no longer be a need to have the two separate Committees to deal with the purposes of each, and Council's subsequent resolution (CM111001) proposing the combining of the two Committees, the Officer's Recommendation is the latter option. Given that if one Committee is created by combining the two and that Committee members' responsibilities would change to cover both Terms of Reference, it is recommended that Council disbands its Planning and Economic Services Committee, retitles its Building Committee to 'Building, Planning and Economic Services Committee' (combining the Terms of Reference the singular Committees operated under) and elects four members to the new Building, Planning and Economic Services Committee.

Consultation: A/Chief Executive Officer, Mr Kim Hastie

Statutory

Environment: *Local Government Act (1995) s. 5.8 – 5.11* (Council meetings, committees and their meetings and electors' meetings)
Standing Orders Local Law 2008 17.1 (Establishment and Appointment of Committees)

Policy Implications: Nil; however, Management Practice 2.4: 'Standing Committees of Council – Terms of Reference' will be amended accordingly if Council resolves to combine the Planning and Economic Services Committee with the Building Committee.

Financial

Implications: This issue has no financial implications for Council

Strategic

Implications: Nil

Voting Requirements: Absolute Majority

Kay O'Neil left the meeting at 2.13pm.

Council Resolution: 111207

Moved Cr Kempin, seconded Cr Thompson

1. “That Council:

- a) disbands its Planning and Economic Services Committee;*
- b) re-titles its Building Committee to be the ‘Building, Planning and Economic Services Committee’; and*
- c) adopts the following Terms of Reference for its Building, Planning and Economic Services Committee to be as follows:*
 - To investigate and make recommendations, where appropriate on building control, land suitable for housing development, planning construction and maintenance of Councils housing and public buildings, Aged accommodation, other matters relating to Council owned and controlled buildings*
 - To plan, develop and enhance the town, sport and recreation, youth, aged, health, heritage and arts matters towards the community vision.*
 - To investigate and make recommendations to Council on matters requiring decision on: Economic Services, Town Beautification, all matters relating to Recreation and Sport, Town Planning and Development, Cemeteries, Cultural Development, Protection of Heritage, Provision of Youth Services, Tourism, Health and other Community and Cultural Issues.*

**CARRIED 7/0
By Absolute Majority**

Officer Resolution:

- 2. “That the membership of Council’s Building, Planning and Economic Services Committee be:**
Cr.....
Cr.....
Cr.....
Cr.....”

Council Resolution: 111208

Moved Cr Thompson, seconded Cr Sheridan

- 2. “That the membership of Council’s Building, Planning and Economic Services Committee be:**
Cr B Webster
Cr D Kempin
Cr M Turner
Cr M Sadler”

CARRIED 7/0

Reason For Change to Recommendation:

10.5 AMENDMENT TO CEMETERIES LOCAL LAW

Program:	Governance
Attachment:	Copy of Ministerial Circular and Cemeteries Amendment Local Law
File Ref:	ADM0080
Author:	KR Hastie Acting Chief Executive Officer
Date:	31 October 2011
Disclosure of Interest:	Nil

Summary: The Shire of Broomehill-Tambellup Cemeteries Local Law has been amended by the Minister for Local Government and the matter is brought to Council's notice.

Background: The Shire of Broomehill-Tambellup adopted its Cemeteries Local Law by way of publication in the Government Gazette on 23 December 2008.

Included in this local law was the right of a monumental mason to appeal to the State Administrative Tribunal for a review of a decision by the board (ie the Council) to cancel, withdraw or suspend the mason's licence under section 19.2 of the Cemeteries Act.

However this section of the Cemeteries Act relates only to funeral directors and hence where this provision exists in a local law, relating to monumental masons, it needs to be deleted.

The mechanism for deleting this clause has been activated by the Minister for Local Government (as it impacts on some 39 local governments across the State) by way of formal Notice and the Cemeteries Amendment Local Law 2011.

Comment: While this amendment is not a matter of great concern to the Shire of Broomehill-Tambellup it is considered appropriate to bring it to Council's attention as it is an amendment to one of the Shire's local laws.

Consultation: Nil.

Statutory

Environment: This deals with an amendment to the Shire's Cemeteries Local Law.

Policy Implications: Nil.

Financial

Implications: Nil.

Strategic

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

Voting Requirements: Simple Majority

Council Resolution: **111209**

Moved Cr Kempin, seconded Cr Turner

“That Council note the amendment to the Shire of Broomehill-Tambellup Cemeteries Local Law.”

CARRIED 7/0

**Reason For Change to
Recommendation:**

10.6**REVIEW OF COUNCIL POLICIES**

Program: Governance
Attachment: Policies - 1.1 Records Management, 1.2 Use of Shire Facilities, 1.3 Shire of Broomehill-Tambellup Logo and 1.4 Appointment of Acting Chief Executive Officer
File Ref: ADM0165
Author: KR Hastie Acting Chief Executive Officer
Date: 21 November 2011
Disclosure of Interest: The Acting Chief Executive Officer as author of this report declares a financial interest in this matter as it may impact on his future employment relationship with the Shire of Broomehill-Tambellup.

The Manager Corporate Services has also declared a financial interest in this matter as it directly relates to her remuneration package.

Summary: Council to commence the process of reviewing Council's Policies.

Background: Council has a Policy Manual that contains 25 policies covering many aspects of the Shire's operations.

A complete copy of the Policy Manual is tabled for Council's reference.

Council adopted the Policy Manual in 2008 with the comment in the Foreword that *Council will conduct a review of all policies at least every three years.*

One of the policies is the Code Of Conduct For Council Members – 1.5.

Given that the Code Of Conduct is a requirement that is subject to considerable prescriptive legislation the matter is being dealt with separately in this agenda.

Policies 1.1, 1.2, 1.3 and 1.4 have been distributed to Administration Staff for review and their comments have been reflected in this report.

Comment: In numerical order the current policies are:

1.1 –Records Management Policy.

Over the past decade Records Management in local government has become an entrenched professional administrative practice. This has resulted primarily from the introduction of the *State Records Act* in 2000.

The *Act* and Regulations are very prescriptive about records identification, retention, management and destruction. The main outcome from this is a Record Keeping Plan and a Retention and Disposal Schedule which all local governments need to adopt.

Several policies are required to be included in the Record Keeping Plan and Council's current policy encapsulates, in summary form, this requirement.

Additionally, the retention of this policy ensures that the need for competent records management process is regularly re-enforced with the Council and the Staff.

Hence, the policy is recommended for retention.

1.2 – Use Of Shire Facilities.

This policy is recommended for retention as it identifies and is supportive of local groups who are given a concession on hire fees which in turn make the groups more viable and sustainable.

1.3 – Shire of Broomehill-Tambellup Logo.

It is appropriate that the Shire of Broomehill-Tambellup have a logo.

The Shire of Broomehill-Tambellup logo was developed by Market Creations and the artistic characteristics and use of the logo is enunciated in the publication “Our Identity” – copy tabled for Council’s information. It is considered appropriate that this publication be cross referenced in the policy.

There is also the matter of use of the Shire’s logo by “other parties” It is understood that the logo does not have the protection of copyright or trade mark and is thus vulnerable to use by other parties.

As such, it may be appropriate to include in the policy that the Shire’s logo cannot be used by any other person or organisation without the prior approval of the Council (which could be delegated to the CEO) While this will have no legal standing it will at least provide a perception that the logo is not available to “all and sundry”

It is considered appropriate that the current policy be amended as follows:

add a third paragraph:

The use of the Shire of Broomehill-Tambellup logo

- a) shall be in accordance with the guidelines contained in the publication “Our Identity” and
- b) is not permitted by any other person or organisation without the written approval of the Shire of Broomehill-Tambellup.

If Council agrees with this amendment item 2 above could be delegated to the CEO for administrative expediency.

1.4 – Appointment of Acting Chief Executive Officer

A policy of this nature is administratively expedient and thus supported for retention.

The appointment of a CEO (including in an acting capacity) is a duty of the Council that cannot be delegated to the CEO.

Section 5.36 (2) of the Local Government Act states:-

A person is not to be employed in the position of CEO unless the council -

- (a) believes that the person is suitably qualified for the position; and*
- (b) is satisfied* with the provisions of the proposed employment contract.*

** Absolute majority required.*

5.36 (2)(b) as shown above is negated (for periods up to one year) by Section 5.39 (1a)(a) which states:-

An employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting.

A policy covering the appointment of an Acting CEO that satisfies the legislative criteria negates the need to refer the matter to Council, which is frustrated by the time line of monthly meetings, to cover relatively short term absences of the CEO.

In regard to the current policy it will require an amendment to the title of the officer acting in the position of CEO to Manager Corporate Services (MCS) to reflect the current organisational structure.

