

MINUTES

Ordinary Council Meeting

21 November 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 21 November 2024 commencing at 4.40pm.

Karen Callaghan Chief Executive Officer

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Strategic Community Plan 2023-2033

'People Power'



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Minutes of the Ordinary Council Meeting held on 21 November 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 4.40pm.

2. ATTENDANCE

Councillors

Cr ME White President

Cr DT Barritt Deputy President

Cr CJ Letter Cr SH Penny Cr CM Dewar Cr SJ Robinson

Staff

KP Callaghan Chief Executive Officer

KP Squibb Manager of Finance & Administration PA Hull Strategic Support & Projects Officer

P Vlahov Manager of Works

Leave of Absence

Cr JL Wills

Apologies

DISCLOSURE OF INTEREST

Nil.

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 17 OCTOBER 2024

Moved Cr Dewar, seconded Cr Barritt that the minutes of the Ordinary Meeting of Council held on 17 October 2024 be confirmed as a true and accurate record of proceedings.

CARRIED 6/0

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

Motion No: 141/24

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

Nil.

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

11.1 LOCAL PLANNING POLICY NO.2 – WIND FARMS

ATTACHMENT(S)	11.1.1 Final Local Planning Policy No. 2 – Wind Farms
FILE NO	ADM0165
AUTHOR	Karen Callaghan, Chief Executive Officer
DATE	12 November 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Corporate Business Plan	
2024-2028	
Corporate Actions	
BT Shire Support	
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.	
development.	

SUMMARY

The purpose of this report is to consider final adoption of the Local Planning Policy No. 2 - Wind Farms (LPP) after completion of the public advertising period. The LPP aims to provide clear guidelines and regulations for the establishment and operation of wind farms, ensuring sustainable development while addressing community concerns.

BACKGROUND

The proposed LPP, was considered by Council at its meeting held on 19 September 2024.

Council at that meeting resolved as follows:

- 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.

COMMENT

The proposed LPP was advertised in accordance with clause 87, Schedule 2 of the Deemed Provisions contained in the *Planning and Development (Local Planning Schemes) Regulations* 2015.

The LPP was advertised in the Great Southern Herald, Shire's website, and Facebook. Public submissions were open for 21 days and closed on 16 October 2024. At the conclusion of the public submission period, one submission was received in support of the LPP.

As interest in renewable energy, specifically wind energy, continues to increase, there is a compelling need for a comprehensive local planning policy to navigate the development and implementation of wind farms and turbines within the Shire of Broomehill-Tambellup.

The absence of a tailored local planning policy introduces uncertainties and the potential for inconsistent decision-making, highlighting the importance of establishing clear guidelines. Further, the associated complexities connected with wind farm development within the Shire of Broomehill-Tambellup, emphasises the necessity for a well-defined local planning policy to address both the community's concerns and the broader objectives of sustainable and responsible development.

The proposed LPP outlines the matters to be considered comprising stakeholder consultation, environmental, visual, landscape, noise, aviation safety, infrastructure, and bushfire management impacts, and has been prepared to address these issues comprehensively.

CONSULTATION

Shire Council

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

Clause 3 and 4 under Part 2, Schedule 2 of the Deemed Provisions contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) set out the power for local government to make a local planning policy and the procedure for making a local planning policy, including a requirement to advertise a Draft Local Planning Policy for a period not less than 21 days. The Shire is required to refer the Local Planning Policy to the Western Australian Planning Commission, where there is a potential inconsistency with State Planning Policy. Clauses 4 and 87 of the Regulations, provides guidance as to the publication requirements of the LPP:

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.

Clause 87 (3) requires the LPP to be published in the following manner:

- (a) publish on the website of the local government
 - (i) the document; or
 - (ii) a hyperlink to a webpage on which the document is published; and
- (b) if it is reasonably practicable to do so, make a copy of the document available for public inspection at a place in the district of the local government during normal business hours.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

The proposed policy is influenced by the Western Australian Planning Commission's (WAPC) Position Statement on Renewable Energy Facilities. It takes into account the guidelines and recommendations set forth by WAPC to promote the responsible and sustainable development of wind energy projects.

The WAPC Position Statement on Renewable Energy Facilities provides the following guidelines:

- Outlines key environmental and planning considerations for renewable energy proposals.
- Encourages early consultation with the community and local government.
- Recommends any application address specific matters such as environmental impact, visual, impact, noise, aviation safety and construction impact.
- Recommends that any turbine be a minimum of 1.5 kilometres from any dwelling or sensitive land use.

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

COUNCIL DECISION

Moved Cr Penny, seconded Cr Dewar that -

- 1. The Local Planning Policy No.2 Wind Farms, pursuant to Schedule 2, Part 2, Division 2, Clause 4(3)(b)(i) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* is adopted;
- 2. Authorise the Chief Executive Officer to publish a notice of the Local Planning Policy on the Shire website in accordance with Schedule 2, Part 2, Division 2, Clause 4(4) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, after which time the Local Planning Policy has effect on the publication of the notice.

CARRIED 6/0

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

Motion No: 142/24

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

Nil.

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 FINANCIAL STATEMENTS – OCTOBER 2024

ATTACHMENT(S)	13.1.1 Financial Statements October 2024
FILE NO	N/A
AUTHOR	Kay Squibb, Manager Finance and Administration
DATE	13 November 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS		
Strategic Community Plan	Corporate Business Plan	
2023-2033	2024 -2028	
Community Outcomes	Corporate Actions	
Key Pillar: B	T 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 October 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

COUNCIL DECISION

Moved Cr Letter, seconded Cr Robinson that the monthly financial statements for the period ending 31 October 2024 be received.

