



MINUTES

Ordinary Council Meeting

19 September 2024

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

**An Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup was held
in the Council Chambers, 46-48 Norrish Street, Tambellup
on 19 September 2024 commencing at 4.37pm.**



**Karen Callaghan
Chief Executive Officer**

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Strategic Community Plan 2023-2033

'People Power'



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**Minutes for the Ordinary Council Meeting held on 19 September 2024
in the Council Chambers, 46-48 Norrish Street, Tambellup.**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Presiding Member, Cr White declared the meeting open at 4.37pm.

2. ATTENDANCE

Councillors

Cr ME White	President
Cr DT Barritt	Deputy President
Cr CJ Letter	
Cr SH Penny	
Cr SJ Robinson	
Cr JL Wills	
Cr CM Dewar	

Staff

KP Callaghan	Chief Executive Officer
KP Squibb	Manager of Finance & Administration
TO Korthuis	Governance & Executive Assistant
PA Hull	Strategic Support & Projects Officer

Apologies

3. DISCLOSURE OF INTEREST

Councillors Robinson, Penny, Dewar and Wills declared a financial interest in Item 11.1 prior to the Council meeting, as a Shareholder and conducting business with Broomehill Village Co-operative Ltd.

Councillor Barritt declared a financial interest in item 11.1 at the Council meeting, as a Shareholder and conducting business with the Broomehill Village Co-Operative Ltd.

In order to maintain a quorum and allow a decision to be made on item 11.1, Ministerial approval was sought for Councillors Robinson, Penny, Dewar and Wills to participate in the meeting and vote on the recommendation. Approval was granted on 19 September 2024 for Cr Wills and Cr Robinson to 'fully participate in the discussion and decision making' for Item 11.1.

Cr Robinson declared a financial interest in item 14.3 as the property owner is a former employee of her family business.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. PUBLIC QUESTION TIME

Nil.

6. PRESENTATIONS/PETITIONS/DEPUTATIONS

Nil

7. APPLICATION FOR LEAVE OF ABSENCE

Nil.

8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

9. CONFIRMATION OF MINUTES

9.1 ORDINARY COUNCIL MEETING 15 AUGUST 2024

Moved Cr Dewar, seconded Cr Robinson that the minutes of the Ordinary Meeting of Council held on 15 August 2024 be confirmed as a true and accurate record of proceedings.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny

Motion No: 111/24

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

Nil.

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

11.1 BROOMEHILL VILLAGE CO-OPERATIVE LTD – RATE CONCESSION

ATTACHMENT(S)	11.1.1 – Request from Broomehill Village Co-operative
FILE NO	A1066
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	22 August 2024
DISCLOSURE OF INTEREST	Cr Robinson, Cr Barritt, Cr Wills, Cr Penny and Cr Dewar declared a Financial Interest as shareholders and conducting business with Broomehill Village Co-Operative Ltd.

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

SUMMARY

The Council to consider a request for a rate concession for the 2024/2025 financial year.

BACKGROUND

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

The Co-op has written requesting the Shire’s assistance by way of granting a rate exemption for their property at 30366 Great Southern Highway, Broomehill for the 2024/2025 financial year.

COMMENT

The rates levied on this assessment is \$5,551.08 for the 2024/2025 financial year. When considering similar applications for a rate concession (the Tambellup Golf Club and Tambellup Business Centre), the Council have required the property owners to pay the refuse collection service charges and Emergency Services Levy which total \$383.00 on this assessment. The Co-op was first granted a concession on rates levied in 2022/2023.

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

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.47 Concessions

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

**Absolute majority required*

FINANCIAL IMPLICATIONS

Provision of \$10,000 has been included in the 2024/2025 budget against general ledger account 03111.70 – Rates Written Off in anticipation of such requests. The account has a balance of \$10,000 and is sufficient to accommodate this request if granted.

The Council is considering three requests for rate concessions during this meeting totaling \$9,259.62. The budgeted allocation is sufficient to accommodate all three requests, if granted.

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

Absolute majority

Councillors Robinson, Penny, Dewar and Wills declared a financial interest in Item 11.1 days prior to the Council meeting, as a Shareholder and conducting business with Broomehill Village Co-operative Ltd.