Furthermore, the current policy could be enhanced with two additions.

Firstly, there is no reference to a time period of absence of the CEO for the policy to be automatically activated. Generally, absences of five working days or more are incorporated into this type of policy as discussed further below.

If a minimum time line is included in the policy, Council still retains the right to delete or amend its policy at any point in time should extenuating circumstances arise.

Secondly, there is no reference to additional salary payment, or otherwise, to the MCS in recognition of the additional responsibilities. There are two schools of thought in this regard. On the one hand there is the view that additional responsibility should be rewarded. On the other, the officer is presented with an opportunity to enhance their skill set for further career development.

Given the relatively small amount of additional remuneration involved the second view is favoured.

Then arises the question of quantum. If a higher salary is paid should it be the full difference between the two salary levels or a percentage thereof. There is no rule in this regard, however, 75% of the difference is considered reasonable.

With regard to the proposed time period and the quantum aspects of this policy the following comments are made.

Neither the contract of employment nor the position description relating to the MCS contains reference to acting in the position of CEO.

The contract of employment does contain:

15.1 – If there is any inconsistency between this contract and any Industrial Relations Law, the Industrial Relations Law prevails but only to the extent of the inconsistency.

Thus defaulting to the Local Government Industry Award 2010 we find:

18 Higher Duties

18.1 An employee directed or appointed to relieve in a higher level position where the employee is required to perform the substantive functions of the role for more than one day will be paid at the higher rate.

18.2 Higher duties will not be paid when the relieving employee is absent on leave or on a public holiday.

Clause 18.1 above is appropriate for lower level positions where the work performed is of a day to day basis requiring processing and daily targets and balancing and the like being achieved. It is not considered appropriate for a CEO's position where higher level matters and organisational management tasks have longer ongoing time lines. Hence, a minimum period of five working days is considered more appropriate.

To implement a policy change in this regard would require an amendment to the employment contract with the MCS so that the "inconsistency" provision of clause 15.1 of the contract is negated.

If Council approves the policy amendment as per the recommendation below, the CEO will instigate the contract amendment as an administrative procedure as the contract is with the CEO.

The recommendation below is structured on the above comments.

Consultation:	All Administration Staff.
Statutory Environment:	Section 2.7 (2)(b) of the <i>Local Government Act 1995</i> establishes the duty for the Council to <i>determine the local government's policies</i> .
Policy Implications:	This matter deals with the review of the Policy Manual.
Financial Implications:	Nil.
Strategic Implications:	This issue is not dealt with in the Strategic Plan.

Voting Requirements: Simple Majority for the recommendations 1, 2 and 3 dealing with policies 1.1, 1.2 and 1.3 respectively.
Absolute Majority for the recommendations 4 and 5.
Simple majority for the recommendations 6 and 7.

Council

Recommendation: 111210

Moved Cr Sheridan, seconded Cr Turner

1. *“That Council retain existing policy 1.1 Records Management in its current form;*
2. *That Council retain existing policy 1.2 Use of Shire Facilities in its current form; and*
3. *That Council retain and add a third paragraph to policy 1.3 Shire of Broomehill-Tambellup Logo as follows:
The use of the Shire of Broomehill-Tambellup logo:
(a) shall be in accordance with the guidelines contained in the publication “Our Identity” and
(b) is not permitted by any other person or organisation without the written approval of the Shire of Broomehill-Tambellup.*
- 4 *That Council, by Absolute Majority, delegate to the Chief Executive Officer authority to grant approvals in regard to item 3(b) above; and*
- 5 *That Council, by Absolute Majority, determines that the Manager Corporate Services is suitably qualified to be appointed to the position of Acting Chief Executive Officer as required in accordance with Council’s policy.*
- 6 *That Council amends existing policy 1.4 Appointment of Acting Chief Executive Officer by deleting “Manager of Administrative and Customer Services” and substituting therein “Manager Corporate Services” and*
- 7 *That Council add the following to the policy 1.4 Appointment of Acting Chief Executive Officer:
This policy is activated when the Chief Executive Officer will be absent for five consecutive working days (including public holidays) or more.*

When the Manager Corporate Services is acting in the position of Chief Executive Officer the Manager Corporate Services shall be paid a salary at the rate of 75% of the difference of the salaries of the two positions. All other employment contract conditions for the Manager Corporate Services remain as is.”

CARRIED 7/0
By Absolute Majority

**Reason For Change to
Recommendation:**

10.7 REVIEW OF CODE OF CONDUCT

Program:	Governance
Attachment:	Shire of Broomehill-Tambellup’s Code of Conduct for Elected Members Shire of Broomehill-Tambellup’s Proposed Code of Conduct for Employees Local Government (Rules of Conduct) Regulations 2007. Copy of Local Government (Administration) Regulations 34B and 34C.
File Ref:	ADM0117, ADM0170
Author:	KR Hastie Acting Chief Executive Officer
Date:	14 November 2011
Disclosure of Interest:	Nil

Summary: That Council review the Code of Conduct.

Background: Council has previously adopted WALGA’s Model Code of Conduct for Council Members, Committee Members and Staff. See Attachment to Report.

Until 2007 there was a legislative requirement to review the Code of Conduct within twelve months of each ordinary election. This was superseded when the Declaration By Elected Member of Council was altered in 2007 to include “... *and will observe the Local Government (Rules of Conduct) Regulations 2007.*” See copy in Attachment to Report.

The Rules of Conduct Regulations need to be read in conjunction with the Code. While the Regulations are not a mirror of the Code they do contain matters pertaining to council members (gifts and interests affecting impartiality) that are the same as matters pertaining to staff that are included in the Code.

Comment: Notwithstanding there is no longer a legislative requirement to review the Code of Conduct, as it is part of Council’s Policy Manual it is appropriate for the Code to be reviewed as part of the Policy Manual review.

The Code of Conduct is not, in itself, a prescribed format. There are however some legislated matters that have to be included.

The Local Government (Administration) Regulations – See copy in Attachment – require many matters relating to both Councillors and employees receiving gifts and disclosing interests affecting impartiality to be included in the Code. Councils current Code of Conduct in the Policy Manual relates only to Councillors. As such a Code of Conduct has also been developed and endorsed by all staff in the organisation and is put forward for consideration for inclusion in the Policy Manual as part of this review.

The reason for creating a separate Code of Conduct for Employees was to ensure that all staff were clear on what their legislative responsibilities

are and how the Council wishes them to conduct themselves as part of their contract of employment.

It is proposed that the Code of Conduct for Elected Members and the Employees Code of Conduct be endorsed.

Consultation: Nil

Statutory

Environment:

Section 5.103 (1) of the Local Government Act 1995 states-;
Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

Policy Implications: Nil

Financial

Implications:

Nil

Strategic

Implications:

This issue is not dealt with in the Strategic Plan

Voting Requirements: Simple Majority

Council Resolution: *111211*

Moved Cr Turner, seconded Cr Crosby

“That having conducted a review of the Code of Conduct for Elected Members, Council endorses the existing Code as presented.”

Council Resolution: *“That Council endorses the Employees Code of Conduct as presented.”*
CARRIED 7/0

Reason For Change to Recommendation:

10.8 LOCAL GOVERNMENT REFERENCE GROUP – SHIRE OF KATANNING

Program:	Governance
Attachment:	Letter from Shire of Katanning
File Ref:	ADM0092
Author:	KR Hastie Acting Chief Executive Officer
Date:	2 November 2011
Disclosure of Interest:	Nil

Summary: Shire President, Cr Barry Webster, has accepted an invitation from the President of the Shire of Katanning to be a member of the Local Government Reference Group.

Background: The town of Katanning has recently been designated a “Super Town” by the State Government. One of the outcomes of this status is that the Shire of Katanning has established a Local Government Reference Group.

The purpose of this group is to assist the Shire of Katanning develop a forward looking Growth Plan for the Shire.

Comment: Broomehill-Tambellup Shire President, Cr Barry Webster, has been invited to the membership of the Reference Group and has accepted the invitation.

Consultation: Cr Barry Webster

Statutory

Environment: This initiative is an outcome of the State Governments Royalties For Regions Program.

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: *111212*

Moved Cr Sheridan, seconded Cr Crosby

“That Council note the matter.”

CARRIED 6/1

Reason For Change to Recommendation:

10.9 ORDINARY COUNCIL MEETING DATES FOR 2012

Program:	Governance
Attachment:	Nil
File Ref:	ADM0091
Author:	JA Stewart Manager Corporate Services
Date:	21 November 2011
Disclosure of Interest:	Nil

Summary: Council is required to determine and advertise its Ordinary Meeting dates, time/s and venue/s for the next twelve months.

