



AGENDA

Ordinary Council Meeting

15 June 2023

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

**An Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup will be held
in the Tambellup Council Chambers 46-48 Norrish Street, Tambellup
on 15 June 2023 commencing at 4.30pm.**



**Anthony Middleton
Chief Executive Officer**

DISCLAIMER

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

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Shire of Broomehill–Tambellup

DISCLOSURE OF INTEREST FORM

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

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

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

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

The nature of my interest is **(5)** _____

The extent of my interest is **(6)** _____

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

Yours sincerely

Signed

Date

NOTES:

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

DISCLOSURE OF INTERESTS (NOTES FOR YOUR GUIDANCE)

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

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

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

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

NOTES ON FINANCIAL INTEREST (NOTES FOR YOUR GUIDANCE)

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

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

The only exceptions are:

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

INTERESTS AFFECTING IMPARTIALITY DEFINITION:

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

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

IMPACT OF AN IMPARTIALITY DISCLOSURE

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

Strategic Community Plan 2023-2033

‘People Power’



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**Agenda for the Ordinary Council Meeting to be held on 15 June 2023
in the Tambellup Council Chambers, 46-48 Norrish Street, Tambellup.**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

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

2. ATTENDANCE

Councillors

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

Staff

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

Apologies

Nil

3. DISCLOSURE OF INTEREST

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

6. PRESENTATIONS/PETITIONS/DEPUTATIONS

Nil

7. APPLICATION FOR LEAVE OF ABSENCE

8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

9. CONFIRMATION OF MINUTES

9.1 ORDINARY COUNCIL MEETING 18 MAY 2023

Recommendation:

That the minutes of the Ordinary Meeting of Council held on 18 May 2023 be confirmed as a true and accurate record of proceedings.

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

10.1 61 GARRITY STREET, TAMBELLUP – COMMUNITY CONSULTATION OUTCOMES

ATTACHMENT(S)	10.1.1 - Proposed site plan
FILE NO	A345
APPLICANT	n/a
AUTHOR	Anthony Middleton - Chief Executive Officer
DATE	8 June 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcome	Corporate Actions
Key Pillar: BT Point of Difference	
3. An Appreciated Culture 3.1 BT community reconciliation: This is a community-wide and celebrated Reconciliation Action Process to enable the Broomehill-Tambellup region to be even more spirited and renowned to achieve the vision of ‘a region driven by community spirit’.	3.1.4 Evaluate the appropriateness of design of the Shire’s Parks and Gardens relative to their use and purpose.

SUMMARY

To consider community feedback received for the best short term use of the 61 Garrity Street (corner Crawford Street), Tambellup.

BACKGROUND

At its meeting held on 28 July 2022, the Council resolved (motion number 108/22) as follows:

‘That:

1. The offer for the Shire to purchase 61 Garrity Street, Tambellup from the Department of Communities (Housing) for the sum of \$0 be accepted;
2. The Chief Executive Officer be authorized to execute all offer and acceptance and transfer land documentation required to effect point (1) above; and
3. The Chief Executive Officer undertake community consultation for the best short term use of the lot.’

COMMENT

Community consultation as requested through point 3 from the 28 July 2022 Council decision has occurred through personal conversations, Facebook, The Topics and other local media. Two main ideas have been put forward for the use of this lot:

1. Steven Bryce - Housing

Mr Bryce’s written submission states as follows:

‘The idea I have is to have the community youth assist local trade’s people to build a family home. This would give the youth a chance to gain work experience. And self-respect.

The house could then be used as a shire asset. To rent to a family in need, at a reduced rate. This would allow that family a chance to stay in town, where private rentals are few and far between.

It would also give the shire a small ongoing income, and future opportunities for more youth projects in maintenance and upkeep.

We would not be the first shire to do this and I believe it is a much-needed asset in this town. Both for the work it would produce, and the rental availability.'

2. Kayleen Pickett – Park/Entry Statement/Art Display

Personal conversations with Mrs Pickett have resulted in the attached design for the lot being developed. The design concept is borrowed from an existing lot on the corner of Norrish Street & North Terrace (refer image below) and has the following design features:

- Focuses on a low maintenance plantings and material (i.e. gravel, large rocks and natural grasses not reticulated lawns);
- Doubles as a town entry statement, as this lot is the first lot seen when entering Tambellup from the North; and
- Art panels to enable local community members to paint and/or mosaic artwork visible from Great Southern Highway. These panels will enable maximum community input and ownership and can be changed/updated regularly to stay fresh and relevant. Two possible themed examples for these panels include 'Welcome to Tambellup' or indigenous art.