CARRIED 6/0

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

Motion No: 143/24

13.2 MONTHLY LIST OF PAYMENTS – OCTOBER 2024

ATTACHMENT(S)	13.2.1 Monthly Payments Listing October 2024
FILE NO	N/A
AUTHOR	Kay Squibb, Manager Finance and Administration
DATE	13 November 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC I	MPLICATIONS
Strategic Community Plan	Corporate Business Plan
2023-2033	2024 -2028
Community Outcomes	Corporate Actions
Key Pillar: B	Shire Support
11. Delivered Shire Trust and Performance	11.2.1 Undertaking specific initiatives to
11.2 SoBT financial sharing	improve meaning and understanding of the
This is the Shire workforce releasing	Shire's monthly financial reports.
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.	

SUMMARY

The Council to consider the list of payments made from the Municipal and Trust Funds during October 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 –

October 2024

	\$
Municipal Fund	604,150.31
Trust Fund	0.00
Purchasing Cards	3,536.19
TOTAL	607,686.50

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

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 October 2024 be endorsed; comprising -

- Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$604,150.31; and
- Credit/Purchasing Card payments totalling \$3,536.19

CARRIED 6/0

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

Motion No: 144/24

13.3 COUNCIL MEETING DATES 2025

ATTACHMENT(S)	Nil
FILE NO	ADM0091
AUTHOR	Karen Callaghan, Chief Executive Officer
DATE	1 November 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS		
Strategic Community Plan	Corporate Business Plan	
2023-2033	2024 -2028	
Community Outcomes	Corporate Actions	
Key Pillar: BT Shire Support		
No specific strategic initiative	No specific corporate initiative	

SUMMARY

The purpose of this item is for the Council to determine and advertise its Ordinary Council Meeting dates, times and venue for the 2025 calendar year.

BACKGROUND

The Local Government (Administration) Regulations 1996 reg 12 (1) requires that, at least annually, a local government is to give local public notice of the date, time and place at which its Ordinary Meetings of Council will be held for a 12-month period.

COMMENT

The Council currently holds its meetings on the third Thursday of each month except for January, where no meeting occurs; and July, where the meeting occurs one week later to allow for the budget to be delivered.

It is recommended that the 2025 Ordinary Council Meetings be held in the Tambellup Council Chambers at 4:30 pm. The recommended schedule is provided as follows:

20 February 2025	21 August 2025
20 March 2025	18 September 2025
17 April 2025	16 October 2025
15 May 2025	20 November 2025
19 June 2025	18 December 2025
24 July 2025	

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

Local Government Act 1995 s5.25(g)
Local Government (Administration) Regulations 1996 r12(1)

FINANCIAL IMPLICATIONS

The Shire is required to advertise the dates. Provision for advertising costs is made in the Annual Budget.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Nil.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION

Moved Cr Penny, seconded Cr Robinson that the 2025 Ordinary Council Meetings be held in the Tambellup Council Chambers commencing at 4.30 pm on the following dates:

 20 February 2025
 21 August 2025

 20 March 2025
 18 September 2025

 17 April 2025
 16 October 2025

 15 May 2025
 20 November 2025

 19 June 2025
 18 December 2025

24 July 2025

CARRIED 6/0

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

Motion No: 145/24

13.4 INFORMATION STATEMENT 2024-2025

ATTACHMENT(S)	13.4.1 Information Statement 2024-2025
FILE NO	ADM0274
AUTHOR	Kay Squibb, Manager of Finance and Administration
DATE	13 November 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan	Corporate Business Plan
2023-2033	2024 -2028
Community Outcomes	Corporate Actions
Key Pillar: BT Shire Support	
10. Grown Shire Leadership	No specific Corporate Initiative
No specific Community Outcome.	

SUMMARY

The Council to review, prior to publishing, the Shire of Broomehill-Tambellup Information Statement.

BACKGROUND

Section 96(1) of the *Freedom of Information Act 1992* requires each government agency, which includes local governments, to prepare and publish annually an Information Statement.

Section 94 of the *Freedom of Information Act 1992* states that the Information Statement must set out –

- The agency's Mission Statement;
- Details of legislation administered;
- Details of the agency structure;
- Details of decision making functions;
- Opportunities for public participation in the formulation of policy and performance of agency functions;
- Documents held by the agency;
- The operation of Freedom of Information (FOI) in the agency.

COMMENT

The Shire of Broomehill-Tambellup Information Statement 2024-2025 is attached, and the document complies with the requirements of the *Freedom of Information Act 1992*, as outlined above.

Once adopted, a copy of the Information Statement will be forwarded to the Information Commissioner as required and published on the Shire's website.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Freedom of Information Act 1992

s94. Term used: information statement

A reference in this Act to an **information statement**, in relation to an agency, is a reference to a statement that contains —

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;
- (d) a description of the kinds of documents that are usually held by the agency including
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and
 - (ii) which kinds of documents can be purchased; and
 - (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
 - (ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This review of the Shire's Information Statement ensures compliance with relevant legislation.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION

Moved Cr Dewar, seconded Cr Letter that the Information Statement 2024-2025 be adopted as attached, and published in accordance with the requirements of the *Freedom of Information Act 1992*.

CARRIED 6/0

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

Motion No: 146/24

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

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 5.04pm.