Background: The *Local Government Administration Regulations 1996 reg 12 (1)* requires that at least once a year a local government is to give local public notice of the date on which, and the time and place at which, its Ordinary Meetings of Council are to be held for the next twelve months.

Comment: Council currently holds its meetings on the third Thursday of each month with the exception of January (nil meeting) unless otherwise determined and advertised throughout the course of the year. In keeping with past practice, if meetings continue to be held on the third Thursday of each month, during 2012, the meeting dates will be as follows:

16 th February	15 th March	19 th April
17 th May	21 st June	19 th July
16 th August	20 th September	18 th October
15 th November	20 th December	

For Council discussion and decision.

Consultation: Nil

Statutory Environment: *Local Government Administration Regulations 1996 reg 12 (1) s. 5.25 (g)*

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: 111213

Moved Cr Thompson, seconded Cr Sadler

“That the Shire of Broomehill-Tambellup conducts its Ordinary Meetings in the Tambellup Council Chambers commencing at 4.00pm on the following dates during 2012:

<i>16th February</i>	<i>15th March</i>	<i>19th April</i>
<i>17th May</i>	<i>21st June</i>	<i>19th July</i>
<i>16th August</i>	<i>20th September</i>	<i>18th October</i>
<i>15th November</i>	<i>20th December.”</i>	

CARRIED 7/0

Reason For Change to Recommendation:

10.10 EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN 2012-2014

Program: Governance
Attachment: Proposed Equal Employment Opportunity (EEO) Management Plan 2012-2014; Current (expiring) EEO Management Plan 2008-2011
File Ref: ADM0209
Author: JA Stewart Manager Corporate Services
Date: 1 December 2011
Disclosure of Interest: Nil

Summary: Council is required, as per Section 145 of the *Equal Opportunity Act 1984*, to have a compliant Equal Employment Opportunity Management Plan in place.

Background: Council's Equal Employment Opportunity Management Plan 2008-2011 expires as of 31 December 2011. The Public Sector Commission has, therefore, issued a request for an endorsed copy of Council's EEO Management Plan (Plan) for the 2012-2014 period, by 30 December 2011.

Comment: The Acting Chief Executive Officer and author have worked through the Plan for 2012-2014 identifying outcomes that either currently exist, require review or are proposed, in accordance with the template provided by the Public Sector Commission. Tasks to complete in order to progress the outcomes 'to be reviewed' during the 2012-2014 period have been noted for actioning within this timeframe.

Consultation: Acting Chief Executive Officer, Mr Kim Hastie

Statutory Environment: *Equal Opportunity Act 1984*, Section 145

Policy Implications: Policy 2.1 Equal Opportunity applies

Financial Implications: This issue has no financial implications for Council

Strategic Implications: This issue is not dealt with specifically in Council's Strategic Plan; however, falls under Strategic Objective 5 – Corporate Governance – Compliance with Legislation (Performance Measurement).

Voting Requirements: Simple Majority

Council Resolution: *111214*

Moved Cr Kempin, seconded Cr Thompson

“That Council endorses the Equal Employment Opportunity Management Plan 2012-2014, as presented.”

CARRIED 7/0

**Reason For Change to
Recommendation:**

10.11 COUNTRY LOCAL GOVERNMENT FUND, 2011-12

Program:	Governance
Attachment:	Forward Capital Works Plan, CLGF 2011-2012 Guidelines
File Ref:	ADM0149
Author:	KR Hastie Acting Chief Executive Officer
Date:	1 December 2011
Disclosure of Interest:	Nil

Summary: Council to review the Forward Capital Works Plan with regard to the individual Country Local Government Fund projects.

Background: Council will be aware that the individual CLGF grant ceases as of the end of the 2012-13 financial year.

The 2010-11 funds were not distributed to the Shire of Broomehill-Tambellup until the 2011-12 financial year and accordingly the 2010-11 projects are included in the 2011-12 budget.

The 2010-11, 2011-12 and 2012-13 funds have to be tied to projects that are listed in the Shire's Forward Capital Works Program. The Council has the prerogative to amend the FCWP as required as long as the projects still conform with the guidelines.

Currently the Shire's FCWP, in regard to the individual CLGF, identifies:

Project	2011	2012	2013	2014	2015
Admin Centre Broomehill, Building Modifications	\$50,000				
Public Toilets Broomehill	\$100,000				
Parks and Reserves- Tambellup Oval	\$200,000				
Footpaths/Cycleways - Broomehill	\$76,500				
Admin Centre, Tambellup – Solar Energy		\$70,000			
Broomehill Hall Building Improvements		\$30,000			
Tambellup Town Hall – Building Improvements		\$100,000			
Gordon River Reserve - Upgrade		\$48,000	\$52,000		
Holland Perk Upgrade		\$50,000	\$50,000		
Caravan Park, Tambellup Building Upgrade		\$30,000			
Administration Centre, Broomehill – Solar Energy			\$50,000		
Aged Accommodation Units			\$176,000		
TOTAL	\$426,500	\$328,000	\$328,000		
			<u>\$1,082,500</u>		

Comment: The Guidelines for the 2011-12 funding have now (finally) been distributed by the Department for Regional Development and Lands. These guidelines will be tabled at the Council meeting in full for Council's perusal.

In summary the Criteria for the 2011-12 funding are:

- Projects must be identified in a Council approved Forward Capital Works Plan. It is only necessary to advise RDL of any changes to the FCWP.
- Local governments should be well advanced in their project planning.
- CLGF expenditure must be directly related to the delivery of capital works projects.

Following identification of projects for the 2011-12 funding, it is then necessary to submit a draft Financial Assistance Agreement to RDL for their approval. **This needs to be submitted by 30 December 2011.**

Consultation: Nil

Statutory Environment: This matter is determined by the Royalties For Regions Act.

Policy Implications: Nil

Financial Implications: The CLGF has become a significant source of funds for local government and is an integral part of the current (and future) budget/s.

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

Voting Requirements: Simple Majority

Council Resolution: *111215*

Moved Cr Thompson, seconded Cr Turner

“That Council review the Forward Capital Works Plan with the view to confirming the projects for the 2011-12 Country Local Government Fund as identified in the endorsed Forward Capital Works Plan 2011 to 2015.”

CARRIED 7/0

Reason for Change to Recommendation:

10.12 MARGARET RIVER FIRE APPEAL

Program:	Governance
Attachment:	Nil
File Ref:	ADM0061
Author:	JM Trezona Chief Executive Officer
Date:	9 December 2011
Disclosure of Interest:	Nil

Summary: Council to consider making a donation to the Lord Mayors Distress Relief Fund (LMDRF) - Margaret River Bush Fire Appeal.

Background: Council is to consider if it wishes to assist those impacted by the Margaret River bushfires and donate through the LMDRF. This emergency relief fund has been activated to coordinate donations to support victims of the bushfires which have destroyed more than 25 homes and property in the Margaret River area.

Immediate support is required for those persons who are currently in emergency accommodation or relocation centres.

Comment:

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: The LMDRF is set up in a way that allows assistance to be dispensed rapidly. It is run by an independent board and all the money goes to the victims. Members donations currently has a balance of \$660.

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

Voting Requirements: Simple Majority

Officer Resolution: *“That Council donates \$..... to the Lord Mayors Distress Relief Fund – Margaret River Bush Fire Appeal.”*

Council Resolution: *111216*

Moved Cr Thompson, seconded Cr Turner

“That Council donates \$500 to the Lord Mayors Distress Relief Fund – Margaret River Bush Fire Appeal.”

CARRIED 6/1

Reason For Change to Recommendation:

10.13 PROPOSED OUTBUILDING – LOT 709 KEITH STREET, BROOMEHILL

Program: Planning
Attachment: Nil
File Ref: A4100
Author: Gray & Lewis Landuse Planners
Date: 25 November 2011
Disclosure of Interest: Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of *Local Government Act 1995*

Summary: An application for an outbuilding on Lot 709 Keith Street Broomehill was lodged on the 6 October 2011.

The application has been referred to adjacent owners for comment as it seeks a variation to the ‘deemed to comply’ requirements of the Residential Design Codes.

No objections to the outbuilding have been lodged and conditional approval is recommended.

Background: There is an existing house located on the property.

Comment: Zoning

The subject lot is zoned ‘Residential R5’ under the Shire of Broomehill Town Planning Scheme No 1 (‘the Scheme’).

Description of Application

The applicant proposes to construct a 100.05m² outbuilding to the rear of the existing house.

Gray & Lewis has liaised with the applicant to establish what the outbuilding will be used for. The applicant has verbally indicated that the outbuilding will be used for general storage and will house a vintage car and boat on a trailer.

Residential Design Codes

The Western Australian Planning Commission produces the Residential Design Codes (‘the Codes’) as State Planning Policy 3.1. The purpose of the Codes is to provide a comprehensive basis for the control of residential development throughout Western Australia.

