



# Ordinary Meeting of Council

## MINUTES

**13 December 2019**

**PLEASE NOTE – THESE MINUTES HAVE YET TO BE CONFIRMED BY COUNCIL AS A TRUE AND ACCURATE RECORD OF PROCEEDINGS.**

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## SHIRE OF BROOMEHILL-TAMBELLUP

**Minutes of an Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on Friday 13 December 2019 commencing at 3.22pm.**

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The President welcomed Councillors and staff and declared the meeting open at 3.22pm.

**2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Nil

**3. ATTENDANCE**

Cr MC Paganoni	President
Cr ME White	Deputy President
Cr MC Nazzari	
Cr KJ Holzknecht	
Cr CJ Letter	
Cr DT Barritt	
Cr SH Penny	
KB Williams	Chief Executive Officer (CEO)
P Vlahov	Manager Works
KP O'Neill	Manager Finance and Administration
PA Hull	Strategic Support & Projects Officer
LK Cristinelli	Executive Assistant

**3.1 APOLOGIES**

Nil

**3.2 APPROVED LEAVE OF ABSENCE**

Nil

**4. DECLARATION OF INTEREST**

Nil

**5. PUBLIC QUESTION TIME**

Nil

**6. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS**

Nil

**7. ITEMS BROUGHT FORWARD BY DECISION OF COUNCIL**

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

**8.1 ORDINARY MEETING OF COUNCIL MINUTES 21 NOVEMBER 2019**

**191201**

***Moved Cr White, seconded Cr Holzknecht***

***That the Ordinary Meeting of Council Minutes of 21 November 2019 be accepted.***

***CARRIED 7/0***

**9. RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING**

Nil

**10. REPORTS OF OFFICERS**

Unconfirmed

<b>10.01</b>	<b>FINANCIAL STATEMENTS FOR NOVEMBER 2019</b>
<b>Attachment:</b>	<b>Monthly Financial Statements for November 2019</b>
<b>File Ref:</b>	Nil
<b>Author:</b>	KP O'Neill - Manager Finance and Administration
<b>Date:</b>	06 December 2019
<b>Disclosure of Interest:</b>	Nil

## SUMMARY

Council to consider the monthly financial report for the period ending 30 November 2019.

## 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 2019/20 budget process, Council adopted 10% or \$10,000 as the material variance for reporting purposes for the year.

## COMMENT

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

Receivables - which includes outstanding rates, emergency services levy, pensioner rebates and other 'sundry' debtors - is reported at Note 6.

Note 8 tracks capital grants and contributions, the unspent balance of which is reported as 'Restricted Cash' throughout the financial report.

Capital revenue and expenditure is detailed in Note 12, which includes plant replacement, road construction, building improvements, reserve transfers and loan transactions.

## 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

#### FINANCIAL IMPLICATIONS

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

#### VOTING REQUIREMENTS

Simple Majority

#### COUNCIL DECISION

**191202**

***Moved Cr Holzknacht, seconded Cr Letter***

***That the Financial Statement for the period ending 30 November 2019 be adopted.***

**CARRIED 7/0**

<b>10.02</b>	<b>CREDITORS ACCOUNTS PAID NOVEMBER 2019</b>
<b>Attachment:</b>	<b>List of Payments for November 2019</b>
<b>File Ref:</b>	Nil
<b>Author:</b>	KP O'Neill – Manager Finance and Administration
<b>Date:</b>	06 December 2019
<b>Disclosure of Interest:</b>	Nil

## SUMMARY

Council to consider the list of payments made from the Municipal and Trust Funds during November 2019.

## 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	\$896,622.67
Trust Fund	\$19,182.25
Credit Cards	\$7,031.61
<b>Total</b>	<b>\$922,836.53</b>

## 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

#### FINANCIAL IMPLICATIONS

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

#### VOTING REQUIREMENTS

Simple Majority

#### COUNCIL DECISION

**191203**

***Moved Cr Nazzari, seconded Cr White***

***That the list of accounts paid during November 2019 consisting of –***

- ***Municipal Fund cheque, EFT and direct debit payments totalling \$896,622.67;***
- ***Trust Fund cheque payments totalling \$19,182.25; and***
- ***Credit Card payments totalling \$7,031.61***

***be endorsed.***

**CARRIED 7/0**



<b>10.03</b>	<b>CASHFLOW LENDING FACILITY – HOUSING PROJECT</b>
<b>Attachment:</b>	<b>WATC Short Term Lending fact sheet</b>
<b>File Ref:</b>	ADM0069
<b>Author:</b>	KP O'Neill - Manager Finance & Administration
<b>Date:</b>	04 December 2019
<b>Disclosure of Interest:</b>	Nil

### SUMMARY

For Council to approve a new loan facility with WA Treasury Corporation (WATC) to assist with short term cash flow issues relating to construction of Key Worker Accommodation and Independent Living Units included the Great Southern Housing Initiative (GSHI).