This option is envisaged to be undertaken via a community volunteer planting day to minimize costs and maximize community 'ownership'. A new footpath and street trees are also planned for Crawford Street in the 2023/2024 annual budget.



Cnr Norrish St & North Tce

CONSULTATION

Community consultation has occurred through personal conversations, Facebook, The Topics and other local media over an extended period of nearly 12 months.

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

The Council's preferred option will be included in the 2023/2024 Annual Budget. What is being recommended is focused on low cost and maximum community input. It is estimated \$10,000 will be required for this project, including the construction of the art panels.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This property is owned freehold by the Shire and the recommendation will result in this lot operating very similar to a public park. This item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

This asset, and the recommended use, is predominately vacant land. Maintenance (spraying & mowing) and other ownership costs will be incurred but are easily undertaken by Shire staff.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. The Council thank Steven Bryce and Kayleen Pickett for their input and ideas;
2. The attached plan be adopted for the development of 61 Garrity Street (corner Crawford Street), Tambellup with the following design features:
 - a. Similar concept to the lot on the corner of Norrish Street & North Terrace, Tambellup;
 - b. A focus on a low maintenance plantings and materials (i.e. gravel, large rocks and natural grasses - not reticulated lawns);
 - c. Be an attractive town entry statement; and
 - d. Include the construction of art panels to enable local community members to paint and/or mosaic artwork; and
3. The installation of this lot be undertaken in a manner to maximise community volunteer involvement.

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

11.1 NEW APPLICATION FOR A WIND FARM (STAGE 1) ON VARIOUS LOTS – APPLICATION TO BE DETERMINED BY THE WESTERN AUSTRALIAN PLANNING COMMISSION

ATTACHMENT(S)	11.1.1 JDAP Approval 14 December 2021 11.1.2 JDAP Approval 8 December 2022 11.1.3 Site Plan and Plan showing nearby dwellings 11.1.4 Development Application report 11.1.5 Draft Submission
FILE NO	ADM0636 (WAPC Reference : SDUA-060-20-17B)
APPLICANT	GHD / Enel Green Power Australia Pty Ltd
AUTHOR	Anthony Middleton - Chief Executive Officer
DATE	7 June 2023
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

To consider the content of a draft Council submission to the Western Australian Planning Commission on the part 17 application for stage 1 of the Flat Rocks Wind Farm.

BACKGROUND

There is an existing planning approval issued by a Development Assessment Panel (DAP) for the Moonies Hill wind farm dating back to July 2013. The original applicant has amended the approval from time to time. The last amendment was approved by a DAP at their meeting (No 77) held on the 6 December 2022.

Construction of Stage 1 of the wind farm has commenced under the existing DAP approval.

A new application (Form 17B) has been lodged to, and accepted by, the Western Australian Planning Commission (WAPC). The application seeks a new consolidated approval from the WAPC that covers all eighteen (18) turbines and associated infrastructure for Stage 1 within the Shire of Broomehill Tambellup and the Shire of Kojonup.

The WAPC has the ability to undertake a fresh assessment of this new application, and is the determining authority for the application. The WAPC is advertising the new application for public comment. As part of that advertising process, the WAPC has referred the application to the Shire for comment by the 23 June 2023.

The Council considered this item at its meeting held 18 May 2023 and resolved (motion No. 53/23) as follows:

‘that the Council:

1. **Note that;**
 - (a) The application for the wind farm (Stage 1) on various lots has been accepted by, and will be determined by, the Western Australian Planning Commission as a ‘Part 17 Application’.
 - (b) The Western Australian Planning Commission is advertising the application to the Shire and other government agencies until 23 June 2023.
 - (c) The application is being advertised to the general public until 2 June 2023.
 - (d) Considers recommending revised conditions (where appropriate) to address any Shire concerns as part of any formal submission. TPI may assist the CEO with the wording of any revised conditions requested by the Council.
2. Authorise the Chief Executive Officer to compile and lodge a written submission to the Western Australian Planning Commission on the application for a wind farm that reflects general comments and / or concerns of the Council. The submission may include recommended revised conditions.
3. Nominate the Shire President and Deputy President to make a deputation to a future public meeting of the Western Australian Planning Commission (WAPC), and authorise those Councillors to lodge a ‘Request for Deputation/Presentation’ Form to the WAPC three working days prior to the meeting (once scheduled).
4. Note that the Chief Executive Officer will notify Councillors of the future WAPC meeting date once known.’