The Codes set out requirements for outbuildings, setbacks, site open space and building height.

The Codes are divided into two sections and contain ‘deemed to comply’ criteria or ‘performance criteria’. Where an application complies with the ‘deemed to comply’ criteria there is a faster track to approval,

however applications can also be assessed using the alternative performance based criteria which involves a more subjective assessment.

This application proposes alternatives to the ‘deemed to comply’ criteria as summarised below:

Description	Deemed to Comply Requirement of the Residential Design Codes	Proposed
Aggregate size of outbuildings on a lot	60m ²	100.05m ² (in addition to existing sheds)
Wall Height	2.4 metres	3.9 - 4.1 metres
Roof Height	4.2 metres	3.9 – 4.1 metres
Side setback (to Lot 708) & Rear Setback	1.5 metres	1.3 metres

Note: The aggregate of outbuildings collectively exceeds 100.5m² as it also includes the area of the existing small shed already on the lot.

Council has the discretion to support the application if it is considered to comply with a performance based criteria which allows for ‘*outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties*’.

Gray & Lewis recommends approval of the outbuilding as:

1. The Shires Building Surveyor has indicated that other similar sized outbuildings have been approved in the area by the Shire.
2. The outbuilding is located to the rear so will not negatively impact on streetscape. It will be partially screened by the existing dwelling and its front setback exceeds 40 metres.
3. The side of the outbuilding will be visible from adjacent Lot 708 however will be non reflective, and have a neat and tidy appearance.
4. The outbuilding will partially overshadow Lot 708 however the extent of overshadowing complies with the Codes.

Consultation:

The application was advertised for 14 days in accordance with Clause 4.2.1 of the Codes. Individual letters were sent by the Shire to the owner of adjacent Lot 708 and State Land Services (for the rear Unallocated Crown Land).

No submissions were received during advertising.

Statutory

Environment:

Shire of Broomehill Town Planning Scheme No 1.

Policy Implications:

The application has been assessed in accordance with State Planning Policy 3.1 – Residential Design Codes. The Shire can develop a Local Planning Policy on Outbuildings outlining shed sizes acceptable to Council.

Financial

Implications: Council has received planning fees as part of the application.

Strategic

Implications: Nil

Voting Requirements: Simple Majority

Council Resolution: 111217

Moved Cr Turner, seconded Cr Kempin

“That Council:

- A. Approve the application lodged by Michael Chaplin for an 105.5m² outbuilding on Lot 709 Keith Street Broomehill subject to the following conditions:*
- (1) The outbuilding is to be constructed in accordance with the plans submitted as part of the application lodged on the 6 October 2011.*
 - (2) All external walls, gutters, and roof shall be constructed out of non reflective colorbond materials.*
 - (3) A detailed schedule of external colours to be used in the construction of the outbuilding shall be lodged for separate written approval of the Chief Executive Officer and shall be submitted prior to the issue of a building licence.*
 - (4) This building is only approved for use as ancillary to the existing residential dwelling and not for habitation or any commercial/ business activities.*
- B. Advise the applicant by footnotes on the planning approval that:*
- (i) A planning consent is not an approval to commence any works. A building licence must be obtained for all works.*
 - (ii) The Shires planning consultant notes your verbal advice that the outbuilding will be constructed in a wattle green colour. Prior to the issue of a building licence you are requested to confirm the proposed colours in writing as they require separate written approval to comply with condition 2. Reflective colours such as white are discouraged.”*

CARRIED 7/0

Reason For Change to Recommendation:

10.14 PROPOSED TEMPORARY PLANNING APPROVAL – PROPOSED CBH SAMPLE SITE: LOT 669 TOOLBRUNUP ROAD/CORNER BEEJENUP ROAD, LAKE TOOLBRUNUP

Program: Planning
Attachment: Table of Submissions
File Ref: ADM0212
Author: Gray & Lewis Landuse Planners
Date: 1 December 2011
Disclosure of Interest: Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of *Local Government Act 1995*.

Summary: An application has been lodged by CBH seeking temporary planning approval for grain sampling to operate on Lot 669 Toolbrunup Road / corner Beejunup Road, Lake Toolbrunup.

The application has been referred to nearby landowners for comment, and the site inspected by Council officers.

This report recommends conditional approval.

Background: The owner of the land has provided written consent for the land to be used between 1 November 2011 and 15 February 2012.

Comment: **Zoning**
 The subject lot is zoned ‘Farming’ under the Shire of Tambellup Town Planning Scheme No 2 (‘the Scheme’).

Description of Application

The applicant has lodged an application to use a portion of the land for sampling of grain which involves placing a sea container on site, and approximately 20 trucks attending the site each day.

The applicant has advised as follows:

Traffic Management:

- Traffic flow is one way only;
- Entry is from the eastern entrance only;
- Exit from the site is from the western access;
- Site speed limit to be 10km/hr;
- Truck entering signs to be placed along Toolbrunup Road;
- Reduce speed signs to be used for traffic management along Toolbrunup Road;
- Truck parking on site is to be clear of any flow through traffic;
- Trucks are not permitted to turn around on site as this will be against our one way traffic flow. They have the ability to exit from the western access and re-enter from the eastern access.

Dust and Noise:

- This should not be an issue as the closest house was measured at over 300m away from the site.

Services:

- CBH expects up to 20 trucks per day to use the sample shed;
- Truck size will vary from small rigid body to road trains. It is hard to gauge how many of each at this point in time;
- There is also an expectation that a number of growers will use the facility for 'hat' samples. There is sufficient room next to the sample shed for light vehicles to park out of the way of trucks;
- CBH proposes to place the sample shed on site around the 15 November 2011, and remove from site around 20 January 2012;
- This year CBH will be collecting data to see if it is viable to continue to use these community sample sheds;
- If it is viable, will be seeking to set up a five year arrangement.

Traffic Management:

Following a site inspection Council officers liaised with CBH to ensure that the proposal maximised use of the land to contain truck movements.

CBH has lodged an amended plan which increases internal access lengths for stacking of vehicles off road. The Shire's Acting Chief Executive Officer has confirmed the amended plan ensures no significant impact for traffic on Toolbrunup Road.

Landuse Permissibility

When an application is lodged, part of the planning assessment involves examining the landuse definitions in the Scheme, and determining the 'best fit' landuse classification.

In this case the Scheme does not contain any specific landuse definition for 'grain sampling'. The Scheme does contain a definition for 'Rural Industry' which includes *'an industry handling, treating, processing, or packing primary products grown, reared, or produced on the locality, and a workshop servicing plant or equipment used for rural purposes in the locality'*.

It is recommended that the grain sampling facility be processed as a 'Rural Industry' as it involves *'handling'* and *'processing'* of grain samples.

A 'Rural Industry' is an 'SA' use in the 'Farming' zone which means that *'the use is not permitted unless the Council has exercised its discretion by granting planning approval after giving special notice in accordance with clause 8.3.1'*.

In accordance with the Scheme advertising of the application was therefore a legal requirement.

Truck Movements and Traffic

In considering the application Council needs to have regard for issues such as:

- Whether all truck movements can be adequately contained on site and number of trucks that can stack within the property.
- Whether trucks can enter and egress the site in forward gear (without swinging into oncoming traffic).
- Whether the crossovers are of an adequate width to cater for the size of trucks anticipated to attend the site.

CBH has indicated that truck sizes will vary from small rigid body truck to road trains.

CBH lodged a traffic management plan dated 23/11/2011 which has been approved by the Shire's Acting Chief Executive Officer.

Amenity

Council also has to have regard as to whether the proposed use will negatively impact on the amenity of the area and nearby residents, by virtue of additional traffic into the area, noise, dust or any other emissions.

The proposal will attract increased traffic into the area which will have some impact, however Council needs to weigh up the extent of the impact, and whether it will adversely affect the amenity of residents in the area. It is noted that amenity impact may be lessened due to the larger lot sizes in the locality.

Any impact is only for a limited period until around the end of January 2012, and is associated with nearby and adjacent agricultural activities. To some extent surrounding farmers may associate truck traffic, dust and noise with normal agricultural and harvesting activities.

CBH has indicated that whilst the current proposal is temporary, they are using it to collect data to see whether continued use of community sample sheds are viable, with potential to set up a five year plan.

CBH has advised that the nearest resident is located approximately 330 metres from the site. It is noted that no objections to the application have been lodged.

Gray & Lewis supports the application and notes that Council Officers can inspect the premises in operation, to more comprehensively assess matters such as truck movements, noise and dust. It is understood that the site has been set up and Council Officers are satisfied with the layout.