Councillor Barritt declared a financial interest in item 11.1 at the Council meeting, as a Shareholder and conducting business with the Broomehill Village Co-Operative Ltd.

In order to maintain a quorum and allow a decision to be made on item 11.1, Ministerial approval was sought for Councillors Robinson, Penny, Dewar and Wills to participate in the meeting and vote on the recommendation. Approval was granted on 19 September 2024 for Cr Wills and Cr Robinson to ‘fully participate in the discussion and decision making’ for Item 11.1.

Conditions of the approval are as follows:

1. *The approval is only valid for the 20 June 2024 Ordinary Council Meeting when agenda item 11.3 is considered;*
2. *The above-mentioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
3. *The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries letter of approval to the abovementioned councillors;*
4. *The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
5. *The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to DLGSC, to allow DLGSC to verify compliance with the conditions of this approval; and*
6. *The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

Cr’s Dewar, Barritt and Penny left the room at 4.39pm

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Robinson, seconded Cr Letter that a rate concession of \$5,551.08 be granted to the Broomehill Village Co-operative Ltd. on assessment A1066 for the 2024/2025 financial year.

**CARRIED BY ABSOLUTE MAJORITY 4/0
For: Cr White, Cr Letter, Cr Wills, Cr Robinson
Motion No: 112/24**

Crs Dewar, Barritt and Penny re-entered the room at 4.40pm and were advised of the Council decision.

11.2 TAMBELLUP BUSINESS CENTRE – RATE CONCESSION

ATTACHMENT(S)	11.2.1 – Request from Tambellup Business Centre
FILE NO	A505
AUTHOR	Kay Squibb, Manager of Finance & Administration
DATE	19 August 2024
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	
5. Healthy Existing Businesses 5.2 BT BEC Activation This is the maximization and promotion of the Tambellup Business Enterprise Centre. Maximisation requires creative community minds and partnership between BEC, Shire and community groups (such as Community Cropping team)	5.2.4 Increase the Shire’s role in the management and future of the BEC

SUMMARY

The Council to consider a request for a rate concession for the 2024/2025 financial year.

BACKGROUND

The Tambellup Business Centre has written requesting the Council consider granting a concession on the rates levied for their property at 9 Tambellup West Road, Tambellup for the 2024/2025 financial year. The Business Centre is a not-for-profit organisation that provides storage and facilities for businesses, as well as start-up assistance and premises for new businesses.

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

COMMENT

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

The rates levied on this assessment is \$3,202.55 for the 2024/2025 financial year, which has been paid in full during the discount period. A discount of \$160.13 has been applied. A concession has not been requested for rubbish and recycling charges, or the Emergency Services Levy.

The net value of the concession, if granted, would be \$3,042.42.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.47 Concessions

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

**Absolute majority required*

FINANCIAL IMPLICATIONS

Provision of \$10,000 has been included in the 2024/2025 budget against general ledger account 03111.70 – Rates Written Off in anticipation of such requests. The account has a balance of \$10,000 and is sufficient to accommodate this request if granted.

The Council is considering three requests for rate concessions during this meeting totaling \$9,259.62. The budgeted allocation is sufficient to accommodate all three requests, if granted.

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

Absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Letter that a rate concession of \$3,042.42 be granted to the Tambellup Business Centre on assessment A505 for the 2024/2025 financial year.

CARRIED BY ABSOLUTE MAJORITY 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny
Motion No: 113/24

11.3 TAMBELLUP GOLF CLUB – RATE CONCESSION

ATTACHMENT(S)	11.3.1 – Request from Tambellup Golf Club
FILE NO	A447
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	2 September 2024
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	
3. An Appreciated Culture 3.5 BT recreation This is a community and Shire recreation program that stimulates community spirit and maximises interaction (such as orienteering, fund run, wildflower walks, bike rides, Indigenous tours and Gordon River swims.	3.5.3 Support existing groups to develop and deliver alternative activities.

SUMMARY

The Council to consider a request for a rate concession for the 2024/2025 financial year.

BACKGROUND

The Tambellup Golf Club (Club) has written requesting the Council consider granting a concession on rates levied on their property at 235 Rourke Street, Tambellup for the 2023/2024 year.

