



Ordinary Meeting of Council

MINUTES

18 December 2014

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SHIRE OF BROOMEHILL - TAMBELLUP

Minutes of the Ordinary Meeting of Council of the Shire of Broomehill - Tambellup held in the Tambellup Council Chambers on Thursday 18 December 2014 commencing at 2.10pm.

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:	Cr GM Sheridan	President
	Cr SJF Thompson	Deputy President
	Cr MR Batchelor	
	Cr TW Prout	
	Cr MC Paganoni	
	Cr CL Dennis	
	JM Trezona	Chief Executive Officer (CEO)
	JA Stewart	Manager Corporate Services
	GC Brigg	Manager of Works
	KP O'Neill	Manager Finance and Assets

Apologies: Cr KW Crosby

Leave of Absence: Nil

2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.1 The President welcomed Councillors and Staff and declared the meeting open at 2.10pm.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FOR LEAVE OF ABSENCE

Nil

6. DECLARATION OF INTEREST

Cr Thompson declared a Financial Interest in Item 10.06

Cr Paganoni declared a Financial Interest in Item 10.06

Cr Prout declared a Proximity Interest in Item 10.10 & a Financial Interest in Item 11.01

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.1 ORDINARY MEETING OF COUNCIL MINUTES 20 NOVEMBER 2014

141201

Moved Cr Paganoni, seconded Cr Dennis

“That the Minutes of the Ordinary Meeting of Council held on 20 November 2014 be confirmed as a true and accurate record of proceedings.”

CARRIED 6/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

10. MATTERS FOR DECISION

10.01 FINANCIAL STATEMENTS FOR NOVEMBER 2014

Program:	Other Property and Services
Attachment:	Monthly Financial Statements for November 2014
File Ref:	Nil
Author:	KP O’Neill Manager Finance and Assets
Date:	8 December 2014
Disclosure of Interest:	Nil

Summary: Council to consider the monthly financial report for the period ending 30 November 2014.

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, 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 2014/15 budget process, Council adopted 10% or \$10,000 as the material variance for reporting purposes for the year.

Comment: Notes have been provided in the financial statements on the activity for the year to date.

Consultation: Nil

Statutory Environment: *Local Government (Financial Management) Regulations 1996*

34. Financial activity statement report

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

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

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

Policy Implications: Nil

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

Asset Management Implications: There are no implications for the Asset Management Plan.

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

Workforce Plan Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Resolution: *141202*

Moved Cr Thompson, seconded Cr Batchelor

“That the Financial Statement for the period ending 30 November 2014 be adopted.”

CARRIED 6/0

Reason For Change to Recommendation:

10.02 CREDITORS ACCOUNTS PAID NOVEMBER 2014

Program:	Other Property and Services	
Attachment:	List of Payments for November 2014	
File Ref:	Nil	
Author:	KP O'Neill	Manager Finance and Assets
Date:	3 December 2014	
Disclosure of Interest:	Nil	

Summary: Council to consider the list of payments made from the Municipal and Trust Funds during November 2014.

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	\$351,206.24
Trust Fund	\$720.00
Credit Cards	\$838.75
Total	\$352,764.99

Consultation: Nil

Statutory

Environment: *Local Government (Financial Management) Regulations 1996*

13. Lists of accounts

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

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

Policy Implications: Nil

Strategic

Implications: This issue is not dealt with in the Plan

Asset Management

Implications: There are no implications for the Asset Management Plan.

Financial

Implications: Lists the payments made from Municipal and Trust Funds during the previous month.

Workforce Plan

Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Resolution: *141203*

Moved Cr Prout, seconded Cr Dennis

“That the list of accounts paid during November 2014, represented by:-

- Municipal Fund cheques numbered 2666 to 2699 inclusive and electronic payments numbered EFT6197 to EFT6261 inclusive and totalling \$351,206.24*
- Trust Fund cheques numbered 406 inclusive and totalling \$720.00;*
- Credit Card payments totalling \$838.75;*

be adopted.”

CARRIED 6/0

Reason For Change to Recommendation:

10.03 **AUDIT REPORT FOR THE YEAR ENDING 30 JUNE 2014**

Program:	Governance
Attachment:	Auditors Report & Management Letter
File Ref:	ADM0058
Author:	KP O'Neill Manager Finance and Assets
Date:	9 December 2014
Disclosure of Interest:	Nil

Summary: Council to consider the Auditors Report for the year ending 30 June 2014.

Background: In accordance with section 7.12A(3) of the Local Government Act 1995, Council is required to examine the auditors report for the year ending 30 June 2014 and is to determine if any matters raised by the auditors require action to be taken.

A copy of the Auditors Report is attached. The Annual Financial Report for the year ending 30 June 2014 is included within the 2013/2014 Annual Report, which is attached as a separate document to be adopted in a separate item.

Comment: Councils Auditors, Lincolns, were onsite over two days on 9 and 10 September 2014 to undertake the annual audit for the year ending 30 June 2014.

Council will note that the Independent Audit Report contains no qualification which is due to the integrity, quality and strength of the Shire's financial recording and reporting systems and the staff who maintain these systems.

The Auditor has provided an "Audit Observations and Comments" schedule in which they have noted two matters. Staff have provided comments on both matters.

1. Outstanding Cheques

Two long outstanding cheques were unrepresented at 30 June 2014 in the Trust Fund. One of the cheques has since been cancelled and re-issued, the second is still unrepresented and will be and re-issued.

There were no long outstanding cheques in the Municipal Fund.

2. Non-Current Rates

Long outstanding rates will be reviewed at year end, and an estimate of the "non-current" portion will be made. Discussion with the Auditor during the final audit will determine the appropriate disclosures required in the annual financial report.

The auditor has included comments on Councils financial performance for the year, which is measured by the seven ratios prescribed in the Local Government (Financial Management) Regulations 1996. The ratios are reported at Note 19 in the financial statements.

Current Ratio

This ratio is a measure of Councils short term liquidity, or its ability to meet its financial obligations as and when they fall due. The standard is met if the ratio is greater than 1.

Council's result of 1.717 is lower than the previous two years, however is still well above the standard. While a large amount of creditors' invoices remained outstanding at 30 June, thereby increasing current liabilities, several of these invoices related to construction of the ILSA units and bridgeworks being undertaken by MRWA. This expenditure was offset by restricted cash held for these projects.

Asset Sustainability Ratio

This ratio indicates whether the Council is investing in renewal/replacement of its assets, to the degree at which the assets are being consumed (depreciating). The standard is met if the ratio is greater than 0.9.

Council's result of 3.906 indicates well exceed the standard, which is attributed to the significant road construction and capital works program undertaken during the year.

Debt Service Cover Ratio

This ratio measures Council's ability to service debt out of its uncommitted or general purpose fund available for its operations. A basic standard is achieved if the ratio is greater than 2, and advanced standard is met if the ratio is greater than 5.

Council's result of 9.632 in 2014 is significantly lower than previous years, due to a loan being raised during 2012/13 for the renovations to the Broomehill Admin Building. The raising of this loan did not impact the 2012/13 year, as the first repayments for this loan were not made until 2013/14.

Operating Surplus Ratio

This ratio indicates Councils ability to cover its operational costs through its own source revenue efforts and have revenue available for capital funding or other purposes. A basic standard is met between 0 and 0.15. An advanced standard is met over 0.15.

This ratio is a key indicator of a Councils performance and is often used to measure financial sustainability. The 2014 result of -0.146 is certainly less than ideal; however it is largely affected by depreciation. It is expected that this ratio will improve over the next few years as Council continues to develop its asset management plan and the accuracy of the data held in the asset register becomes more robust and reliable.

Own Source Revenue Coverage Ratio

This ratio is the measurement of a local government's ability to cover its costs through its own revenue efforts. A basic standard is met if the ratio is between 0.4 and 0.6. An Intermediate standard is achieved if the ratio is between 0.6 and 0.9. An Advanced standard is achieved if the ratio is greater than 0.9.

Council's 2014 result of 0.525 meets the basic standard. Smaller rural Councils have limited rate bases and revenue raising opportunities than larger Councils.

The following two ratios are audited to the extent that the values are accurately represented in Councils Asset Management Plan and Long Term Financial Plan. Councils Auditors are not required to undertake a complete audit of these plans or the figures used to determine the ratios.

Asset Consumption Ratio

This ratio measures the extent to which depreciable assets have been consumed by comparing their written down value to their replacement cost. The standard is met if the ratio is greater than 0.5. The standard is improving if the ratio is between 0.6 and 0.75.