Conditions can also be imposed on any temporary approval to require CBH to undertake watering to mitigate dust nuisance in the event that it becomes an issue, or to repair the roads if they are damaged (although the latter may be difficult to prove).

If Council is satisfied that dust and road damage will not be major issues, there is the option of removing recommended Conditions v and vi.

Scheme Provisions

Under Clause 8.6.4 of the Shire of Tambellup Town Planning Scheme No 2, Council may limit the time for which a planning consent remains valid.

Under Clause 8.7.1 of the Scheme, Council has the ability to issue planning approval for developments that have already commenced.

Consultation: The application was advertised for 21 days in accordance with Clause 8.3.1 of the Scheme. Individual letters were sent by the Shire to nearby and adjacent landowners.

Three written submissions were lodged during advertising in support of the proposed development – refer Attachment 1.

Statutory

Environment: Shire of Tambellup Town Planning Scheme No 2.

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

Officer Resolution: “That Council:

1. *Retrospectively approve the application lodged by CBH for a Temporary sampling facility (Rural Industry) on Lot 669 corner Toolbrunup Road and Beejenup Road, Tambellup subject to the following conditions:*
 - i. *This planning consent is for a temporary facility and is only valid until the 29 February 2012.*
 - ii. *The applicant to implement the Traffic Management Plan endorsed by the Shires Acting Chief Executive Officer on the 24 November 2011 to the satisfaction of Chief Executive Officer.*
 - iii. *Truck vehicle parking, manoeuvring and circulation areas shall be in accordance with the approved Traffic Management Plan.*
 - iv. *Provision to be made so that all commercial vehicles and trucks can ingress and egress the site in forward gear.*
 - v. *If during the course of the development any portion of the road adjacent to the lot is damaged or destroyed the owner / applicant shall repair the road to the satisfaction of the Chief Executive Officer.*
 - vi. *All areas of soil disturbance on site and including the adjacent road reserve being stabilised against dust nuisance to adjoining and nearby properties, during or after commencement of operations. Where appropriate such measures as sprinklers, use of water tanks/trucks, mulching or other land management systems should be installed or implemented within the time and in the manner directed by the Shire of Broomehill Tambellup if it considers that a dust nuisance exists.*
2. *Advise the applicant as a footnote on the planning approval that Condition (vi) has been imposed for the protection of nearby and adjacent residents. In the event that any dust nuisance occurs then the Shire would liaise with CBH directly to discuss dust nuisance management. If truck movements are staggered dust is unlikely to be a major issue.*
3. *Advise the applicant that if the trial of using this site is successful, then a separate application can be lodged with a view of seeking a more permanent planning approval for a longer time period. For future applications, CBH should have regard to the time needed to process applications of this nature, as there are longer processing times where the Scheme has mandatory advertising of the landuse.*
4. *Authorise the Chief Executive Officer to write to all the submitters and formally advise of the Council decision to issue conditional planning approval for the temporary facility.”*

Council Resolution: 111218

Moved Cr Crosby, seconded Cr Thompson

“That Council:

1. *Retrospectively approve the application lodged by CBH for a Temporary sampling facility (Rural Industry) on Lot 669 corner Toolbrunup Road and Beejenup Road, Tambellup subject to the following conditions:*
 - vii. *This planning consent is for a temporary facility and is only valid until the 29 February 2012.*
 - viii. *The applicant to implement the Traffic Management Plan endorsed by the Shires Acting Chief Executive Officer on the 24 November 2011 to the satisfaction of Chief Executive Officer.*
 - ix. *Truck vehicle parking, manoeuvring and circulation areas shall be in accordance with the approved Traffic Management Plan.*
 - x. *Provision to be made so that all commercial vehicles and trucks can ingress and egress the site in forward gear.*
 - xi. *If during the course of the development any portion of the road adjacent to the lot is damaged or destroyed the owner / applicant shall repair the road to the satisfaction of the Chief Executive Officer.*
 - xii. *All areas of soil disturbance on site and including the adjacent road reserve being stabilised against dust nuisance to adjoining and nearby properties, during or after commencement of operations. Where appropriate such measures as sprinklers, use of water tanks/trucks, mulching or other land management systems should be installed or implemented within the time and in the manner directed by the Shire of Broomehill Tambellup if it considers that a dust nuisance exists.*
2. *Advise the applicant as a footnote on the planning approval that Condition (vi) has been imposed for the protection of nearby and adjacent residents. In the event that any dust nuisance occurs then the Shire would liaise with CBH directly to discuss dust nuisance management. If truck movements are staggered dust is unlikely to be a major issue.*
3. *Advise the applicant that if the trial of using this site is successful, then a separate application can be lodged with a view of seeking a more permanent planning approval for a longer time period. For future applications, CBH should have regard to the time needed to process applications of this nature, as there are longer processing times where the Scheme has mandatory advertising of the landuse.*

4. *Authorise the Chief Executive Officer to write to all the submitters and formally advise of the Council process to be followed in order for Council to issue conditional planning approval for the temporary facility.”*

CARRIED 7/0

Reason For Change to

Recommendation:

Addition of the process necessary for planning approval.

10.15 PLANNING APPLICATION FOR LOT 118, (119) TAMBELLUP WEST ROAD, TAMBELLUP

Program: Economic Services
Attachment: Block Plan and Associated Building Plans
File Ref: A469
Author: D Baxter Building Surveyor
Date: 2 December 2011
Disclosure of Interest: Nil

Summary: Council has received and application for approval to construct a 54m² shed extension to the existing sheds on Lot 118 Tambellup West Road to house a school bus.

Background: The owner has supplied a block plan and plans for this 54m² shed extension at Lot 118 (119) Tambellup West Road, Tambellup.

Comment: The owner will be the builder for this project.

The owner has supplied all the documentation for this planning application to proceed. A building licence will be issued subject to this Planning Application being approved.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: The Shire of Broomehill-Tambellup Town Planning Scheme requires that Council give Planning Permission for any development that is to be undertaken in the Rural Residential Zones in the Shire of Broomehill-Tambellup.

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: 111219

Moved Cr Kempin, seconded Cr Crosby

- 1 *“That Council gives Planning Permission for the construction of a 54m² shed extension, at Lot 118 (119) Tambellup West Road, Tambellup as per the site plan attached.*
- 2 *That the owner be advised that the approved purpose of the structure is for storing the School Bus or for residential storage purposes.”*

CARRIED 7/0

**Reason For Change to
Recommendation:**

10.16 PUBLIC TOILETS, HOLLAND PARK, BROOMEHILL

Program:	Community Amenities
Attachment:	Copy of revised plan
File Ref:	CP.PR.8
Author:	KR Hastie Acting Chief Executive Officer
Date:	29 November 2011
Disclosure of Interest:	Nil

Summary: Council to consider the revised plans, elevations and costs for the proposed public toilet facility in Holland Park, Broomehill.

Background: Included in the current budget is an allocation of \$100,000 of Royalties for Regions Funding for a new public toilet facility at Holland Park in Broomehill.

Council previously considered a preliminary plan for the facility and subsequently requested an alternative layout.

The alternative plan and elevations for the facility is attached for Councillors perusal. The financial aspects of the new layout are discussed below under Financial Implications.

Comment:

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial

Implications:	Quote for building	\$42,582
	Quote for plumbing	\$ 8,727
	Quote for electrician	\$ 7,227
	Plus additions:	
	Landscaping	\$ 2,000
	Paved ramp/railing	\$ 1,500
	Clean-up/bitumen works	<u>\$ 2,000</u>
	Sub total	<u>\$64,036</u>
	Contingency (10%)	\$ 6,400
	TOTAL	<u>\$70,436</u>
	BUDGET	\$100,000

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

Voting Requirements: Simple Majority

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

“That Council proceed with the Holland Park Public Toilets project as per the plans and costs provided.”

Procedural Motion:

111220

Moved Cr Turner, seconded Cr Sadler

“That this matter lay on the table and a plan for two standard toilets and one disabled toilet be sought and brought to Council for consideration.

CARRIED 6/1

**Reason For Change to
Recommendation:**

10.17 WASTE AUTHORITY – REQUEST FOR COMMITMENT TO REGIONAL GROUPINGS

Program: Community Amenities
Attachment: Nil
File Ref: ADM0099
Author: JM Trezona Chief Executive Officer
Date: 9 December 2011
Disclosure of Interest: Nil

Summary: The Waste Authority have requested that Council indicate its commitment to a Regional Grouping for the 2011/12 – 2015/16 funding program.

Background: In 2006-2008 funds were provided by the Waste Authority to local governments to develop their Strategic Waste Management Plans. For that round of funding the then Shires of Broomehill and Tambellup along with Gnowangerup, Kent and Jerramungup worked together to develop each Councils Waste Management Plan.