### BACKGROUND

The Shire's housing projects forming part of the GSHI are included in the 2019/20 Budget; and are funded from the Building Better Regions Funds (BBRF), Regional Aged Accommodation Program (RAAP) and Council funds as follows –

	<b>BBRF</b>	<b>RAAP</b>	<b>Shire</b>	<b>Total</b>
Independent Living Units	\$640,000	\$479,247	\$160,753	\$1,280,000
21 Lathom St, Broomehill	\$260,000	0	\$260,000	\$520,000
5 Leven St, Broomehill	\$245,000	0	\$245,000	\$490,000
17 Taylor St, Broomehill	\$245,000	0	\$245,000	\$490,000
Lot 384 Parnell St, Tambellup – GROH	\$181,422	0	\$368,578	\$550,000
Lot 1/22 Taylor St, Tambellup – GROH	\$186,422	0	\$313,578	\$500,000
Lot 2/22 Taylor St, Tambellup – GROH	\$186,422	0	\$313,578	\$500,000
Bhill Caravan Park	\$127,500	0	\$127,500	\$255,000
	<b>\$2,071,766</b>	<b>\$479,247</b>	<b>\$2,033,987</b>	<b>\$4,585,000</b>

Councils own funding towards this project comes from sale of four staff houses, Building Reserve funds and proceeds from a new loan. The loan has been raised through WATC. Additionally, three dwellings in Tambellup will be leased to GROH.

The Shire of Kojonup is the host Council for the RAAP funding, and has the full amount of the GSHI allocation. Participating Councils recoup their portion of grant funds by invoice to the Shire of Kojonup. A claim has been submitted in December to the Shire of Kojonup to recoup a portion of our allocation.

Set milestones have been included in the BBRF funding agreement, and all participating Councils in the GSHI are required to meet the milestones in order to have the first milestone payment released. With a project of this scale, each Council is at very different stages of construction from awarding tenders through to lock up stage (nearing practical completion). The first milestone for the BBRF has not been met, as expenditure of some \$8million was required by the group in order to receive a \$4million progress payment.

The first milestone payment is now not expected to be received until February/March at the earliest, thereby presenting a significant cashflow issue as all of our Shire's houses and ILU's are expected to be complete by February/March.

## COMMENT

The CEO and Manager Finance & Administration met with WATC several months ago, and part of the discussion was in relation to the availability of short term lending facilities to assist with cash flow needs and financing of large projects.

It is now apparent that there will be a delay in the timing of receipt of milestone payments from the BBRF, due to delays in other Local Governments programs, and Officers are of the opinion that the WATC short term lending facility will best address the needs of the Shire. Entering into this short term facility will ensure that the Shire is able to meet its financial commitments and maintain operations.

It is proposed that the facility would be established to the value of the BBRF funding (\$2,071,766) and that as milestone payments are released from the BBRF, this would be used to pay down the loan. While it is anticipated that the BBRF grants will be received fully and acquitted by 30 June 2020, it is proposed that the term of the facility would be held to 30 June 2021 to ensure sufficient time should there be any further delays in receipt of payments from BBRF or in the acquittal of the funding. Should the facility be paid down earlier, it would then be closed.

As the short term lending facility has not been included in the 2019/20 Budget, one month's public notice of the Shire's intention to enter into the loan facility with WATC is required in accordance with section 6.20 of the *Local Government Act 1995*.

## CONSULTATION

Chief Executive Officer

Tamara Marsh, WA Treasury Corporation

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

### **s6.20. Power to borrow**

- (1) *Subject to this Act, a local government may —*
  - (a) *borrow or re-borrow money; or*
  - (b) *obtain credit; or*
  - (c) *arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.*
- (2) *Where, in any financial year, a local government proposes to exercise a power under subsection (1) (**power to borrow**) and details of that proposal have not been included in the annual budget for that financial year —*
  - (a) *unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and*
  - (b) *the resolution to exercise that power is to be by absolute majority.*

## POLICY IMPLICATIONS

There is no policy applicable to this item, however Delegation 2.10 gives authority to the CEO and Manager Finance & Administration to sign WATC schedule documents under the 'Master Lending Agreement'. Once Council approval is granted to establish this facility, and the required advertising is given, any documents can be signed and returned to WATC promptly.

## STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

KRA One – Our People

Objective 1.5

## FINANCIAL IMPLICATIONS

There are no initial costs in establishing the proposed facility, however interest is charged on amounts drawn down dependant on the timing of advances and subsequent repayments (refer to attached information from WATC).