Council's result of 3.88 is an indication that perhaps a sustained capital investment program has not been undertaken to renew assets at an appropriate level. This ratio is largely affected by depreciation. It is anticipated that Council will see an improvement to this ratio over the coming years as assets (in particular infrastructure) are revalued and depreciation rates reviewed.

Asset Renewal Funding Ratio

This ratio is a measure of the ability of a local government to fund its projected asset renewal / replacements in the future. The standard is met if the ratio is between 0.75 and 0.95. The standard is improving if the ratio is between 0.95 and 1.05.

Council's result of 0.914 indicates that the projections for asset renewal included in the Long Term Financial Plan offset the current consumption of assets.

Consultation:

Chief Executive Officer
Lincolns

Statutory Environment:

*Local Government Act 1995 – Part 6 Financial Management; and
Local Government (Financial Management) Regulations 1996*

- Defines the processes and procedures that apply to the recording and reporting of financial matters.

*Local Government Act 1995 – Part 7 Audit; and
Local Government (Audit) Regulations 1996*

- Defines the audit of the financial accounts of local governments, including the appointment of auditors and the conduct of audits.

Policy Implications:

There is no policy in relation to this item.

Strategic

Implications: Strategic Community Plan 2012-2022

Being Well Governed

Provide leadership for the Community through transparent, accountable and representative local government.

Council has determined that one of the measures for this commitment is receipt of an unqualified audit.

Asset Management

Implications: There are no implications for the Asset Management Plan.

Financial

Implications: The Auditors Report provides assurance that the financial systems of the Council have been independently reviewed and are functioning reliably.

Workforce Plan

Implications: There are no implications for the Workforce Plan.

Voting

Requirements: Simple Majority

Council Resolution: *141204*

Moved Cr Batchelor, seconded Cr Thompson

“That Council accepts the Auditors Report for the year ending 30 June 2014.”

CARRIED 6/0

**Reason For Change
to Recommendation:**

10.04 ANNUAL REPORT FOR 2013-2014

Program:	Governance
Attachment:	Copy of the draft Annual Report 2013-2014
File Ref:	ADM0340
Author:	JM Trezona Chief Executive Officer
Date:	10 December 2014
Disclosure of Interest:	Nil

Summary: Council to:-

1. adopt the 2013-2014 Annual Report;
2. confirm the date for the annual electors meeting; and
3. determine a date to meet with the Auditor.

Background: The Local Government Act 1995 requires that a local government is to prepare an annual report for each financial year. Council must adopt the Annual Report which includes the audit report prior to holding the Annual Electors Meeting.

The 2013-2014 Financial Report, as prepared by staff, has been audited by Council's Auditor, Russell Harrison of Lincolns Accountants and Business Advisors and Council has dealt with this matter earlier in the meeting.

The Local Government Act 1995 section 5.53 states that the Annual Report must contain the following:

- A report from the President
- A report from the Chief Executive Officer
- An overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or continue in the next financial year
- The financial report for the financial year
- Such information as may be prescribed in relation to the payments made to employees
- The auditor's report for the financial year
- A matter on which a report must be made under section 29(2) of the Disability Services Act 1993
- details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - the number of complaints recorded in the register of complaints; and
 - how the recorded complaints were dealt with; and
 - any other details that the regulations may require; and
- Such other information as may be prescribed

Comment: The attached draft of the Annual Report addresses the requirements of the Act and is presented for Council comment and acceptance.

Councillors will note that the Annual Report has been changed to accommodate the reporting requirements of Integrated Planning.

The Local Government Act 1995 requires that a Council is to hold an annual electors meeting within 56 days of accepting the Annual Report. The annual electors meeting is proposed to be held on Tuesday 10 February 2015 which comes inside the 56 day timeframe of 12 February 2015.

A 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 February 2014 and the auditor, Russell Harrison attended the meeting in person

At this point the auditor has been “pencilled in” for a meeting in conjunction with the February 2015 Council meeting.

Once Council has adopted the Annual Report, the Chief Executive Officer is required to give local public notice of the availability of the report.

Consultation: Nil

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.

19B. Information about numbers of certain employees to be included (Act s. 5.53(2)(g))

For the purposes of section 5.53(2)(g) the annual report of a local government for a financial year is to contain the following information —

- (a) the number of employees of the local government entitled to an annual salary of \$100 000 or more;
- (b) the number of those employees with an annual salary entitlement that falls within each band of \$10 000 over \$100 000.

19CA. Information about modifications to certain plans to be included (Act s. 5.53(2)(i))

- (1) This regulation has effect for the purposes of section 5.53(2)(i).
- (2) If a modification is made during a financial year to a local government’s strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.
- (3) If a significant modification is made during a financial year to a local government’s corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.

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

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

Asset Management Implications: There are no Asset Management Implications for Council

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: There are no Workforce Plan Implications for Council

Voting Requirements: An Absolute Majority is required for the acceptance of the Annual Report.

Simple majority required to accept the second recommendation.

Council Resolution: *141205*

Moved Cr Dennis, seconded Cr Paganoni

“That Council, by an Absolute Majority, accepts the Annual Report, including the audited Financial Statement for the year ending 30 June 2014.”

*CARRIED 6/0
By Absolute Majority*

Council Resolution: *141206*

Moved Cr Batchelor, seconded Cr Thompson

“That Council agrees:

- that the general meeting of electors be held on Tuesday 10 February 2015*
- meet with the Auditor in conjunction with the Council meeting to be held on 19 February 2015”*

CARRIED 6/0

Reason For Change to Recommendation:

10.05 SOUTHERN ABORIGINAL CORPORATION – REQUEST FOR RATE EXEMPTION

Program:	General Purpose Funding	
Attachment:	Copy of Request for Rate Exemption Under Separate Cover: SAC Financial Statements Rating Policy – Rateable Land (Department of Local Government)	
File Ref:	ADM0070	
Author:	KP O'Neill	Manager Finance & Assets
Date:	9 December 2014	
Disclosure of Interest:	Nil	

Summary: Council to consider a request from Southern Aboriginal Corporation to grant a rate exemption for their properties within the Shire.

Background: Southern Aboriginal Corporation (SAC) has stated in their correspondence that they are a charitable organisation, incorporated as a not-for-profit Aboriginal Corporation under the Commonwealth Aboriginal and Torres Strait Islander Act 2006.

They have requested Council consider granting the rate exemption based on the provisions of Section 6.26 of the Local Government Act 1995, which provides that land used exclusively for charitable purposes is exempt from rates.

Comment: The properties owned by SAC in the Shire of Broomehill-Tambellup consist of one residential property, one commercial property and 7 vacant residential parcels. All properties are in the Tambellup townsite.

The residential and commercial properties are presently occupied which in turn provides a commercial return to SAC.

Section 6.26(2)(g) of the Local Government Act 1995 states that “land used exclusively for charitable purposes” is not rateable land. The Act does not define the terms “charitable purpose” nor “exclusively”. Council is to interpret and apply the legislation, having regard for relevant case law or any legal advice that may have been obtained.

In 2005, the Local Government Advisory Board undertook an inquiry into the operation of the provisions of section 6.26(2)(g) of the Local Government Act 1995 relating to the rating of land used for charitable purposes. The Minister of the day was of the view that the existing process that allowed the State Administrative Tribunal (SAT) to determine charitable status, where a local government declined an application, was sufficient.

SAC previously sought rate exemption for their properties in 2005, and the Council of the former Shire of Tambellup resolved not to grant the exemption on the basis that SAC receives a commercial return for their properties which would in turn void the requirement for the properties to be used ‘exclusively for charitable purposes’.

The applicant has the right of appeal should they not be satisfied with Councils decision. The State Administrative Tribunal is the final decision maker on these cases.

Consultation:

Advice has been sought from the Department of Local Government and Communities in relation to the application of section 6.26(2)(g) of the Local Government Act 1995.

The Department has published a ‘Rating Policy – Rateable Land (s6.26)’ in August 2013 which has been used as a reference for the basis of this report.

The Rating Policy provides the following as guidance when assessing an application for rate exemption –

1. An exemption will apply only to land that could not be exempted under one of the exemption categories listed in s 6.26(2);
2. Exemptions are only available to not-for-profit organisations;
3. The organisation and land use must be for public benefit, where that benefit is available to members of the public generally or a sufficient section of the general public;
4. Some consideration will be given to the quantum of the rates burden in relation to the turnover of the organisation;
5. An exemption will only be granted in exceptional circumstances.