A pilot Regional Funding Program (RFP) in 2009 to assist with the implementation of plans proved very successful and the Minister for Environment has determined to continue the program. The RFP is the preferred method of supporting the ongoing implementation of local government plans. Funding totalling \$6.78m for the period 2011/12-2015/16 has been made available.

Funding is only available to groupings of two or more Councils, individual local governments are not eligible. Councils response is required by 06 January 2012.

Comment: Time has moved on and while Councils original grouping was with Gnowangerup, Kent and Jerramungup it would be far more prudent to nominate the VROC member Councils as our preferred grouping. This will tie in with the current waste projects that are being undertaken utilising the Country Local Government Fund.

Council will be aware that early discussions are being held between the VROC members and the City of Albany and the Shire of Denmark relating to the possibility of forming a Regional Council that will manage waste across the 6 shires. While there has been no decisive action one way or the other it may be prudent to flag this with the Waste Authority.

For Council consideration.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Phase 1 of the RFP will see groupings of local governments receive notional allocation of funding based on the number of local governments in the group, regional weightings, population and an allocation for updating management plans.

Phase two will be a competitive process.

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

Voting Requirements: Simple Majority

Officer Resolution: *“That Council advise the Waste Authority that its preferred grouping for the Regional Funding Program 2011/12-2015/16 is the members of the Southern Link VROC being the shires of Cranbrook, Kojonup and Plantagenet.”*

Council Resolution: *111221*

Moved Cr Kempin, seconded Cr Sheridan

“That Council advise the Waste Authority that its preferred grouping for the Regional Funding Program 2011/12-2015/16 is the members of the Southern Link VROC being the shires of Cranbrook, Kojonup, Plantagenet and Broomehill-Tambellup.”

CARRIED 7/0

Reason For Change to Recommendation: To include Broomehill-Tambellup as a member of the Southern Link VROC.

10.18 AFGHANISTAN PLINTH ADJACENT TO THE WAR MEMORIAL IN BROOMEHILL

Program: Recreation and Culture
Attachment: Letter from RSL Katanning Sub Branch
File Ref: ADM0061
Author: KR Hastie Acting Chief Executive Officer
Date: 11 November 2011
Disclosure of Interest: Nil

Summary: Council to give consideration to the request to install an Afghanistan Plinth adjacent to the War Memorial in Broomehill.

Background: Mrs Dilley, in her capacity of Secretary of the RSL Katanning Sub-Branch, contacted the A/CEO regarding the installation of a plinth, recognising the Afghanistan conflict, adjacent to the War Memorial in Broomehill. It is understood that the plinth will be what is known as a “stump” plinth approximately 400-500mm high.

Mrs Dilley advised that the RSL Katanning Sub Branch was applying to the War Memorial Committee in Canberra for funding for this purpose.

The A/CEO advised Mrs Dilley that it was a matter that would require Council’s approval as the Shire of Broomehill-Tambellup would effectively become the owner/manager of the plinth. Furthermore Mrs Dilley was advised that in the first instance a letter of support from the Shire of Broomehill-Tambellup would probably enhance the prospects of their funding application.

Hence the letter as shown in the Attachment.

Comment: Notwithstanding that there are some protocol matters to be dealt with in regard to timing of when dates and names can be included on the plinth this is considered to be a matter very worthy of support.

Additionally it is considered appropriate that the Shire of Broomehill-Tambellup offer to install the plinth should the funding application be successful.

Consultation: Cr Crosby
Mrs. Dilley

Statutory Environment: N/A

Policy Implications: Nil

Financial Implications: Nil in the first instance however there will be some day-labour costs associated with installing the plinth should Council agree with such.

Strategic

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

Voting Requirements: Simple Majority

Council Resolution: *111222*

Moved Cr Crosby, seconded Cr Sheridan

“That Council agree to the request of the RSL Katanning Sub Branch and provide a letter of support for their funding application including the offer to install the plinth should such eventuate.”

CARRIED 7/0

Reason For Change to Recommendation:

10.19 STANDARD OPERATING PROCEDURES FOR BUSHFIRE BRIGADES

Program: Law Order and Public Safety
Attachment: Copy of draft Standard Operating Procedures
File Ref: ADM0118
Author: PA Hull Community Services Officer
Date: 17 November 2011
Disclosure of Interest: Nil

Summary: Council to review the Standard Operating Procedures (SOP) and Standard Administration Procedures for Bushfire Brigades.

Background: The SOP provides the Broomehill and Tambellup Bushfire Brigade volunteers with information and procedures that will assist in reducing the risk that is presented for those who fight fires. The SOP also lists the responsibilities of certain fire officers and procedures that are required to be followed.

An annual review of the document will ensure it is updated and continues to be relevant to the Shire of Broomehill and Tambellup communities.

Comment: Council adopted the current SOP in April 2011. After that date a number of changes to accepted practices and terminology were implemented. It was considered the document should be reviewed and distributed to brigade personnel prior to the current fire season.

The amended document was forwarded to key brigade personnel for their feedback prior to Councils consideration. No comments were received.

Consultation: Chief Fire Control Officer
Deputy Chief Fire Control Officers
Brigade Fire Captains, Secretaries
Murray Hatton – FESA Area Manager

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

Officer Resolution: *111223*

Moved Cr Thompson, seconded Cr Sheridan

“That the 2011-2012 Standard Operating Procedures for Bush Fire Brigades be endorsed as presented.”

CARRIED 7/0

**Reason For Change to
Recommendation:**

10.20 REQUEST TO TRANSPORT GRAPE HARVESTER DURING THE HOURS OF DARKNESS

Program: Transport
Attachment: South West Grape Harvesting – Letter of Request
File Ref: ADM0143
Author: JA Stewart Manager Corporate Services
Date: 22 November 2011
Disclosure of Interest: Nil

Summary: South West Grape Harvesting is seeking Council’s approval to transport an out of gauge grape harvester within the Shire of Broomehill-Tambellup.

Background: South West Grape Harvesting has written seeking Council permission to transport its grape harvester during the hours of darkness and with a non accredited pilot, from 01 February 2012 until 31 May 2012. Records show that Council has previously granted approval for such requests.

Comment: In accordance with the attached letter, industry demand to maximize grower economic benefit provides the impetus for this request which, if approved, allows the proponent to progress the necessary permits from Main Roads Western Australia (MRWA). Current staff are unaware of any previous issues resulting from Council’s approval of this activity.

Consultation: Staff

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: 111224

Moved Cr Kempin, seconded Cr Crosby

“That Council grants approval for South West Grape Harvesting to transport an out of gauge grape harvester through the Shire of Broomehill-Tambellup during the hours of darkness with a non accredited pilot from 01 February 2012 until 31 May 2012. Further, the approval is granted subject to the applicant meeting all the requirements of Main Roads Western Australia and other relevant authorities.”

CARRIED 7/0

**Reason For Change to
Recommendation:**

10.21 REQUEST TO OPERATE RESTRICTED ACCESS VEHICLE TRUCK AND TRAILER UNDER PERIOD PERMIT (CATEGORY 2)

Program:	Transport
Attachment:	Relevant excerpts – Road Traffic (Vehicle Standards) Rules 2002/ Letter of Request – Mr Andrew Woithe
File Ref:	ADM0143/ADM0220
Author:	JA Stewart Manager Corporate Services
Date:	22 November 2011
Disclosure of Interest:	Nil

Summary: Mr Andrew Woithe is requesting Council approval to operate his vehicle, registration BH104, within the Shire of Broomehill-Tambellup.

Background: Restricted Access Vehicle (RAV) networks exist across Western Australia in which specified categories of vehicles may operate in accordance with Road Traffic (Vehicle Standards) Rules (2002). Operators are required to possess Main Roads Western Australia (MRWA) RAV permits to operate their respective vehicle within the network relevant to their location and vehicle category. RAV permit conditions include the requirement that local government approval is granted to operate the vehicle in the respective local government area and that the Permit holder operates in accordance with the relevant statutory requirements contained in the above mentioned Rules. A list of Permit Network 2 Roads (inclusive of Condition Restrictions) within the Shire of Broomehill-Tambellup is available to Councillors on request but has not been included as an attachment due to its cumbersome size.

Comment: Mr Andrew Woithe currently holds a Main Roads Western Australia (MRWA) Class 2 and 3 Restricted Access Vehicle (RAV) Period Permit (Permit) for vehicle registration BH104 and is seeking written approval from Council, as per the requirements of this Permit, to operate his vehicle on Brassey Road and Punchmirup Road within the Shire of Broomehill-Tambellup in compliance with the applicable conditions. The vehicle the approval is being requested for (BH104) is currently licensed.