With regards to point 2 above, as the Western Australian Planning Commission has given the Shire until the 23 June 2023 to comment, this report has been prepared to enable the Council to adopt the exact wording of the written submission prior to lodgement.

COMMENT

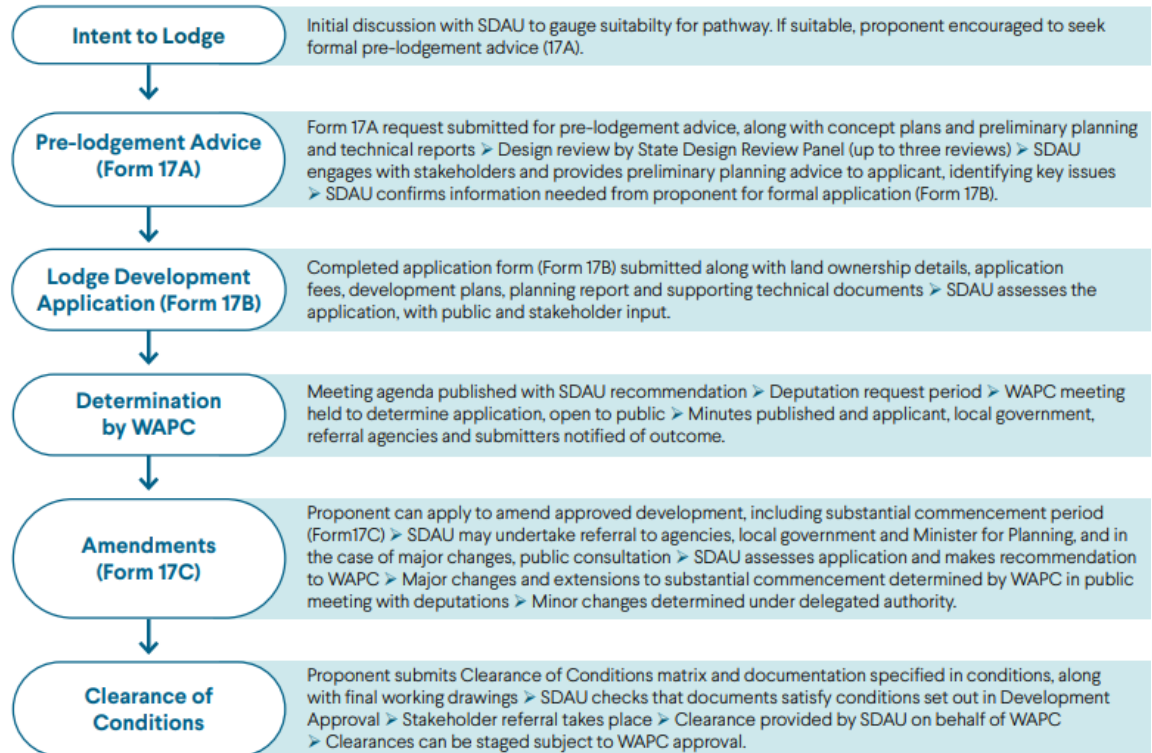
Application Process and Determining Authority:

The application is referred to as a ‘Part 17 Application’ and the process is referred to as a ‘Part 17 pathway’ as its legislative base is Part 17 of the *Planning and Development Act 2005*. The Part 17 pathway provides an alternative avenue for significant development. Significant development includes proposals that have an estimated cost of \$5 million or more in regional areas.

The WAPC has chosen to be the determining authority for significant developments as a decision maker in the Western Australian planning system, with state wide responsibilities for strategic and statutory land use planning. The WAPC board comprises a chairman and 15 members. The WAPC is supported in determining Part 17 applications by a team in the

Department of Planning, Lands and Heritage (DPLH) known as the State Development Assessment Unit. The State Development Assessment Unit (SDAU) is a team of planners who undertake activities associated with processing and assessing a significant development application.

The process is generally summarised below:



If a new approval is issued by the WAPC, then the WAPC will be responsible for clearing any conditions (in consultation with the Shire).

The SDAU will assess this new application, and be responsible for preparing a report and recommendation to the WAPC. The WAPC agenda will be available for viewing 5 days prior to a formal meeting, and all meetings are open to the general public. Attendance of the future WAPC meeting can be in person or by Zoom. Any person may lodge a written request to make a deputation at the WAPC meeting.