It has been confirmed that Council has the power to make a determination that a property is ‘land used exclusively for charitable purposes’ and therefore not rateable. The not-for-profit status of the organisation and use of the property are the keys in determining whether or not the property is rateable.

Statutory

Environment:

Local Government Act 1995

6.26. Rateable land

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land —
 - (a) land which is the property of the Crown and —
 - (i) is being used or held for a public purpose; or
 - (ii) is unoccupied, except —
 - (I) where any person is, under paragraph (e) of the definition of *owner* in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or
 - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of *owner* in section 1.4 occupies or makes use of the land;

and

- (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and
 - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
 - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
 - (e) land used exclusively by a religious body as a school for the religious instruction of children; and
 - (f) land used exclusively as a non-government school within the meaning of the *School Education Act 1999*; and
 - (g) land used exclusively for charitable purposes; and
 - (h) land vested in trustees for agricultural or horticultural show purposes; and
 - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the *Financial Management Act 2006*) by that co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make a contribution to the local government; and
 - (j) land which is exempt from rates under any other written law; and
 - (k) land which is declared by the Minister to be exempt from rates.
- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that co-operative or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
- (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
- (5) Notice of any declaration made under subsection (4) is to be published in the *Gazette*.
- (6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

Policy Implications: There is no policy applicable to this item.

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

Asset Management Implications: There are no implications for the Asset Management Plan.

Financial Implications: If Council agrees to refund rates for the 2014/15 for all properties owned by Southern Aboriginal Corporation, a reduction in rate revenue of approximately \$4,600 will be realised.

There is no financial impact should Council refuse the request for rate exemption.

Workforce Plan Implications: There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Resolution: *141207*

Moved Cr Dennis, seconded Cr Batchelor

“That Council advises Southern Aboriginal Corporation that rate exemption will not be granted for their properties on the basis that they are receiving a commercial return for both the residential and commercial properties, and that vacant land does not meet the required use to be eligible for an exemption.”

CARRIED 6/0

Reason For Change to Recommendation:

10.06 BROOMEHILL PRIMARY SCHOOL – REQUEST FOR CONTRIBUTION TOWARDS BUS HIRE

Program: Education & Welfare
Attachment: **Copy of Correspondence**
File Ref: ADM0061
Author: KP O'Neill Manager Finance & Assets
Date: 4 December 2014
Disclosure of Interest: Cr Thompson declared a Financial Interest as a parent with a student attending the Broomehill Primary School and left the meeting at 2.37pm.
 Cr Paganoni declared a Financial Interest as a parent with students attending the Broomehill Primary School and left the meeting at 2.37pm.

Summary: Council to consider a request from the Broomehill Primary School to assist with the cost of bus hire for swimming lessons.

Background: The Broomehill Primary School is participating in swimming lessons for its students in February 2015. The lessons are co-ordinated by the Katanning Primary School and in the past have been held within one week. Due to scheduling conflicts, lessons will need to be held over two weeks in 2015.

The School is concerned about the additional costs that will be incurred to hire a bus for a second week, and that on-charging this cost to families may prevent some parents from sending their children to lessons. The total cost of bus hire for two weeks is \$2,200.

Comment: Council has made a contribution of \$1,100 to the school for a number of years to assist with bus hire for swimming lessons, and provision is made annually in the budget for this.

As Council already provides assistance to the School, and also bearing in mind we have two Schools in the Shire, it is recommended that an additional contribution not be made.

Consultation: Chief Executive Officer

Statutory Environment: Nil

Policy Implications: There are no policy implications for this report.

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

Asset Management Implications: There are no implications for the Asset Management Plan.

Financial

Implications:

Provision has been made in the 2014/15 Budget for a contribution to the Broomehill Primary School to assist with bus hire for swimming lessons. This allocation is fully expended as Councils contribution for 2014 was paid in October 2014.

If Council wishes to make an additional contribution, this expenditure will need to be recognized as unbudgeted.

Workforce Plan

Implications:

There are no implications for the Workforce Plan.

Voting Requirements: Simple Majority

Council Resolution: *141208*

Moved Cr Prout, seconded Cr Dennis

“That Council does not make an additional contribution to the Broomehill Primary School to assist with bus hire for swimming lessons.”

CARRIED 3/1

Reason For Change to Recommendation:

Cr Thompson and Cr Paganoni returned to the meeting at 2.38pm.

10.07 ASSESSMENT REPORT – ORGANISATIONAL REVIEW OF RISK MANAGEMENT, INTERNAL CONTROL AND LEGISLATIVE COMPLIANCE

Program:	Governance	
Attachment:	Assessment Report Strategic Risk Register	
File Ref:	ADM0442	
Author:	JM Trezona	Chief Executive Officer
Date:	10 November 2014	
Disclosure of Interest:	Nil	

Summary: The purpose of this report is to review the appropriateness and effectiveness of organisational systems and procedures in relation to risk management, internal control and legislative compliance.

Background: In February 2013, a new regulation (Regulation 17) of the Local Government (Audit) Regulations was promulgated. This regulation requires a review of the appropriateness and effectiveness of systems and procedures in relation to risk management, internal control and legislative compliance at least once every two calendar years and to report to the Audit Committee the results of that review.

The review has been completed and is presented for the Audit Committee's consideration.

Comment: The report attached represents the first instance of the internal audit being completed, and provides baseline data which may be further improved in subsequent reviews.

The Audit Committee is required to make its recommendation and forward to Council for adoption prior to 31 December 2014.

Consultation: Marg Hemsley – LG People

Statutory

Environment: *Local Government (Audit) Regulations 1996 – Regulation 16 and 17*
16. Audit committee, functions of

An audit committee —

(a) is to provide guidance and assistance to the local government —

(i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and

(ii) as to the development of a process to be used to select and appoint a person to be an auditor;

and

(b) may provide guidance and assistance to the local government as to —

(i) matters to be audited; and

(ii) the scope of audits; and

(iii) its functions under Part 6 of the Act; and

(iv) the carrying out of its functions relating to other audits and other matters related to financial management; and

- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
- (i) report to the council the results of that review;
 - and
 - (ii) give a copy of the CEO's report to the council.

17. CEO to review certain systems and procedures

- '(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
- (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in sub regulation (1) (a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.'

Local Government (Financial Management) Regulations 1996 – Regulation 5(2)

- (2) The CEO is to —
- (a) ensure that the resources of the local government are effectively and efficiently managed; and
 - (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and
 - (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

Policy Implications:

As a result of the review, two new policies are required to be developed and adopted by Council:

- Internal Controls
- Legislative Compliance

These are to be presented at the November 2014 Ordinary meeting for Council's consideration.

Strategic Implications:

The Strategic Community Plan contains an aspiration of 'Being well governed' with a commitment to provide leadership to the community through transparent, accountable and representative local government.

Asset Management Implications:

This matter has no asset management implications.

Financial

Implications: This matter has no financial implications.

Workforce Plan

Implications: This matter has no workforce planning implications.

Voting

Requirements: Simple Majority

Council Resolution: *141209*

Moved Cr Thompson, seconded Cr Paganoni

“That the ‘Assessment Report – Organisational Review of Risk Management, Internal Control and Legislative Compliance’ as presented be endorsed.”

CARRIED 6/0

**Reason For Change
to Recommendation:**

10.08 **EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN 2015-2017**

Program: Governance
Attachment: **Proposed Equal Employment Opportunity (EEO) Management Plan 2015-2017**
Current (expiring) EEO Management Plan 2012-2014
File Ref: ADM0209
Author: JA Stewart **Manager Corporate Services**
Date: 8 December 2014
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 2012-14 expires as of 31 December 2014 and an endorsed copy of Council's EEO Management Plan (Plan) for 2015-2017 is due to the Public Sector Commission by 30 December 2014.

Comment: The Chief Executive Officer and author have worked through the Plan for 2015-2017 updating and 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 2015-2017 period have been noted for actioning and an addition to the 'CEO Leadership Statement' is highlighted in red.

Consultation: Chief Executive Officer

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

Policy Implications: Policy 2.1 Equal Opportunity applies: *To maintain a workforce where all employees are treated equally*

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

Asset Management Implications: This issue has no Asset Management implications for Council

Financial Implications: This matter has no direct financial costs due to its administrative nature

Workforce Plan Implications: Minor administrative implications

Voting Requirements: Simple Majority

Council Resolution: ***141210***

Moved Cr Batchelor, seconded Cr Dennis

“That Council endorses the Equal Employment Opportunity Management Plan 2015-2017, as presented.”