COMMENT

The Club is a privately owned facility, with around 20-30 financial members, that manages and maintains its land and buildings from its own financial resources and volunteer members.

The Club provides a facility that is available to all members of the community and is used regularly throughout the year by both club members and non-members. The Club is the only sporting facility that has Shire rates levied against it.

The rates levied on this assessment is \$666.12 for the 2024/2025 financial year. The Club has been granted a rate concession since the 2000/2001 financial year. Should the Council agree to the rate concession, the Club is still responsible for payment of rubbish and recycling charges, and the Emergency Services Levy.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.47 Concessions

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

**Absolute majority required*

FINANCIAL IMPLICATIONS

Provision of \$10,000 has been included in the 2024/2025 budget against general ledger account 03111.70 – Rates Written Off in anticipation of such requests. The account has a balance of \$10,000 and is sufficient to accommodate this request if granted.

The Council is considering three requests for rate concessions during this meeting totaling \$9,259.62. The budgeted allocation is sufficient to accommodate all three requests, if granted.

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

Absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Penny, seconded Cr Dewar that a rate concession of \$666.12 be granted to the Tambellup Golf Club on assessment A447 for the 2024/2025 financial year.

CARRIED BY ABSOLUTE MAJORITY 7/0

**For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny
Motion No: 114/24**

11.4 CORPORATE BUSINESS PLAN 2024 – 2028

ATTACHMENT(S)	11.4.1 Draft Corporate Business Plan 2024-2028
FILE NO	ADM0382
AUTHOR	Karen Callaghan, Chief Executive Officer
DATE	10 September 2024
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	
11.1 SoBT monitoring and reporting This is the Shire workforce scoring all SCP pieces of work with a traffic light scoring system, and passing these results to all community members, quarterly.	The subject of this agenda item is adopting the amended Corporate Business Plan.

SUMMARY

The purpose of this item is to consider adopting the amended Corporate Business Plan 2024-2028.

BACKGROUND

Section 5.56 of the *Local Government Act 1995* requires each local government ‘to plan for the future of the district’, by developing plans in accordance with the regulations.

The *Local Government (Administration) Regulations 1996* also requires each local government to adopt a Strategic Community Plan and a Corporate Business Plan. The existing Corporate Business Plan initially adopted by Council on 18 May 2023, is reviewed annually.

The major review of the Strategic Community Plan was completed in 2022, and the new Broomehill-Tambellup Strategic Community Plan 2022-2032 – People Power, was adopted by the Council on 17 November 2022.

COMMENT

The existing Corporate Business Plan contains 198 initiatives for implementing People Power over the next four-year period, by assigning detailed actions to each of the 46 strategies identified by the community.

Following a comprehensive review of the existing Corporate Business Plan and a workshop undertaken with the Council, the attached draft Corporate Business Plan 2024 – 2028 (CBP) was developed.

The draft CBP incorporates 47 high-level actions, aligned to the four key pillars established in People Power comprising:

1. Point of Difference;
2. Economy;
3. Lifestyle; and
4. Shire Support.

When reviewing the draft CBP, particular emphasis was placed on ensuring the roadmap to implement People Power was supported by clear, interdependent strategies and plans that establish the project management framework for major initiatives; funding sources were identified to allow for long-term financial planning; and specific, measurable, achievable, relevant, and time-bound key performance indicators (KPIs) were established which provide an accountable reporting structure to Council and the community to achieve tangible outcomes.

Progress towards achievement of outcomes from the draft CBP will be reported quarterly, and KPIs annually to the Council and community.

CONSULTATION

Senior Management Team
Council Workshop June 2024

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.56
Local Government (Administration) Regulations (1996)

FINANCIAL IMPLICATIONS

Nil – the adoption of the draft CBP does not have financial implications.

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

Absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Letter, seconded Cr Wills that the draft Corporate Business Plan 2024-2028 be adopted.

CARRIED BY ABSOLUTE MAJORITY 7/0
For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny
Motion No: 115/24

11.5 TERMINATION OF MEMORANDUM OF UNDERSTANDING – BROOMEHILL REGIONAL ARCHIVE REPOSITORY

ATTACHMENT(S)	Nil
FILE NO	CLAF084
AUTHOR	Karen Callaghan, Chief Executive Officer
DATE	10 September 2024
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	
No relevant Community Outcome	No relevant Corporate Initiative

SUMMARY

The purpose of this item is to consider endorsing the termination of the Memorandum of Understanding for the Broomehill Regional Archive Repository.