Consultation: Main Roads Western Australia
Department of Transport

Statutory Environment: Road Traffic (Vehicle Standards) Rules (2002)

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: *111225*

Moved Cr Kempin, seconded Cr Thompson

“That Council approves the use of vehicle registration BH104 for operation on Brassey Road and Punchmirup Road within the Shire of Broomehill-Tambellup in accordance with Main Roads Western Australia Class 2 and 3 Restricted Access Vehicle Period Permit Number 54520 (valid from 15/11/2009 to 14/11/2012; Owner – Angus Woithe; Accredited Operator – A & A Woithe) and the conditions referred to therein .”

CARRIED 7/0

Reason For Change to Recommendation:

10.22 GNOWANGERUP-TAMBELLUP ROAD RAILWAY CROSSING UPGRADE

Program: Transport
Attachment: Nil
File Ref: RD294
Author: GC Brigg **Manager of Works**
Date: 13 December 2011
Disclosure of Interest: Nil

Summary: Council to consider reallocating 2011/12 Roads to Recovery funding for the upgrade of the failed section of road leading up to the Gnowangerup-Tambellup Road rail crossing in the Tambellup townsite.

Background: The failed section of bitumen leading up to the rail crossing has been an ongoing problem for some time. The sub grade and gravel pavement under the seal has failed due to moisture beneath the seal and deep wheel rutting has resulted.

Comment: John Holland planned a full road closure to upgrade the crossing and install boom gates. This was an opportune time to reconstruct this section while the road and rail crossing was fully closed.

Telstra cabling became an issue and the wet sub-base couldn't be excavated to a beneficial depth. This meant the gravel pavement had to be cement stabilized and a normal hot sprayed seal still wouldn't be strong enough to carry loaded trucks heading into the harvest period.

Forty millimetres of asphalt was used to help strengthen the seal. This increased the overall cost of the project as the asphalt was \$11,800.

The expense to repair this failed section was originally budgeted from normal road maintenance.

The current Roads to Recovery project of 10km of gravel sheeting on the Greenhills Road recently finished well under budget. The remaining funds of \$30,000 from this project can fully fund the Gnowangerup-Tambellup road works.

Consultation: Chief Executive Officer

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Nil – Roads to Recovery funding will be reallocated from the Greenhills South Road to this project. The amendment will be reflected in the annual budget review.

Strategic

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

Voting Requirements: Absolute Majority – by adopting the recommendation Council is amending the Budget for 2011/2012.

Council Resolution: *111226*

Moved Cr Kempin, seconded Cr Sheridan

“That Council reallocates \$30,000 of Roads to Recovery funding from the Greenhills South Road project to the Gnowangerup-Tambellup Road for works at the southern rail crossing in the Tambellup townsite.”

***CARRIED 7/0
By Absolute Majority***

**Reason For Change to
Recommendation:**

12.1 PLANT REPORT FOR OCTOBER/NOVEMBER 2011

Program: Transport
Attachment: Nil
File Ref: Nil
Author: GC Brigg Manager of Works
Date: 8 December 2011
Disclosure of Interest: Nil

Reg No.	Description	Kms/Hrs	Year of Manufacture	Year of Purchase	Changeover	Comments
BH000	Nissan Murano	1020	2010	2010		OK
BH00	Ford Ranger Dual Cab	2438	2011	2011		New unit
BH002	ISUZU 6 Wheel Tipper	77122	2008	2008	7 yrs / 250,000 km	New tyres fitted
BH003	Isuzu NPR300 Crew Cab Truck	46729	2009	2009	5 yrs / 100,000 km	Due 45k service
BH004	CAT 12M	1818	2009	2009	7 yrs / 8,000 hrs	1500 hr Service done
BH005	Cat Multi-Tyre	380	2011	2011	7 yrs / 8,000 hrs	OK
BH006	Volvo 710	5942	2004	2004	7 yrs / 8,000 hrs	A/C Compressor, drive line broken, windscreen
BH007	Toro 360 Mower	233	2011	2011	5 yrs / 5,000 hrs	New unit
BH008	VOLVO L70D Loader	6492	2001	2001	7 yrs / 8,000 hrs	Minor repairs
BH009	Toyota Hilux	20205	2009		40,000kms	6 Month service due
BH010	6x4 Fuel Trailer		1981	1981		OK
BH012	Isuzu Fire Truck	7241	1995	2004		12 Month service done
BH013	John Deere 315SG Backhoe	2635	2003	2003	10 yrs / 8,000 hrs	Service done

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0TA	Holden Caprice		2011	2011	1 yr / 40,000 kms	OK
TA052	Toyota Hilux 4x4	26915	2009	2009	1yr / 40,000 kms	6 Month service due
TA001	Ford Ranger Dual Cab	6059	2011	2011	1 yr / 40,000 kms	New unit
ITA	Toyota FJ		2011	2011	1 yr / 40,000 kms	New unit
TA1880	Isuzu Gigamax Truck	77862	2008	2008	5 yrs / 250,000 kms	Service done, pto pump replaced
TA092	Isuzu Gigamax Truck	93874	2007	2007	5 yrs / 250,000 kms	OK
TA386	Mitsubishi Fuso Truck	77328	2007	2007	5 yrs / 250,000 kms	Minor repairs
TA18	12H Grader	5162	2006	2006	7 yrs / 8,000 hrs	Service done, windscreen
BH014	Ford Ranger Single Cab	31749	2010		1 yr / 40,000 kms	30k service done
TA281	930G Loader	3797	2007	2007	7 yrs / 8,000 hrs	Service done
TA392	Tractor Mower	2228			5 yrs / 5,000 hrs	Deck repairs
TA417	John Deere Gator	268	2009			New tyres, straighten frame
BH001	CAT Vibe Roller	955	2009			OK
TA017	Isuzu Tipper	71011	2009			OK
	Slasher				10 yrs	Drive shaft broken
XTR579	Road Broom				10 yrs	New broom shaft
TA06	Jet Patcher Isuzu	88240	2007	2010		Minor repairs
IDCF 535	TORO 3500D	331	2009	2009		OK
TA005	John Deere Tractor 6330	1043	2008	2008	10 yrs / 8,000 hrs	1,000 hr service done

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dry the gravel pavement, but this course of action still couldn't strengthen it enough to compensate for poor sub-base which was too wet.

- This project was asphalted to try and improve the strength of the seal but there is already a small failure to the seal as the sub-base has failed.
- Greenhills Road graveling is completed to programmed length. This project has come \$39,000 under budget. This money could be used to fund the Gnowangerup road project leading up to the rail crossing as there was a significant cost in the cement stabilization and asphalt.
- Broomehill - Kojonup Road widening has been cleared to full length of the section being widened. Culverts have been widened ready for gravel work. 2 kilometres of shoulder widening is complete. This project is now stopped due to trucks and loader being hired by Katanning Shire. Work on this road will continue once equipment returns.
- Maintenance grading is continuing in the south eastern part of the shire. With the extended wet the roller is still being used with the graders. There have been many delays to the grading with the Volvo Grader broken down and waiting for parts.
- John Kinnear surveyors have been engaged to carry out a feature survey for the Blackspot project, realignment of Norrish Road onto Tieline Road. This survey will then be sent to Wood and Grieve for design.
- The Jetpatcher is back from Kellerberrin and is working on repairs around the shire.
- There are some problem areas of bitumen with soaking of gravel beneath the seal. This is causing the seal to wheel rut and break up. These areas will have to be excavated and backfilled with gravel, and then resealed with the Jetpatcher.
- Maintenance crew have been working on widening pipes on the Broomehill-Kojonup Road, stormwater drainage around town, guideposts and signage.

Plant

- The works supervisors and construction crew cab utilities have been replaced. The new Ford Ranger model is a much larger unit and much better for transporting crews, has a carrying capacity of 1.5 tonnes and towing capacity of 3 tonnes. The ute is a 3 litre 5 cylinder diesel engine and returns a fuel economy of 8.2 litres per 100km.
- The construction crew cab is a 4 cylinder 2.2 litre engine which still has the same towing and load carrying capacity with similar fuel use. This unit was \$1600 cheaper than the original ute quoted on by Katanning Ford.
- Katanning Ford have decided not to continue with the dealership and is no longer a Ford agent. This came about by Ford Motor Company imposing a \$250,000 to \$300,000 upgrade to the premises.
- I have had a meeting with Station Motors Holden in Collie who are keen to take over Broomehill Tambellup's fleet on the same type of deal as Ford were offering with changeovers at 30,000km or 9 months.
- We are currently training a new Jetpatcher operator. The demand for this unit is high but I am making sure the operator is fully trained before sending to another shire. Next year it has to go to Gnowangerup, Denmark, Cranbrook, Kondinin, Katanning and Jerrimungup shires. While in Kellerberrin it recovered around \$20,000 in hire.
- The new quad axle trailer being built by Allroads Albany will be complete in early January. This unit will be hired to the Cranbrook Shire while waiting for the new 8x4 truck to be completed.
- The 8x4 truck is still on track to be delivered by mid January.