CARRIED 6/0

**Reason For Change to
Recommendation:**

**10.09 PROPOSED HOME BUSINESS (CATERING) – LOT 25 (N0.12)
CROWDEN STREET, TAMBELLUP**

Program:	Planning
Attachment:	Nil
File Ref:	A220
Author:	Liz Bushby Gray & Lewis Landuse Planners
Date:	8 December 2014
Disclosure of Interest:	Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of the <i>Local Government Act 1995</i>

Summary: Council is to consider an application for a ‘home occupation’ on Lot 25 (No. 12) Crowden Street, Tambellup.

This report recommends that the ‘home occupation’ be conditionally approved.

Background: The property is zoned ‘Town Centre’ under the Shire of Tambellup Town Planning Scheme No 2 (‘the Scheme’).

A location plan is included below for ease of reference.



Comment: Site Description

The subject lot contains an existing residence and has an approximate area of 1070m².

Description of application

The owner/applicant proposes to prepare and cook food in the kitchen of the existing house to provide a catering service.

The applicant has advised as follows;

1. No other people will be employed as part of the business. The owner will be a sole operator.
2. No customers will come to the existing house.
3. There will be no deliveries to the property.
4. The kitchen will be the only area used for catering and it has an approximate area of 20m².
5. The owner will deliver food to the customer off site in health approved containers.
6. The owner is a qualified chef and has a Certificate in Hospitality (commercial cooking) and in safe food handling practices.

Scheme requirements

A 'home occupation' is an 'SA' use in the Town Centre zone under the zoning table of the Scheme.

The 'SA' symbol 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'*.

Clause 8.3.1 requires the application to be advertised for 21 days. Letters have been referred to adjacent landowners and they have been requested to either:

- (i) Provide written comment within 14 days or;
- (ii) Contact the Chief Executive Officer within 14 days if additional time is needed to lodge a submission.

Submissions have been requested within 14 days due to the Council meeting scheduled for the 18th December 2014 being the last for the year.

No submission had been received at the time of writing this report however any submission will be tabled at the Council meeting.

Council has discretion to consider a 'home occupation' in the Town Centre zone under the Scheme.

A Home Occupation is defined as a use that:

- a. Does not employ any person not a member of the occupier's household;*
- b. will not cause injury to or adversely affect the amenity of the neighbourhood;*
- c. does not occupy an area greater than 20 square metres;*
- d. Does not display a sign exceeding 0.2 square metres in area.*
- e. Does not involve the retail sale, display or hire of goods of any nature;*
- f. In relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and*

- g. *Does not involve the use of an essential service of greater than normally required in the zone.'*

Gray & Lewis is of the view that the proposed home occupation complies and will not have any negative impact on the amenity of the area.

Health Requirements

There are separate health requirements which have to be met by anyone who wishes to undertake food handling and preparation for public consumption.

The Shires Environmental Health Officer has inspected the premises.

Recommendation

It is recommended that the application be conditionally approved.

Consultation:

The Shire has advertised the 'home occupation' for public comment in accordance with Clause 8.3.3(a) of the Scheme. Surrounding landowners were requested to lodge submissions by the 15 December 2014 or advise the Chief Executive Officer of any intent to lodge a submission by the 15 December 2014.

If a person advises of an intent to lodge a submission technically they have 21 days to do so (ie by the 22 December 2014). If such an intention is expressed by any person to the Chief Executive Officer, then the Council has an option to delegate authority to the Chief Executive Officer to determine any submission and the application after the 22 December 2014.

Statutory

Environment:

Shire of Tambellup Town Planning Scheme No 2 - the main Scheme requirements are explained in this report.

Policy Implications:

Nil

Strategic

Implications:

It should be noted that the requirements and definitions of 'home occupations' vary between the Shires Tambellup and Broomehill Town Planning Schemes.

This matter will be resolved once the Shire has a new combined Town Planning Scheme.

Asset Management

Implications:

This issue has no Asset Management Implications for Council

Financial

Implications:

This issue has no financial implications for Council

Workforce Plan

Implications:

This issue has no Workforce Plan Implications for Council

Voting Requirements: Simple Majority

Council Resolution: 141211

Moved Cr Paganoni, seconded Cr Dennis

“That Council:

1. *Approve the application for a home occupation (food preparation for off-site catering) on Lot 25 (No. 12) Crowden Street, Tambellup subject to the following conditions:*
 - (i) *The maximum floor area for the proposed business within the existing dwelling shall be limited to a maximum of 20m².*
 - (ii) *The home occupation approval is only for cooking within the existing dwelling and all catering services/ food consumption shall occur off site.*
3. *No customers shall attend the site.*
 - (iv) *No retail sales shall occur from the site, and no food shall be sold to shops for further sale or wholesale.*
 - (v) *Any sign for the business must be located within the property boundaries and the sign face shall not exceed an area of 0.2 square metres.*
 - (vi) *This approval is issued specifically to Geraldine Merrick as occupier of Lot 25 (No. 12) Crowden Street, Tambellup and shall not be transferred or assigned to any other person or property.*
 - (vii) *Any food cooked on the premises shall not be collected by members of the public, and shall be transported off site by the occupier(s).*
4. *Include a footnote on the planning approval that ‘Please be advised that the Shire has the ability to rescind any planning approval for a home occupation if, in the opinion of Council, the home occupation is causing a nuisance or annoyance to owners or occupiers of land in the locality (under Clause 7.8.2 of the Shire of Tambellup Town Planning Scheme No 2)’.”*

CARRIED 6/0

Reason For Change to Recommendation:

10.10 PROPOSED STORAGE SHED – LOT 48 (NO 6) GORDON STREET, TAMBELLUP

Program: Planning
Attachment: Nil
File Ref: A165
Author: Liz Bushby Gray & Lewis Landuse Planners
Date: 8 December 2014
Disclosure of Interest: Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of the *Local Government Act 1995*
 Cr Prout declared a Proximity Interest as he is the owner of adjoining property and left the meeting at 2.44pm.

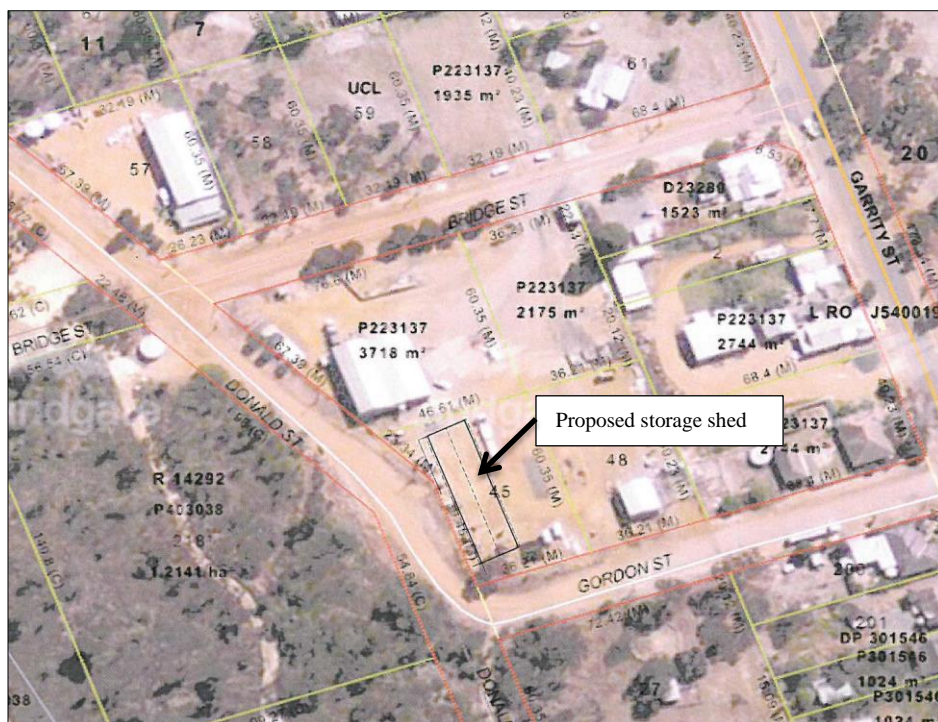
Summary: Council is to consider an application for a storage shed on Lot 48 Gordon Street, Tambellup.