BACKGROUND

On 1 July 2013, the Shires of Broomehill-Tambellup, Cranbrook, Kojonup, and Plantagenet entered a 21-year Memorandum of Understanding (MoU) and utilised funding made available through the State government’s Royalties for Regions Scheme to refurbish a portion of the former Shire of Broomehill Council Chambers and Administration building as a Regional Archive Storage Repository (Repository) for use by the parties subject to the MoU.

COMMENT

Repository archival storage has continued to increase since 2013, and the floor load-carrying capacity for the building is potentially at risk. Further, given a limited capacity to accommodate the Shire’s growing workforce, the space currently occupying the Repository is required for staff for longer-term use, and while repairs are undertaken to various other parts of the Broomehill Shire office as identified by the Work Health and Safety Officer.

The Chief Executive Officer discussed the abovementioned concerns and issues at a recent Southern Link Voluntary Regional Organisation of Councils meeting with the respective Shire Chief Executive Officers party to the MoU and proposed terminating the arrangement on 30 June 2026. This proposal was well received by the parties as most had alternate arrangements progressing, or already in place to accommodate the existing archival material.

Under the terms of the MoU, termination of the arrangement requires all signatories, comprising each Shire President and Chief Executive Officer, to agree before the end date.

CONSULTATION

Senior Management Team
Shire of Cranbrook Chief Executive Officer
Shire of Kojonup Chief Executive Officer
Shire of Plantagenet Chief Executive Officer

STATUTORY ENVIRONMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

The floor load-carrying capacity for the building is potentially at risk and removing the growing Repository will eliminate this hazard.

This item has been evaluated against the Shire’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be a “Moderate” risk that can be managed by specific procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

The removal of the Repository will maximise the utilisation of the asset and mitigate the identified asset risks.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Penny that –

1. The proposal to terminate the Memorandum of Understanding for the Broomehill Regional Archive Repository on 30 June 2026 is endorsed.
2. The President and Chief Executive Officer write to all signatories to the Memorandum of Understanding for the Broomehill Regional Archive Repository and seek their agreement to terminate the arrangement on 30 June 2026.

CARRIED 7/0

**For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny
Motion No: 116/24**

11.6 DRAFT LOCAL PLANNING POLICY – WIND FARMS

ATTACHMENT(S)	11.6.1 Draft Local Planning Policy No. 2 – Wind Farms 11.6.2 Letter from the President to Premier of Western Australia
FILE NO	ADM0165
AUTHOR	Karen Callaghan, Chief Executive Officer
DATE	10 September 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Shire Support	
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 and industrial land development and encouraging value-adding to current business and industry	6.4.5 Amalgamation of the two Town Planning Schemes into a new Local Planning Scheme with a “can-do” approach to value adding development.

SUMMARY

The purpose of this report is to consider a draft Local Planning Policy – Wind Farms to manage future wind farm developments within the Shire of Broomehill-Tambellup.

BACKGROUND

Wind farms present opportunities to contribute to a clean and sustainable power source. It is critical, however, to manage these developments and their potential social, economic, and environmental flow-on implications.

Development of a Local Planning Policy for Wind Farms is an essential element that establishes a clear framework for managing wind energy development within the Shire of Broomehill-Tambellup.

COMMENT

The draft Local Planning Policy – Wind Farms (Policy) outlines the matters to be considered comprising environmental, visual, landscape, noise, aviation safety, and construction impacts. The draft Policy has been prepared to address these issues comprehensively.

In October 2023, the Council was presented with a Draft Local Planning Policy for Wind Farms, which went out for public comment for 21 days. After considering the feedback received, and reviewing the initial draft policy further, it was determined that it required further detail.

In collaboration with other local shires, a new draft Policy has been developed to ensure a consistent approach to wind farm development. The draft Policy outlines the relevant

scheme provisions, objectives, application requirements, and the issues that need to be addressed by future applicants.