The Council, at its meeting held 18 May 2023, nominated the Shire President and Deputy President to make a deputation to a future public meeting of the Western Australian Planning Commission (WAPC), and authorised these Councillors to lodge a ‘Request for Deputation/Presentation’ Form to the WAPC three working days prior to the meeting (once scheduled).

Description of Application

The application seeks a new approval from the Western Australian Planning Commission for Stage 1 of the wind farm which is under construction for Enel Green Power Australia Pty Ltd (EGP). Stage 2 does not form part of the application.

Stage 1 consists of 18 wind turbines including the following:

- Vestas V150 4.2MW;
- 125m tower with three 73.7 metre blades and a total tip height of 200 metres;
- Concrete foundation with crane hardstand area;
- Incidental structures including tracks, cabling, meteorological masts, temporary concrete batching plant, temporary construction compounds and laydown areas.

Within the Shire of Broomehill Tambellup, the wind turbines are proposed within farms known as Intaba, The Meadows and Yantecup. Out of the 18 turbines, 11 are within the Shire of Broomehill-Tambellup and 7 are within the Shire of Kojonup.

A site plan and a second plan showing dwelling locations is included as [Attachment 11.2.3](#).

GHD has advised that construction is underway, with civil and electrical balance of plant works over 50% completed. All of the wind turbine components have arrived at the Port of Bunbury, and pending approvals, Stage 1 is expected to be operational by February 2024.

GHD has lodged a Development Application (DA) Report which outlines a number of reasons why a new approval is being pursued and why the development is significant.

One of the main catalysts for this application seems to be a desire to obtain one consolidated approval that covers all of the turbines in Stage 1 within the Shire of Broomehill-Tambellup and the Shire of Kojonup. It also appears that the applicant sees some benefit in the WAPC being the clearing authority for compliance with the conditions of development.

The DA Report states:

'The project spans a large area which is under the jurisdiction of two local governments. Recent difficulties with the co-ordination of approvals and the clearance of conditions have justified the need to obtain one approval that is overseen (including clearance of conditions) by one agency being the Western Australian Planning Commission (WAPC). This negates any divergence in administrative processes between the Shire of Kojonup and that of the Regional Joint Development Assessment Panel as the decision maker in the case of the Shire of Broomehill Tambellup.'

A copy of the DA Report is included as [Attachment 11.2.4](#).

The applicant has advised that they seek a new approval by the WAPC that incorporates the same harmonised revised conditions already approved previously by the Shire of Kojonup (in November 2022) and the Regional Development Assessment Panel (in December 2022).

The applicant has requested that any new approval be given an 18 month period to substantially commence.

A number of supporting documents have been lodged with the application.

This new application has not been re-assessed as:

- (1) An assessment is already recorded through various Responsible Authority Reports in the DAP Agendas/Minutes; and
- (2) A new independent assessment will be undertaken by the State Development Assessment Unit (SDAU).

CONSULTATION

The SDUA is advertising the application for public comment, with the application available on line. Submissions by the general public were to be lodged directly to the SDAU by 2 June 2023.

It is understood that advertising includes newspaper notices, and letters to neighbours, relevant government agencies and key stakeholders. The Shire has published a notice on it's website with links to the online consultation hub.

The WAPC has referred the application to the following organisations for comment:

- Department of Water and Environmental Regulation
- Department of Fire and Emergency Services
- Department of Biodiversity, Conservation and Attractions
- Department of Transport
- Western Australian Tourism Commission
- Department of Jobs, Tourism, Science and Innovation
- Tourism WA
- Department of Local Government, Sport and Cultural Industries
- South West Aboriginal Land and Sea Council
- Civil Aviation Authority
- Department of Primary Industries and Regional Development
- Department of Health
- Main Roads WA
- Western Power
- Shire of Kojonup

The public consultation provides an opportunity for the Council to lodge a written submission commenting on the application. The WAPC will have regard to all submissions lodged as part of their fresh assessment of the proposal.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 – Part 17 enables the WAPC to accept applications for significant development until December 2023.

Shire of Broomehill Town Planning Scheme No 1 (TPS 1) - The lots known as Euvista, The Meadows, Kinghurst and Intaba are zoned Farming under the Shire of Broomehill TPS 1.