Background: The Shire depot is located on Lot 48, and a new shed is proposed for additional storage.

Comment: Council role
 The Shire has two separate roles in dealing with this application. The first role is as the owner of the land, and the second role is as the relevant decision making authority for the planning application.

Proposed Development

A ‘shed’ is proposed to the south of the existing workshop located on Lot 48.



The building will have an approximate floor area of 492m² (12 metres by 41 metres). It will have a wall height of 5.5 metres and a maximum roof

height of 6.9 metres (to the peak).

All site requirements and setbacks are to the discretion of Council in the Town Centre zone.

Zoning and Landuse Permissibility

Lot 48 is zoned 'Town Centre' under the Shire of Tambellup Town Planning Scheme No 2 ('the Scheme').

Both Light and General Industry landuses are not permitted in the Town Centre zone.

The proposed shed is essentially going to be for storage use, and will be ancillary to existing development. It is recommended that the proposed development be construed as a 'warehouse' befitting of a storage building.

The Shire's Scheme does not contain a landuse definition for 'warehouse' and similarly there is also no such definition in the Model Scheme Text (MST) under the current Town Planning Regulations 1967.

In the absence of any existing Scheme or MST definition, it is appropriate to instead turn to the Oxford Dictionary which defines a 'warehouse' as '1. A large building for storing raw materials or manufactured goods. 2. A large wholesale or retail store'.

A 'warehouse' is not listed in the Zoning Table under the Scheme, and therefore Council has discretion to consider the proposal as a 'Use Not Listed'.

Council has three options in considering a 'Use Not Listed' under Clause 3.3.2 of the Scheme as follows:

- Option 1: Determine that the use is consistent with the objectives of the Town Centre zone and is therefore permitted.
- Option 2: Determine that the proposed landuse may be consistent with the objectives of the Town Centre zone and follow the advertising procedures of Clause 8.3.
- Option 3: Determine that the use is not consistent with the objectives of the Town Centre zone and is therefore not permitted.

The objectives of the Town Centre zone include '*to ensure the town centre remains the principle place for business and administration within the District*'.

Warehouse developments come in many shapes and forms ranging from fairly benign uses such as for storage or larger scale wholesaling. Whilst warehouses can establish in the Industrial zone, businesses may also seek locations in the Town Centre.

Council may pursue Option 1 and determine that the proposed 'warehouse' complies with the objectives of the Town Centre zone and simply treat it as a permitted use.

If Council pursues Option 1, then it sets a precedent for future warehouses to also be treated as a permitted use in the Town Centre zone. The Council cannot refuse a 'permitted' use but may impose conditions on the use to ensure compliance with any relevant development standards.

Gray & Lewis recommends support for Option 1. If Council has any reservations over allowing warehouses as permitted uses in the Town Centre zone then Option 2 should be pursued and the application should be advertised for public comment.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

Strategic Implications: If Council determines the 'warehouse' use is consistent with the objectives of the Town Centre zone and processes it as a permitted use, it will set a precedent for any new warehouse applications in the Town Centre to be processed as a 'permitted' use.

The Shire may consider amending the existing Scheme to introduce a Special Use zone for the Shire depot site, and make allowance for some form of Industrial use. Alternatively it may be examined as part of a Scheme Review.

Asset Management Implications: There are no Asset Management Implications

Financial Implications: The Shire has budgeted \$140,000 for the proposed shed.

Workforce Plan Implications: There are no Workforce Plan Implications

Voting Requirements: Simple Majority

Council Resolution: 141212

Moved Cr Thompson, seconded Cr Batchelor

“That Council:

- 1. Determine that the proposed ‘warehouse’ is consistent with the objectives of the Town Centre zone and is therefore permitted in accordance with Clause 3.3.2 (a) of the Shire of Tambellup Town Planning Scheme No 2.***
- 2. Approve the application for a warehouse on Lot 48 Gordon Street, Tambellup subject to the following conditions:***
 - (a) Development is to be in accordance with the plans submitted as part of the application unless otherwise approved in writing by the Chief Executive Officer.***
 - (b) The building is to be constructed out of non reflective colours and materials to the satisfaction of the Chief Executive Officer.***
 - (c) All stormwater shall be disposed of on-site unless otherwise approved by the Chief Executive Officer.”***

CARRIED 5/0

Reason For Change to Recommendation:

Cr Prout returned to the meeting at 2.45pm.

10.11

M031 – NORTHAM CRANBROOK ROAD – GREAT SOUTHERN HIGHWAY – NORTH OF LEHMANN ROAD INTERSECTION – LAND REQUIREMENT – COUNCIL CONCURRENCE

Program:	Transport
Attachment:	Land Dealing Plans 201301-661 to 201301-667
File Ref:	RDM031
Author:	JM Trezona Chief Executive Officer
Date:	8 December 2014
Disclosure of Interest:	Nil

Summary: Council to resolve to dedicate land as a road reserve.

Background: Council will recall that in April 2014 Main Roads Western Australia wrote advising that they were proposing to widen a section of the Great Southern Highway road reserve north of Lehmann Road intersection in the summer of 2014-2015.

The purpose of the widening was to improve the road safety and road clear zone on the identified section of Great Southern Highway. In order for the project to proceed, a portion of the adjoining properties were required to be taken and included in the road reserve. To enable the additional land to be dedicated as a road reserve the *Land Administration Act 1997* required that Local Authority concurrence be given to the dedication action. Council gave its concurrence at the April 2014 meeting.

Main Roads advise that they have approached all the landholders and other affected parties and arrangement for acquisitions are being finalised. To enable the land to be dedicated as a road reserve it is the requirements of the *Land Administration Act 1997* that the local government resolves to dedicate the road.

Main Roads is requesting that Council consider the proposal and resolves to dedicate the land as a road reserve.

Comment: Land Dealings Plans have been provided showing the land to be included in the road reserve. Land Dealings Plans 201301-66 to 201301-667 are attached to this report for information.

The request is a formality and it is recommended that Council agrees to dedicate the land as a road reserve.

Consultation: Nil

**Statutory
Environment:**56. *Dedication of land as road*

- (1) *If in the district of a local government —*
- (a) *land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or*
 - (b) *in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —*
 - (i) *the holder of the freehold in that land applies to the local government, requesting it to do so; or*
 - (ii) *those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;*
- or*
- (c) *land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,*

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

- (2) *If a local government resolves to make a request under subsection (1), it must —*
- (a) *in accordance with the regulations prepare and deliver the request to the Minister; and*
 - (b) *provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.*
- (3) *On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —*
- (a) *subject to subsection (5), by order grant the request; or*
 - (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
 - (c) *refuse the request.*
- (4) *On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.*

- (5) *To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —*
- (a) *unallocated Crown land or, in the case of a private road, alienated land; and*
 - (b) *designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.*
- (6) *If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.*

Policy Implications: Nil

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

Asset Management Implications: There are no Asset Management Implications for Council

Financial Implications: Main Roads have indemnified the Council against any costs and claims that may arise as a result of the dedication.

Workforce Plan Implications: This issue has no Workforce Plan implications for Council

Voting Requirements: Simple Majority

Council Resolution: *141213*

Moved Cr Batchelor, seconded Cr Dennis

“That Council at its ordinary meeting held on 18 December 2014, endorses the proposal to request the Minister for Lands to dedicate the land the subject of Main Roads Land Dealing Plans 201301-661 to 201301-667 as a road pursuant to section 56 of the Land Administration Act 1997.”

CARRIED 6/0

Reason For Change to Recommendation:

11.01 **UNDER SEPARATE COVER: REVIEW OF LEASE – GREAT SOUTHERN COMMUNITY FINANCIAL SERVICES LTD**

Program:	Governance
Attachment:	Under Separate Cover: <ul style="list-style-type: none"> • Shire of Tambellup and Great Southern Community Financial Services Ltd Lease (2000) (Lease) • Correspondence: Great Southern Community Financial Services Ltd – request for Renewal of Lease • Amended Schedule within the Lease
File Ref:	CLAF072
Author:	JA Stewart Manager Corporate Services
Date:	8 December 2014
Disclosure of Interest:	Cr Prout declared a Financial Interest as he is a member on the Bank Board and left the meeting at 3.41pm.