A Local Planning Policy is a guide, and the Council will still have the discretion to vary the Policy if warranted. This Policy is an opportunity for the Council to decide how it seeks to manage wind farms proposed in the Shire.

If the Council adopts the draft Policy, the Shire is required to advertise the draft Policy for a minimum of 21 days; however, the Council can choose to advertise the draft Policy for a longer period to allow for informed community engagement.

It should be noted that following public advertising, a second report on the draft Policy will be referred to a future Council meeting. At that point, the Council still has options as to whether to:

1. adopt the draft Policy for final approval (with or without modifications); or
2. not adopt the draft Policy for final approval.

The Draft Local Planning Policy, if adopted, is then required to be advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Concurrent to advertising the draft Policy if adopted by the Council, a draft letter (attached) from the President to the Premier of Western Australia, and copied to relevant Ministers comprising Planning, Energy, and Local Government, has been developed to confirm the Council's adoption of the draft Policy. In particular the Shire seeks a collaborative approach as a stakeholder, with the State government in the development of a renewable energy development policy framework which maximises benefits while minimising any negative impacts on the Shire's and broader local government's community.

CONSULTATION

Shire community
Shire of Cranbrook
Shire of Gnowangerup
Shire of Katanning
Shire of Kent
Shire of Kojonup
Shire of Wagin
Shire of West Arthur
Shire of Woodanilling

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015 – sets out the following requirements for draft local planning policies:

3. *Local planning policies*
 - (1) *The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.*
 - (2) *A local planning policy —*

- (a) *may apply generally or in respect of a particular class or classes of matters specified in the policy; and*
 - (b) *may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.*
4. *Procedure for making local planning policy*
- (1) *If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows –*
 - (a) *publish in accordance with clause 87 the proposed policy and a notice giving details of –*
 - (i) *the subject and nature of the proposed policy; and*
 - (ii) *the objectives of the proposed policy; and*
 - (iii) *how the proposed policy is made available to the public in accordance with clause 87; and*
 - (iv) *the manner and form in which submissions may be made; and*
 - (v) *the period for making submissions and the last day of that period;*
 - (b) *if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
 - (c) *give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*
 - (2) *The period for making submissions specified in a notice under subclause (1)(a)(v) must not be less than the period of 21 days after the day on which the notice is first published under subclause (1)(a).*
 - (3) *After the expiry of the period within which submissions may be made, the local government must –*
 - (a) *review the proposed policy in the light of any submissions made; and*
 - (b) *resolve to –*
 - (i) *proceed with the policy without modification; or*
 - (ii) *proceed with the policy with modification; or*
 - (iii) *not to proceed with the policy.*
 - (3A) *The local government must not resolve under subclause (3) to proceed with the policy if –*
 - (a) *the proposed policy amends or replaces a deemed-to-comply provision of the R-Codes; and*
 - (b) *under the R-Codes, the Commission’s approval is required for the policy; and*
 - (c) *the Commission has not approved the policy.*

FINANCIAL IMPLICATIONS

Nil.

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 -

1. The draft Local Planning Policy No.2 – Wind Farms, for the purpose of conducting public advertising, pursuant to Schedule 2, Part 2, Clause 4 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* is adopted.
2. The Chief Executive Officer is authorised to advertise the draft Local Planning Policy No.2 – Wind Farms, to comply with Clause 87 of the Deemed Provisions under Part 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. The draft Local Planning Policy No.2 – Wind Farms be advertised for a minimum of 21 days;
4. The President is supported to send the letter as attached to the Premier of Western Australia and copied to the relevant Ministers comprising Planning, Energy, and Local Government regarding a collaborative approach in the development of a renewable energy development policy framework.