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12.3 BUILDING SURVEYORS REPORT FOR OCTOBER/NOVEMBER 2011

Program: Economic Services
Attachment: BSR Report and Activity Statement
File Ref: ADM0076
Author: D Baxter Building Surveyor
Date: 30 November 2011
Disclosure of Interest: Nil

Summary: Attached are the BSR Report and the Activity Statement for the month of October/November 2011 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 October/November 2011.

Comment: These reports confirm the activity of the Building Surveyor.

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:

12.4 BUILDING MAINTENANCE PROGRAM

Program:	Various
Attachment:	Building Maintenance Program for July – November 2011
File Ref:	Nil
Author:	JA Stewart Manager Corporate Services
Date:	6 December 2011
Disclosure of Interest:	Nil

Summary: Report on the Building Maintenance Program for 2011-12 to date.

Background:

Comment: The Building Maintenance Program is updated to the end of November 2011 and presented for Council’s information, comment and discussion, if required.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Financial Implications: Provision has been made in the 2011-2012 budget or, if unbudgeted expenditure, by Council resolution since, to meet the building maintenance program costs within the attached Report.

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

Voting Requirements: Nil

Council Resolution: *“For Councillor information only”*

Reason For Change to Recommendation:

12.5 OCCUPATIONAL HEALTH AND SAFETY (OH&S) REPORT

Program:	Various
Attachment:	Five Year OH&S Management Planning Tool – Audit Report
File Ref:	Nil
Author:	JA Stewart Manager Corporate Services
Date:	6 December 2011
Disclosure of Interest:	Nil

Summary: Progress of Council's OH&S 5 Year Plan.

Background: Staff have been progressing Council's 5 Year OH&S Plan following the obtaining of the Local Government Insurance Services' (LGIS) award of Silver Status in September last year.

Comment: The attached OH&S Planning Tool, formed from a desktop audit completed in August 2011, is presented for Council's information, comment and discussion, if required. Staff are currently prioritising the areas shaded in yellow and red, working through the requirements of each in consultation with LGIS's Regional Risk Coordinator.

Consultation: LGIS Regional Risk Coordinator
OH&S Representatives (staff)

Statutory Environment: *Occupational Health & Safety Act 2004*
Occupational Health and Safety Regulations 1996

Policy Implications: Policy 2.2 – Occupational Health and Safety

Financial Implications: This issue has no financial implications for Council

Strategic Implications: This issue is not dealt with specifically in Council's Strategic Plan; however, falls under Strategic Objective 5 – Corporate Governance – Compliance with Legislation (Performance Measurement).

Voting Requirements: Nil

Council Resolution: *“For Councillor information only”*

Reason For Change to Recommendation:

12.6 LIBRARY REPORT – OCTOBER/NOVEMBER 2011

Program: Recreation & Culture
Attachment: Library Report – October/November 2011
File Ref: ADM0097
Author: C Brown Library Officer
Date: 14 November 2011
Disclosure of Interest: Nil

Summary: Attached is a Library Report prepared by Colleen Brown, Library Officer for Broomehill and Tambellup, outlining the activities of both libraries within each town.

Background: This report outlines the activities of both Broomehill and Tambellup libraries for the month of October and November 2011.

Comment: For Council information.

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: *“For Councillor information only”*

Reason For Change to Recommendation:

12.7

**TAMBELLUP INDEPENDENT LIVING SENIORS
ACCOMMODATION (TILSA)****DECEMBER COUNCIL UPDATE**

We are still awaiting the outcome of the Action Agenda Grant, results were to be available in November so we should know the outcome anytime soon.

Round two of Regional Development Australia Fund (RDAF) has opened and after discussions with RDA and reading through their Round one breakdown we have decided we don't fit their criteria due to:

- Our project is not big enough – it needs to be a regional thing. Local does not come into it, and local benefits are not explored in the application at all.
- We don't have the capacity in the office to write the application with supporting detail that they are seeking. The documents they needed were like procurement plans, quality management plans, risk management plans, project management plans – the Shire is the project manager and controls everything that happens on site. They want to know how we will do all that – with evidence (qualified staff or consultants)

With the above in mind we have decided to investigate some 'outside' help to aid in producing a Business Plan and all additional required documentation to support our future applications. We are currently planning a meeting with Daphne Cotton, who has experience in this area and hopefully will be able to help.

I will also be exploring ideas and options for us to move forward ie subdivision and sale of homes, Bendigo Bank loan and new grant applications. Once we have received notification of the Action Agenda Grant we will know exactly what position we are in financially and what we can concentrate on for 2012.

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12.8

CLUB DEVELOPMENT OFFICER REPORT SEPTEMBER 2011



SERVICING THE SHIRE OF BROOMEHILL-TAMBELLUP & SHIRE OF KOJONUP

SHIRE OF BROOMEHILL-TAMBELLUP**Name of towns within the shire:**

- Broomehill
- Tambellup

Name of Club and brief description of action to date:

Broomehill Bowling Club has completed the Community Sporting and Recreation Facilities Fund (CSRFF) application to install a synthetic bowling green at the Broomehill Complex to replace the existing grass greens. The application has been submitted to the Department of Sport and Recreation for assessing.

Tambellup Golf Club has requested assistance in sourcing funding to install synthetic t-boxes in their golf course.

Tambellup Hockey Club Lighting Committee attended the Bright Ideas Lighting Solution Workshop held in Albany on Thursday 11 August 2011. The committee is currently liaising with a local lighting company for quotes and advice on their project. Once this has been established the Tambellup Hockey Club intends to apply for funding through the Department of Sport and Recreation and the Shire of Broomehill-Tambellup to replace/improve the current lighting at the Tambellup Sports Ground.

SHIRE OF KOJONUP**Name of towns within the shire:**

- Kojonup
- Muradup
- Jingalup
- Quaelup
- Boscabel

Name of Club and brief description of action to date:

Kojonup Netball Club have collected quotes to replace/repair the current netball courts. The Kojonup Netball Club intend to apply for funding through the Department of Sport in 2012/13 round.

OTHER

All sporting clubs in the Shire of Broomehill-Tambellup and Shire of Kojonup received letter and survey requesting specific information about their club. This information will be used to help maintain the data base of contact details and particular areas that need to be addressed in their clubs. This survey is extremely important for me to make sure I am assisting the clubs the best I can.

Sport 4 All

The Premier of WA, Colin Barnett lunched the *Sport 4 All* program on Wednesday 9th November 2011. I attended two information sessions conducted by DSR to inform Clubs and other various representatives how the *Kidsport* program will work.

Professional Development

I attended two Professional Development workshops over two days held DSR in Perth. These two days included extensive workshops on the *Sport 4 All* program, a presentation from Ted Haynes and Katy Haber; co-founders of the *Los Angeles Crickets*, a team of homeless gentlemen from the Dome Village in down town LA and the *Comptom Cricket Club*. These teams are used as a highly successful gang prevention tool. The *Australian Sports Commission* provided an interactive workshop on *Healthy Club Checks* which is due to be rolled out in coming weeks. Risk Management was also included into the program and extensive information was provided to battle this area.

Western Australian Sport and Recreation Industry Awards 2011

It was an honor that I attended the Western Australian Sport and Recreation Industry Awards 2011 on behalf of the Shire of Broomehill-Tambellup and Shire of Kojonup.

Department of Sport and Recreation 2011 Clubs Conference

I and one person from each Shire were nominated by the Shire president to attend the DSR 2011 Clubs Conference held at the Esplanade Hotel Fremantle in November. This conference was directed at Club Development Officers, sporting and recreation clubs and the general sport and recreation industry, to develop their knowledge, skills and further improve their clubs This one day conference was extremely successful with approximately 400 people attending including people from clubs as far north of the state as Kununurra and far south of the state as Esperance.

Valued Volunteer Sundowner

As a part of International Volunteer Day, DSR held a sundowner at the Albany Entertainment Centre on 5 December 2011. One lucky person was nominated out of the Shire by the Shire President to attend this evening. These people were acknowledged for their contribution to sport and recreation.

Proposed workshops

The proposed workshop and seminar schedule for the current financial year is as follows:

- Grant Writing Workshops - End Jan/Early Feb

- How to Create Safe Environments for Children in Sport and Recreation - Feb/March

- Corporate Governance - April

- Using Social Media & Website Development - May/June

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

Nil

14. DATE OF NEXT MEETING

16th February 2012

15. CLOSURE

There being no further business the President thanked Councillors and staff for their attendance and declared the meeting closed at 3.15pm.