Council Resolution: **141214**

Moved Cr Dennis, seconded Cr Paganoni

“That Council’s Lease arrangement with the Great Southern Community Financial Services Ltd (GSCFS), for the Lease of the Land and Premises as detailed in The Schedule attached to the original Lease document which commenced on 12 January 2000, be renewed with the following amendments:

1. In the Schedule within the Lease the following is to be amended:

- i) Date of Commencement;*
- ii) Date of Expiration;*
- iii) Term of Renewal;*
- iv) Rent; and*
- v) Rent review dates*

as presented; and

2. Item 11 is to be added to the Schedule being that all references to ‘Shire of Tambellup’ are to be construed as ‘Shire of Broomehill-Tambellup’ and that the above is subject to nil submissions being received within the required public notice advertising period; otherwise the holding over clause (5.3) of the current lease will take effect while any such submissions are dealt with.”

CARRIED 5/0

Cr Prout returned to the meeting at 3.52pm.

**11.02 UNDER SEPARATE COVER: INDEPENDENT LIVING SENIORS
ACCOMMODATION (ILSA) – APPLICATION FOR HOUSING**

Program: Community Amenities
Attachment: **Under Separate Cover:
Application for Tenancy
Council Policy 6.3: ILSA – Housing allocations for non-local
applicants**
File Ref: ILSAAPPLICATIONS
Author: JA Stewart Manager Corporate Services
Date: 10 December 2014
Disclosure of Interest: Nil

Council Resolution: 141215

Moved Cr Paganoni, seconded Cr Prout

“That Council authorises the Chief Executive Officer to approve the application for rental of a Sandalwood Villas unit (unit), as presented, if the applicant formally advises Council, after 03 January 2015, of their continued desire to rent a unit providing that a unit is available at such time and the necessary conditions and documentation have been completed by the tenant and received by Council.”

CARRIED 6/0

12.01 MAINTENANCE REPORT FOR DECEMBER 2014

Program: Transport
Attachment: Nil
File Ref: Nil
Author: GC Brigg Manager of Works
Date: 11 December 2014
Disclosure of Interest: Nil

Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
0TA	Holden Caprice			2014	2014	1 yr / 15,000km	
1TA	Ford Ranger			2014	2014	1yr/10,000 kms	
1 TIU 961	Papas Tandem Fuel Trailer			2008			
1TMR361	Rockwheeler Side Tipper Trailer	22,931		2012	2012		
TA2251	3 Axle Float Trailer						Serviced small engine, fitted new spark plug & Fitted 2 new tyres
BH00	Ford Ranger	6,275	15,000	2014	2014	1yr/30,000 kms	
BH000	Holden Colorado 7			2013	2013	1yr / 25,000 km	
BH001	CAT vibe Roller	2,220	2,250	2009		8 yrs / 8000 hrs	
BH002	ISUZU 6 Wheel Tipper	146,704	175,000	2008	2008	7yrs 250,000km	
BH003	Toyota Landcruiser GXL Dual Cab	1,767	3,000	2014	2014	1 yr/ 30,000 km	Fitted Radio Aerial and Beacon
BH004	CAT 12M	4,849	5,000	2250	2009	8 yrs / 8,000 hrs	Serviced at 4820 hours. Drained coolant and topped up with coolant extender
BH005	Cat multi tyre	2,793	3,000	2011	2011	8 yrs / 8000 hrs	
BH006	CAT 12M	2,113	2,250	2012	2012	8 yrs / 8,000 hrs	
BH007	Toro 360 mower	354	400	2013	2013	5 yrs / 5,000 hrs	Fitted new Buffle, Roller and Wheels to cutting deck
BH009	Colorado 4x4 Tray Back	2,620	3,000	2014	2014	1 yr/ 30,000 km	
BH010	6x4 Fuel Trailer			1981	1981		
BH012	Isuzu Fire Truck		Nov-14	1995	2004		
BH013	Cat 444F Backhoe	680	1000	2013	2013	10 yrs/8,000 hrs	Fitted new CB Radio
BH014	Ford Ranger Tray Top Ute	2,957	25,000	2014	2014	1 yr/ 30,000 km	
BHT84	Toro Groundmaster 3500D mower	117	200	2013	2013		
BHT92	CAT 259B3 Skid Steer	607	750	2012	2013	8 yrs / 8,000hrs	Replaced Cab Flow filters and Air Flow Louvre
BHT125	Mack Curser 8 Wheel Tipper	31,516	45,000	2013	2013	5yrs/250,000km	Checked for air leak, greased undercarriage

TA001	Ford Ranger Dual Cab	3,100	3,000	2014	2014	1yr/ 30,000 kms	
TA017	Isuzu Tipper	10,170	15,000	2014	2014	5yrs/200,000km	
TA052	Colorado 4x4 Tray Back	5,085	15,000	2014	2014	1 yr 30,000 km	
TA06	Jet Patcher Isuzu	122,326	150,000	2007	2010	8 yrs / 8,000 hrs	
TA092	Iveco Strais AD500 8-4	47,891	50,000	2012	2012	5yrs/250,000km	Serviced at 47891 kms. Greased under chassis
TA18	12H Grader	8,317	8,500	2006	2006	7 yrs / 8,000 hrs	
TA281	930G Loader	6,313	6,500	6250	2007	8 yrs / 8,000 hrs	
TA386	Isuzu Tipper	31,349	45,000	2012	2012	5yrs/200,000km	Service at 30866 kms and greased under chassis
TA417	John Deere Gator	497	500	2009		4 yrs	
CATBR	Caterpillar Angle Broom			2010			Fitted new spring and arm
	Himac skid steer slasher			2013		10 yrs	
BKTBR	Skid steer Bucket Broom			2013			
1TLT850	Loadstar 8x5 Trailer			2011			Greased wheel bearings
BH2085	Trailer for Pump at Town dam						
BH2098	Boxtop Trailer						Greased wheel bearings and fitted new tyres
BH2134	Trailer for Mobile Standpipe						
TA2129	Fuel Tanker						
BH010	6 x 4 Fuel Trailer						Greased Wheel bearings
1TCY082	Papas Tandem Fuel Trailer						Greased Wheel bearings. Repaired leak in Fuel Pressure pump
1TCY093	Papas Tandem Trailer						Greased wheel bearings
1TIU961	8 x 5 Papas Fuel Trailer						Greased wheel bearings, fixed fuel leak in fuel gun
1TFH594	Loadstar Boxtop Trailer						
1TFC580	Gardeners Boxtop trailer						
1TFD241	Boxtop Trailer for firefighting						
1TJX516	Plant Trailer for Mowers						
Fogger	Fogger						
TSAW	Tree Saw						Dismantled Hydraulic motors and prepared for welding of housing crack

RECEIVED

12.02 WORKS REPORT FOR DECEMBER 2014

Program:	Transport
Attachment:	Road Hierarchy
File Ref:	Nil
Author:	GC Brigg Manager of Works
Date:	11 December 2014
Disclosure of Interest:	Nil

Broomehill

- Gardeners have been busy cleaning up around town.
- The persistent rain around town has required us to engage a Contractor to spray weeds and grass around town.
- Contractor has sprayed the oval with fertilizer, also sprayed for weeds and black beetle.
- Had some more irrigation problems with a pump. Mt Barker Electrics have repaired the problems.
- The reticulation wasn't working at Sheridan Gardens. Mt Barker Electrics found that someone had cut the wiring to the solenoids.
- Mt Barker Electrics have taken over the repairs to the railway path lighting. They are waiting for parts.
- Complex dam level is down quite a bit. We have been pumping water from CBH dam but this may stop soon as CBH have been using the dam for their construction.

Tambellup

- Gardeners getting town cleaned up.
- Oval now on fortnightly fertilizing for the next few weeks until some of the patches take up.
- Watercorp treated waste water has settled down and working well.
- Thinkwater still to finish Diprose Park line from the complex tanks.
- North Terrace drainage complete. This was a major job as the tree roots penetrated into the pipes causing them to block up. It is anticipated that this was not an isolated case and there will probably be more of the same in the future.
- All the drainage materials are on site for Tambellup West Road. This will start after the Christmas shut down.
- Town footpaths are in need of repair. We will need direction from council on what type of footpaths they wish to use. At the moment, most of the pavers need pulling up and relaying against new kerbing.



Roads

- Crews have been working on final trim and sealing Broomehill Kojonup Road. There has been a bitumen supply problem in WA and we are struggling to get enough bitumen to spray the construction work.
- Reseal for Broomehill Kojonup Road was booked for this month but supply of bitumen has caused us to delay until next year.
- Some stabilizing has been completed on the Broomehill Kojonup Road. Still working on sealing.
- Maintenance graders have been held up while completing construction work and repair work. Also these operators are used when doing seal work.
- Maintenance crew have been focusing on drainage work.
- We are currently short staffed with two operators away with health problems and our leading hand of maintenance has recently resigned.
- Maintenance graders are currently shifting regularly repairing roads. This is a very small crew so if we get quite a few complaints we can only prioritize them.