COUNCIL DECISION

Moved Cr Letter, seconded Cr Robinson that

1. The draft Local Planning Policy No.2 – Wind Farms, for the purpose of conducting public advertising, pursuant to Schedule 2, Part 2, Clause 4 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* is adopted subject to the following changes to Section 9.2
 - a) A setback of 2 kilometres between any wind turbine, measured from the tip of the blade, when at its nearest point, from an existing dwelling on a neighbouring lot, that is not associated with the development.
 - b) A setback of 1 kilometre between any wind turbine, measured from the tip of the blade, when at its nearest point, from a neighbouring lot boundary, that is not associated with the development.
2. The Chief Executive Officer is authorised to advertise the draft Local Planning Policy No.2 – Wind Farms, to comply with Clause 87 of the Deemed Provisions under Part 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. The draft Local Planning Policy No.2 – Wind Farms be advertised for a minimum of 21 days;
4. The President is supported to send the letter as attached to the Premier of Western Australia and copied to the relevant Ministers comprising Planning, Energy, and Local Government regarding a collaborative approach in the development of a renewable energy development policy framework that includes the ending paragraph:

Given the emerging developments currently on foot we await your response as soon as possible and the opportunity for further engagement.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny

Motion No: 117/24

Reason for Change to recommendation

To add clarification around the setbacks between wind turbines and existing dwellings and lot boundaries on neighbouring properties.

Strengthening the closing paragraph of the letter which requests an expedited response.

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

Nil

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 FINANCIAL STATEMENTS – AUGUST 2024

ATTACHMENT(S)	13.1.1 Financial Statements August 2024
FILE NO	N/A
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	12 September 2024
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

The Council to consider the monthly financial statements for August 2024.

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 two months after the end of the month to which the report relates.

COMMENT

Each financial year, the Council is required to adopt a percentage or value to be used in the statement of financial activity for reporting material variances. As part of the 2024/25 budget process, the Council adopted 10% or \$10,000 (whichever is the greater) as the material variance for reporting purposes for the year.

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

Final allocations are still being processed for the year ending 30 June 2024 which may affect the opening position for the current year. Depreciation for 2024/25 cannot be

processed until the audit for the previous year is finalised, this will affect the variances reported in the statement of financial activity.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report

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

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

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

- (a) [deleted].*
- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) such other supporting information as is considered relevant by the local government.*

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

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Wills, seconded Cr Dewar that the monthly financial statement for the period ending 31 August 2024 be received.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny

Motion No: 118/24

13.2 MONTHLY LIST OF PAYMENTS – AUGUST 2024

ATTACHMENT(S)	13.2.1 Monthly Payments Listing August 2024
FILE NO	N/A
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	12 September 2024
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

The Council to consider the list of payments made from the Municipal and Trust Funds during August 2024.

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 –

August 2024

	\$
Municipal Fund	460,004.27
Trust Fund	0.00
Purchasing Cards	5,606.45
TOTAL	465,610.72

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.*

r13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared –

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

FINANCIAL IMPLICATIONS

The List of payments reports the payments made for the previous month from the Municipal and Trust Funds, and purchases made using Shire credit cards or purchasing cards.

POLICY IMPLICATIONS

Council Policy ‘2.1 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/COUNCIL DECISION

Moved Cr Penny, seconded Cr Dewar that, in accordance with regulations 13(1) and 13A(1) of the *Local Government (Financial Management) Regulations 1996*, the list of payments paid under delegated authority or with Shire purchasing cards for August 2024 be endorsed; comprising -

- Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$460,004.27; and
- Credit/Purchasing Card payments totalling \$5,606.45.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny

Motion No: 119/24

13.3 DELEGATION REGISTER REVIEW

ATTACHMENT(S)	13.3.1 Delegation Register Tracked Changes
FILE NO	ADM0239
AUTHOR	Tash Korthuis, Governance & Executive Assistant
DATE	28 August 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: Broomehill-Tambellup Shire Support	
11. Delivered Shire Trust and Performance	No corporate business plan initiative.

SUMMARY

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

BACKGROUND

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

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

The delegations are to be reviewed at least once every financial year. The register was last reviewed in September 2023.

COMMENT

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

The Senior Management Team have reviewed all current delegations and made minor changes, including alignment to changes in circumstances or legislation, and providing clarity where ambiguities were identified.

No major changes have been made to the attached Delegation Register.

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

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

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

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

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

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

Absolute majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Letter, seconded Cr Robinson that the Delegation Register dated September 2024, as attached be adopted.