The objectives of the Farming zone under Clause 5.13 of TPS 1 are:

- 'a) The Council intends the predominant form of rural activity in the Farming Zone will continue to be based on large farming units. It will generally be opposed to the fragmentation of farming properties through the process of subdivision.*

- b) *The Council may recommend approval for subdivision in the Farming Zone for use of the land for more intensive forms of rural production but only where the application as submitted to the Commission is accompanied by the following:
 - i) identification of soil types, availability and adequacy of water supply, and any areas of salt affected land;
 - ii) evidence of consultations by the proponent with Agriculture Western Australia on the suitability of the proposed lot(s) and lot size for the intended land use;
 - iii) the proponent entering into an Agreement with the Council to proceed with the intended land use;
 - iv) details of stream protection where appropriate; and
 - v) such other matters as may be requested by the Council.*
- c) *The Council does not recognise precedent resulting from subdivision created in the early days of settlement of the District as a reason for it to support further subdivision in the Farming Zone.*
- d) *The Council will favourably consider applications for adjustment of lot boundaries where the application if approved will not result in the creation of one or more additional lots.'*

Shire of Tambellup Town Planning Scheme No 2 (TPS 2) – The lots known as Yantecup are zoned Farming under the Shire of Tambellup TPS 2.

The objectives of the Farming zone under Clause 6.6.1 of TPS 2 are:

- 'a) to ensure the continuation of broad-hectare farming as the principal land use in the District and encouraging where appropriate the retention and expansion of agricultural activities.*
- b) to consider non-rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment.*
- c) to allow for facilities for tourists and travellers, and for recreation uses.'*

The original application was processed as a 'Use Not Listed' under TPS 1 and TPS 2. It is the SDUA role to consider the 'best fit' land use classification and statutory process for this new application.

Any final determination will be made by the WAPC.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

The application will be determined by the Western Australian Planning Commission therefore there is no known risk to the Shire. It is recommended however, that existing planning conditions relating to this development be copied into the submission to protect the Shire's interests with regard to issues such as road reinstatement, fire prevention and the like.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the written submission, as contained in attachment 11.1.5, to the Western Australian Planning Commission on the part 17 application for stage 1 of the Flat Rocks Wind Farm, be adopted and forwarded to the State Development Assessment Unit.

11.2 ACCREDITED MASS MANAGEMENT SCHEME – REQUEST TO CHANGE RATING FOR FLAT ROCKS ROAD

ATTACHMENT(S)	Nil
FILE NO	RD3
APPLICANT	Mathews Transport via Main Roads Heavy Vehicle Services
AUTHOR	Peter Vlahov - Manager of Works
DATE	9 June 2023
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: Broomehill-Tambellup Economy	
6.1 BT trade incentive This is community members and Shire enabling tradespeople to be attracted to Broomehill and Tambellup through unique and extraordinary programs (such as teaching trades, Community ‘ShareSheds’ and providing trade incentives)	6.1.2 Adoption of a ‘Roads Hierarchy’ to ensure the transport task for a highly productive and responsive agricultural community is met.

SUMMARY

The purpose of this report to consider a request for comment in relation to an application for changes to the Accredited Mass Management Scheme ratings of Flat Rocks Road.

BACKGROUND

The Accredited Mass Management Scheme (AMMS) is a concessional loading scheme that replaces similar schemes that were previously available, including the Certified Weighbridge Mass Management Scheme and the Concessional Loading Bulk Products Scheme.

AMMS was developed in consultation with the Ministerial Heavy Vehicle Advisory Panel to provide the transport industry with a flexible concessional loading scheme that allows more transport operators access to concessional mass limits, provided they have suitable loading controls in place. This results in more transport operators controlling their loading, which reduces potential for overloading and consequently improves road safety and reduces road damage.

There are three (3) approved mass levels under AMMS, as shown below:

	Tandem Axle Groups	Tri Axle Groups
Level 1	17.0t	21.5t
Level 2	17.0t	22.5t
Level 3	17.5t	23.5t

Heavy Vehicle Services has requested the Council’s comment in relation to an application to change the AMMS levels from Level 1 to Level 3 on Flat Rocks Road.

At the April 2023 Ordinary Council Meeting, the Council endorsed the Road Hierarchy, which categorises the Shire’s road network according to strategic importance, both locally and regionally, into five categories:

1. **Local Distributor of Regional Significance** – linking regional transport routes;
2. **Local Distributor** – linking Local Distributor of Regional Significance to Access 1 and 2 roads;
3. **Access 1** – low volume local road;
4. **Access 2** - low volume, predominantly farm access road; and
5. **Town street**

Criteria used to inform the Road Hierarchy is based on traffic count volume, type of traffic and interaction with other freight routes through the Shire. Restricted Access Vehicle (RAV) categories are assigned to each road, which determine the mass of heavy vehicles authorised to use the road.