Roads in General

Increases in funding through Roads to Recovery and Regional Road Group over the last 14 years, and the criteria attached to this funding has seen a trend of Councils building new bitumen roads at the expense of managing existing assets. This is particularly evident in the area of re-gravelling and reseals. This is fairly general across most shires in Australia.

The scaling down of asset management has seen gravel roads decline in the amount of gravel thickness thus resulting in heavy traffic breaking through the thinner pavement, causing the sub grade to break up below the gravel. All this has lead to some roads being at breaking point - remembering this has been shaped over many years.

Looking at ARRB research results on Laterite gravel in this area, the wear rate is approximately 8mm per year on gravel roads. If the gravel is originally 160mm thick this will give the gravel pavement, around 20 years life. This is for low volume roads less than 30 vehicles per day. The wear increases when the traffic increases.

If you take Pallinup South Road into consideration it averages 60 vehicles per day. The wear rate doubles to 16mm per year. This gives it a life of only 10 years between re-gravelling. This is one of the drivers for seeking funding through RRG to seal the road to reduce the cost of maintenance.

The shire has around 750km of unsealed roads in the network which includes approximately 650km of gravel pavement. Considering the estimated wear per annum the shire would need to carry out approximately 32km of re-gravelling each year just to maintain the gravel asset.

In a 10 year period Council would need to re-gravel approximately 320km at the 32km per year. This hasn't been achieved with Council only undertaking approximately 90km of gravel sheeting in the last 10 years. Council in keeping within funding guidelines has focused on construction. As a result we presently have many kilometres of road with very thin layers of gravel pavement at different depths. Doing the math this leaves 570km now due for graveling in the next 10 years with some roads well past the re-gravel stage. Bitumen is no different with no council funded reseals over the last 3 years.

We can expect to see a huge increase in maintenance and repairs in the coming years as the roads deteriorate further. This will be exacerbated by cuts in road funding from the State and

Federal levels. Shires within the VROC are already experiencing this with road maintenance budgets well above one million dollars for much the same size network. Council has previously identified that it couldn't fund or physically haul enough gravel with its current fleet to keep up with the construction and asset management requirements. Council has changed the truck configuration to two 8x4 trucks and one quad axle dog to increase haulage capabilities, but also reduce the cost. While this won't solve the entire matter it is a small step towards a better end result.

In summary good roads are easy to maintain. Worn roads are hard to repair whether they are bitumen or gravel. It is going to be a challenging task to keep these roads trafficable and meet the maintenance costs into the future. The fact that we experience the greatest use of our roads by heavy vehicles in the drier months adds another layer of complexity.

Council's budget this year for road maintenance is around \$719,000. That is around \$719 per kilometre to maintain a 1,000km network. This includes maintenance grading, gravel and bitumen repairs, vegetation widening, culvert repairs, culvert cleaning, signage and guide posts.

Half way through this 14/15 budget year, the road maintenance is well over 50% spent keeping roads trafficable. These costs have only been maintenance grading, repairing blowouts in gravel, bitumen repairs and very limited vegetation widening.

We recently purchased a stabilizing machine for the skid steer to repair blowouts in bitumen roads and along with the recently purchased backhoe, designed with a view to undertaking culvert cleaning and clearing across the Shire, it is likely that they will not be used this financial year as resources will be required for road maintenance.

To give you an idea of costs, gravel sheeting is approximately \$40,000 per km with vegetation widening and culvert work (\$30,000 just for gravel per km). Bitumen resealing and bitumen seal around \$35,000 per km. The gravel component alone is \$4 per cubic metre with royalties and stockpiling. Council needs approximately 50,000 cubic metres of gravel each year it is going to meet the annual asset management requirements. That will cost council \$200,000 per year before any other work is done.

This year council will spend one million dollars more than its rates income on the road network.

Plant

- Manager of Corporate Services vehicle replaced.
- Barnesby Ford failed to deliver a new single cab ute for Broomehill gardener, to replace the John Deere Gator. This vehicle was on order for 4 months. It wasn't going to be available until next year which meant it would have been on order for over 5 months. We cancelled the order for the Ford and purchased a Toyota which was in stock.
- We have had quite a few issues with the Jetpatcher which comes with age. Downtime over the last couple of days was caused by a bad batch of bitumen which has blocked the whole spray system. The unit has been in Cranbrook and is due back there next week, and then on to Plantagenet.
- I have done a lot of work for the best solution for a configuration to shift the skid steer. This is more complicated than one would think. The transport department has very complex laws with axle and towing weights with all types of configurations.



Remembering the first option was for the maintenance truck to be a side tipper with hydraulic ramp at the rear.

Option 2: was to look at the existing 6 tonne truck to tow a skid steer trailer. This wasn't a good option as the truck can only tow 5 tonnes GVM. The skid steer weights 4.2 tonnes without the weight of the trailer.



Option 3: was to upgrade to a 9 tonne Isuzu tipper and that would give us a maximum towing weight of 9 tonne. I travelled to Albany City Council to look at their unit. It was a good set up but the truck being on 22inch wheels and the sub frame under the tipper makes it too high for the maintenance crew to work out of the back, remembering we have had two claims and payouts in the last three years with shoulder injuries.



Option 4: I looked at a gooseneck configuration. This would help load share to the truck, so I thought. Transport Department were very unclear on the configuration but at first they thought it could work. On second attempt to get more clarification they still felt it broke the rule of towing 5 tonnes even though it load shared.

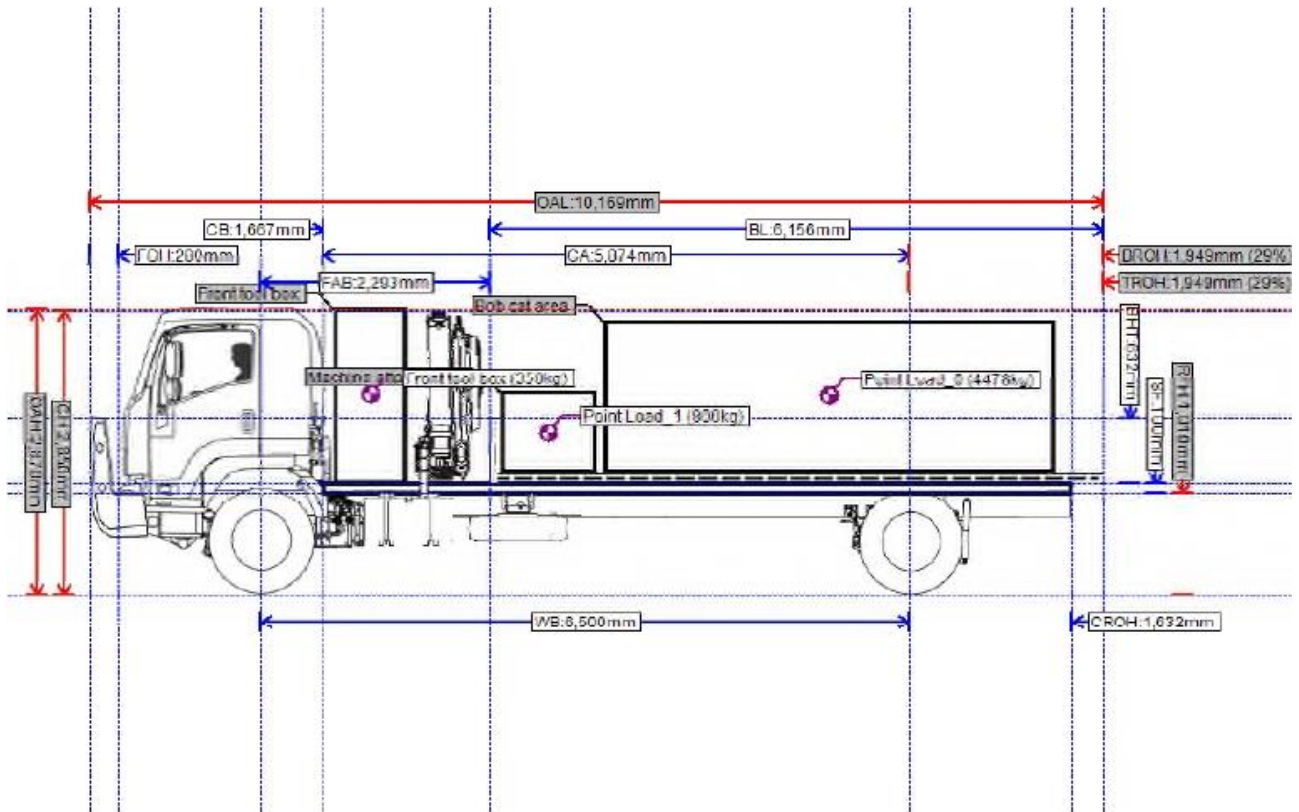


Option 5: Was for a hook lift truck which can tip, or put the whole body on the ground. The whole body on the ground would be a great safety feature working with everything at ground level. Albany City Council are currently making up an eight wheeler for waste body, waste bin lift, tipper and shifting smaller plant like skid steer and mini excavator. This type of unit can be used with multiple body types. It can have a hook lift tipping body, hook lift water tank, concrete agitator etc etc. Great for local government for better utilization.