CARRIED BY ABSOLUTE MAJORITY 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny

Motion No: 120/24

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

COUNCIL DECISION

Moved Cr Letter, seconded Cr Barritt that in accordance with Section 5.23(2) of the *Local Government Act 1995* the meeting is closed at 5.18pm to members of the public with the following aspect(s) of the Act being applicable:

- (a) a matter affecting an employee or employees;
- (e) a matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny
Motion No: 121/24

14.1 **CONFIDENTIAL** – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE
- CHIEF EXECUTIVE OFFICER’S PROBATIONARY REVIEW

ATTACHMENT(S)	14.1.1 - CONFIDENTIAL – CEO Key Performance Indicator Assessments
FILE NO	Personnel File
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	4 September 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: Broomehill Tambellup Shire Support	
10. Grown Shire Leadership 10.4 SoBT workforce development	No specific corporate action.

Karen Callaghan, Pam Hull, Tash Korthuis and Kay Squibb left the meeting at 5.19pm

COMMITTEE RECOMMENDATION/COUNCIL DECISION

Moved Cr Dewar, seconded Cr Barritt that –

1. The CEO Performance Review Committee’s assessment that the Chief Executive Officer has successfully completed the probationary period in accordance with the terms of the CEO Employment Contract is accepted.
2. The Chief Executive Officers base salary be increased from 5 August 2024 in accordance with clause 7(4) of the CEO Employment Contract.
3. The Shire President informs the Chief Executive Officer in writing of the Council resolution.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny

Motion No: 122/24

Karen Callaghan re-entered the meeting at 5.26pm and was advised of the Council decision.

Pam Hull, Tash Korthuis and Kay Squibb re-entered the meeting at 5.29pm.

14.2 CONFIDENTIAL - CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE - APPOINTMENT OF CONSULTANT TO FACILITATE THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PROCESS

ATTACHMENT(S)	14.2.1 – Civic Legal – KPIs & CEO Performance Review Quote 14.2.2 – Civic Legal – Setting KPI Only Quote 14.2.3 – Strategic Leadership Consulting quote
FILE NO	GV.CT.1
AUTHOR	Kay Squibb – Manager Finance & Administration
DATE	4 September 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: Broomehill Tambellup Shire Support	
10. Grown Shire Leadership 10.4 SoBT workforce development	No specific corporate action.

COUNCIL DECISION

Moved Cr Letter, seconded Cr Penny that the quote received from Strategic Leadership Consulting totalling \$7,400 excluding GST to develop the Chief Executive Officer's key performance indicators and facilitate an annual performance and remuneration review be accepted.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny
Motion No: 123/24

14.3 CONFIDENTIAL - RATE ASSESSMENT A1023 – LEGAL CHARGES

ATTACHMENT(S)	14.3.1 – Email from Palisade Corporate 14.3.2 – A1023 current Rate Notice
FILE NO	A1023
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	12 September 2024
DISCLOSURE OF INTEREST	Cr Robinson declared a financial interest as the property owner is a former employee of her family business.

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: BT Economy	
No specific community outcome	No specific corporate action

Cr Robinson left the meeting at 5.50pm

OFFICER RECOMMENDATION

That

1. \$15,438.79 of legal charges allocated to rate assessment A1023 be written off;
2. The payment arrangement of \$50 per week towards the remaining balance on rate assessment A1023 be accepted; and
3. Any default on the payment arrangement to be referred for debt collection in accordance with the provisions of the *Local Government Act 1995*.

The motion lapsed for want of a mover.

COUNCIL DECISION

Moved Cr Dewar, seconded Cr Penny that debt recovery proceeds under the provisions of the *Local Government Act 1995* to recover the full amount owing on rate assessment A1023.

CARRIED 6/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Penny

Motion No: 124/24

Reason for change to recommendation

The Council determined that the property owner is responsible for the debt accumulated against the rate assessment and is required to pay the full amount owing.

Cr Robinson re-entered the meeting at 5.57pm and was advised of the Council decision.

PRODECURAL MOTION

Moved Cr Dewar, seconded Cr Barritt that the meeting be re-opened to members of the public at 5.57pm.

CARRIED 7/0

For: Cr White, Cr Barritt, Cr Letter, Cr Dewar, Cr Wills, Cr Robinson, Cr Penny
Motion No: 125/24

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

Nil.

16. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil.

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

Nil.

18. CLOSURE

There being no further business to discuss, the Presiding Member, Cr White, declared the meeting closed at 5.58pm.