COMMENT

The difference between an AMMS Level 1 and AMMS level 3 is two tonnes extra loading per axle group. When this extra load is distributed over several axle groups, the impact on road surfaces is minimized. Flat Rocks Road is currently RAV rated as category 7.1. The request received via Heavy Vehicle Services seeks to change the rating to 7.3. The road has been inspected by the Manager of Works and has been deemed safe for this upgrade.

A larger discussion needs to occur around the asset management obligations of the Shire’s road network, and the affordability of being able to maintain the network into the future as loads become both larger and heavier. Eventually a Council position would be desirable on what roads will be considered for a higher RAV or AMMS rating and what roads will not, for example, no upgrades to Access 2 roads or Town Streets. This could be done via the adopted Road Hierarchy.

CONSULTATION

Main Roads WA Heavy Vehicle Services

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Possible extra minor road maintenance costs.

POLICY IMPLICATIONS

Policy 4.1 – Road Construction and Minimum Standards sets out the minimum construction standards required for each category of road.

RISK MANAGEMENT IMPLICATIONS

Flat Rocks Road is currently RAV rated at 7.1 therefore the types of vehicles utilizing this road will not change. Therefore there will be no added risk.

ASSET MANAGEMENT IMPLICATIONS

Extra monitoring of the road conditions will be required to assess any added maintenance requirements.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. The Council approves the application from Main Roads WA Heavy Vehicle Services to support the change to the Accredited Mass Management Scheme rating of Flat Rocks Road from Level 1 to Level 3:
2. If approved by Main Roads WA, the Shire's Road Hierarchy be updated to incorporate the change in point 1 above.

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

NIL.

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 FINANCIAL STATEMENTS – MAY 2023

ATTACHMENT(S)	13.1.1 Financial Statements May 2023
FILE NO	ADM0619
APPLICANT	n/a
AUTHOR	Kay O’Neill - Manager Finance & Administration
DATE	9 June 2023
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

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

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require a statement of financial activity to be prepared each month and prescribe the contents of that report and accompanying documents. The report is to be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the report relates.

Each financial year, the Council is required to adopt a percentage or value to be used in the statement of financial activity for reporting material variances. As part of the 2022/23 budget process, the Council adopted 10% or \$10,000 (whichever is the greater) as the material variance for reporting purposes for the year.

COMMENT

Note 2 in the financial statements provides commentary on the material variances shown in the statement of financial activity by nature or type, which is a requirement of the *Local Government (Financial Management) Regulations 1996*.

Receivables are detailed in Note 6, which includes outstanding rates, emergency services levy, pensioner rebates and other ‘sundry’ debtors.

Non-operating grants and contributions are shown in Note 8. These funds are spent on capital projects outlined in Note 12, which details capital revenue and expenditure;

including plant replacement, road construction, building improvements and other projects, reserve transfers and loan transactions.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- (b) budget estimates to the end of the month to which the statement relates; and*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates.*

(2) Each statement of financial activity is to be accompanied by documents containing –

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) such other supporting information as is considered relevant by the local government.*

(3) The information in a statement of financial activity must be shown according to nature or type classification.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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

13.2 MONTHLY LIST OF PAYMENTS – MAY 2023

ATTACHMENT(S)	13.2.1 Monthly Payments Listing May 2023
FILE NO	ADM0619
APPLICANT	N/A
AUTHOR	Kay O’Neill - Manager Finance & Administration
DATE	9 June 2023
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

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

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* prescribe that a list of accounts paid under delegated authority by the CEO is to be prepared each month, providing sufficient information to identify the transactions.

The list is to be presented to the Council at the next ordinary meeting after the list is prepared and recorded in the minutes of that meeting.

COMMENT

Summary of payments made for the month –

	\$
Municipal Fund	388,451.82
Trust Fund	0.00
Credit Cards	1,765.85
TOTAL	390,217.67

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

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

r13. Lists of accounts

(1) If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared–

(a) the payee's name;

(b) the amount of the payment;

(c) the date of the payment; and

(d) sufficient information to identify the transaction.

FINANCIAL IMPLICATIONS

Reports the payments made from Municipal and Trust Funds for the previous month.

POLICY IMPLICATIONS

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

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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

- Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$388,451.82; and
- Credit Card payments totalling \$1,765.85.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

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

16. QUESTIONS FROM MEMBERS WITHOUT NOTICE

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

18. CLOSURE

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