Tiltip was option 6: This unit is very versatile. It has multiple uses especially in local government. Still low enough to work out of in the smaller classes of trucks. Still a bit limited in the weight it can carry. If it were to replace the existing 6 tonne truck with a FVD1000 it can do the job on the

upper limits with nothing to spare. We would still need a toolbox behind the cab (tools maintenance crew uses) as well as separate space for the hiab crane. This type of unit is a reasonable choice but leaves us no room for extra weight if we were to purchase a bigger skid steer at a later date. I had programmed a bigger skid steer into the future. I also purchased our new attachments in the same manor. The FFR850 only has 36kg to spare. The FVD 1000 still only has 200kg to spare when working with the weight distributions. If we were to move to a FVD 1000, it then makes a height issue once again, being on 22 inch wheels. We also couldn't move to a larger skid steer later - still waiting on pricing.



Options 7: Keep the 6 tonne truck for maintenance as the unit is ideal sizing. Replace the existing Isuzu 6x4 tipper with another 6x4. The existing truck is 8 years old. Use the existing float to shift the skid steer and attachments. The big float is doing approximately 100 hours per year. If we used the float to shift the skid steer and attachments we would lift the utilization from 100 hours to 200 hours per year. Build a new water tank to suit the 6x4. This would be an expensive option.

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12.03 BUILDING SURVEYORS REPORT FOR NOVEMBER 2014

Program:	Economic Services
Attachment:	BSR Report and Activity Statement
File Ref:	ADM058
Author:	D Baxter Building Surveyor
Date:	1 December 2014
Disclosure of Interest:	Nil

Summary: Attached are the BSR Report and the Activity Statement for the month of November 2014 that has been sent to all the relevant authorities that are required by legislation.

Background: This report advises of the building approvals and the activity of the Building Surveyor for the month of November 2014.

Comment: This report confirms the activity of the Building Surveyor.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

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

Asset Management Implications: There are no Asset Management Implications

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: There are no Workforce Plan Implications

Voting Requirements: Simple Majority

Council Resolution: *“No recommendation required – Councillor information only”*

Reason For Change to Recommendation:

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12.04 BUILDING MAINTENANCE PROGRAM

Program:	Various
Attachment:	Building Maintenance Program Report to 11 December 2014
File Ref:	Nil
Author:	JA Stewart Manager Corporate Services
Date:	11 December 2014
Disclosure of Interest:	Nil

Summary: Report on the Building Maintenance Program for 2014-15 to 11 December 2014.

Background: Nil

Comment: The Building Maintenance Program Report (Report) is updated to 11 December 2014 and presented for Council's information, comment and/or discussion, if required.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

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

Asset Management Implications: The Building Maintenance and Capital Works Program is an integral part of Council's Asset Management Plan allowing Council to provide and maintain necessary building infrastructure to cater for community needs in a timely and cost efficient manner.

Financial Implications: Council's Long Term Financial Plan includes provision for building maintenance and capital works costs. Provision was made in the 2014-15 budget or, if unbudgeted expenditure, by Council resolution since, to meet the costs within the attached Report.

Workforce Plan Implications: The coordination of this work falls within the scope of the Manager Corporate Services' role; the execution of the work has minimal impact on the current Workforce Plan due to the majority of work being conducted by external contractors.

Voting Requirements: Simple Majority

Council Resolution: *"No recommendation required – Councillor information only"*

Reason For Change to Recommendation:

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12.05 QUARTERLY OCCUPATIONAL SAFETY AND HEALTH (OS&H) REPORT

Program:	Various	
Attachment:	Nil	
File Ref:	Nil	
Author:	J A Stewart	Manager Corporate Services
Date:	11 December 2014	
Disclosure of Interest:	Nil	

Summary: Report on Occupational Safety and Health matters – for Council information, comment and/or discussion.

Comment: The following represents a summary of OS&H related matters either completed between September and December 2014 or currently being addressed (emanating from workplace inspections and administrative requirements):

- 1) Business Continuity Plan (BCP) – the next stage of this Plan is in progress (determining resources needed to restore priority functions and services following a crisis);
- 2) The draft Occupational Health, Safety and Environment Plan, based on WorkSafe requirements, is being progressed by the OS&H Committee;
- 3) Training has included: OSH Refresher (2 staff); 1st Aid Course (5 staff); Auschem for Cleaners (3 staff); fire extinguisher (approx. 7 staff);
- 4) Emergency Evacuation drills occurred at the Tambellup Admin office (September 2014) and the Broomehill Depot (October 2014);
- 5) Regional OSH Meeting in Kojonup 3 October 2014 (3 staff);
- 6) The MCS attended a WorkSafe Regional Information Session (Albany) regarding OS&H legislation: WA stance not finalised (may retain existing 1984 OSH Act but make amendments or develop WA version of the Workplace Health and Safety [WHS] regulations) – consultation ends 30 January 2015 in the hope of finalising a WA approach to WHS mid 2015 after considering feedback. WA Govt has 3 main issues with WHS legislation being: Union Right of Entry, Reverse Onus of Proof [where the accused has to disprove allegations], and removal of capacity of OSH Reps to order cessation of work). The transition period for any eventual changes is anticipated to be 12 months; and
- 7) Council's Emergency Evacuation and Response Policy was reviewed and will go the OSH Committee for final review in January 2015; likewise, with the OSH component of Council's Employee Induction Manual.

- The following represents a summary of upcoming OS&H matters:
 - 1) Further progression of the draft Occupational Health, Safety and Environment Plan to suit Shire of Broomehill-Tambellup requirements;
 - 2) Further progression of the Business Continuity Plan;
 - 3) Admin and Depot inspections

4) Evacuation drills for Broomehill Admin and Tambellup Depot

As per the above, changes to OS&H legislation (OS&H/WHS law harmonisation across Australia) is still uncertain as to ‘what’ or ‘when’.

Consultation: Nil

Statutory

Environment:

Occupational Safety & Health Act 1984
Occupational Safety & Health Regulations 1996

Policy Implications: Policy 2.2 – Occupational Safety and Health

Strategic Implications: This report is not dealt with specifically in Council’s Strategic Community Plan; however, it falls within the scope of Civic Leadership – Being well governed (Compliance with Legislation/Performance Measurement).

Asset Management

Implications:

There are no Asset Management Implications

Financial

Implications:

There are no Financial Implications

Workforce Plan

Implications:

There are no Workforce Plan Implications

Voting Requirements: Nil

Council Resolution: *“No recommendation required - Councillor Information only”*

Reason For Change to Recommendation:

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12.06 LIBRARY REPORT - NOVEMBER 2014

Program:	Recreation & Culture	
Attachment:	Library Report – November 2014	
File Ref:	ADM0097	
Author:	C Brown	Library Officers
	S Reed	
Date:	11 December 2014	
Disclosure of Interest:	Nil	

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

Background: This report outlines the activities of both Broomehill and Tambellup libraries for the month of November 2014.

Comment: For Council information.

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil

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

Asset Management Implications: There are no Asset Management Implications

Financial Implications: This issue has no financial implications for Council

Workforce Plan Implications: There are no Workforce Plan Implications

Voting Requirements: Nil

Council Resolution: *“No recommendation required – Councillor information only”*

Reason For Change to Recommendation:

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

Nil

14. DATE OF NEXT MEETING

19 February 2014

15. CLOSURE

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 3.25pm.