## VOTING REQUIREMENTS

Absolute Majority

## COUNCIL DECISION

**191204**

***Moved Cr White, seconded Cr Nazzari***

***That Council, pursuant to section 6.20 of the Local Government Act 1995, authorise the CEO to –***

- 1. Give one month's public notice of the Shire's intention to establish a short term lending facility with WA Treasury Corporation, with the term of the facility ending 30 June 2021; and***
- 2. Complete all documents required by WA Treasury Corporation to effect the new facility.***

***CARRIED 7/0***

***By Absolute Majority***

<b>10.04</b>	<b>TAMBELLUP PAVILION – SPORTS MEMORABILIA REQUEST</b>
<b>Attachment:</b>	Plans and graphics of proposed memorabilia displays
<b>File Ref:</b>	ADM0508
<b>Author:</b>	KB Williams – Chief Executive Officer
<b>Date:</b>	06 December 2019
<b>Disclosure of Interest:</b>	Nil

#### SUMMARY

For Council to consider supporting an application from the Tambellup Community Pavilion Association (TCPA) to install memorabilia in the Tambellup Sports and Community Pavilion.

#### BACKGROUND

The TCPA has written to Council seeking consent to install various items within the Tambellup Pavilion to recognise and celebrate the achievements of the various sporting groups, as well as Tambellup's rich sporting heritage.

Plans and graphic depictions of the proposed memorabilia are attached.

#### COMMENT

The TCPA has proved itself competent in managing the Tambellup Pavilion and is a valuable asset to the community.

The proposal would allow recognition of the history and achievements of the various sporting groups that are members of the TCPA, and, importantly, historical sporting achievements.

The proposed installation has been prepared by a dedicated sub-committee of the TCPA in conjunction with a design consultant.

The memorabilia is considered tasteful and appropriate, and the request is supported. The TCPA should be congratulated on navigating this potentially difficult issue.

Several other items raised by the TCPA correspondence will be addressed at an operational level.

#### CONSULTATION

TCPA Sub Committee

#### STATUTORY ENVIRONMENT

Nil

#### POLICY IMPLICATIONS

There are no Policy Implications for Council.

#### STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

KRA One – Our People

Objective 1.1.1, 1.2.1 & 1.4.1

#### FINANCIAL IMPLICATIONS

There are no Financial Implications for Council.

## VOTING REQUIREMENTS

Simple Majority

## COUNCIL DECISION

**191205**

***Moved Cr White, seconded Cr Letter***

***That Council:***

- 1. Advise the Tambellup Community Pavilion Association that it supports the installation of memorabilia and graphic wallpaper to recognise and celebrate Tambellup's sporting heritage and to recognise the members and achievements of the clubs that are members of the Tambellup Community Pavilion Association.***
- 2. Delegate authority to the CEO to approve any minor changes to the design of the Tambellup Community Pavilion Committee memorabilia display if required, with any major changes to be bought before Council to determine.***

**CARRIED 7/0**

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<b>10.05</b>	<b>WORKS REPORT FOR DECEMBER 2019</b>
<b>Attachment:</b>	<b>Plant Maintenance Report – December 2019</b>
<b>File Ref:</b>	Nil
<b>Author:</b>	P Vlahov – Manager of Works
<b>Date:</b>	06 December 2019
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

Council to consider the Manager of Works Report for December 2019.

### BACKGROUND

The Manager of Works Report is provided for Council's information.

### COMMENT

#### Programmed Construction Works

- Pallinup Road reconstruction - Cement stabilising is underway with 2km completed.
- Flat Rocks Road, Broomehill-Kojonup Road patches, Maguire Road, Tie Line Road patch and Morgan Road have been bitumen sealed.
- 1800m<sup>3</sup> of sand has been carted to the Independent Living Units at Broomehill.
- Sand, gravel and other materials have been delivered to various building sites.

#### Plant Replacement

- Repairs to the Jet Patcher have been completed and it is awaiting pickup.
- A new trailer has been purchased to replace an old fuel trailer.

#### Maintenance Works

- The maintenance team has been assisting with various aspects associated with the housing projects.
- Various signage maintenance and bin installations.
- Various potholes have been repaired.
- Other ongoing and general maintenance.

#### Occupational Health and Safety

- There have been three minor incidents.

#### Parks and Gardens

- Weeding.
- Spraying.
- General maintenance.
- Several new plantings around Broomehill to revitalise old garden beds.
- Mulching various garden beds in Tambellup and Broomehill.
- Mowing ovals.
- Greenhouse has been constructed and having retic installed

Works Manager attended LGIS Occupational Safety and Health Regional Forum held in Albany on the 5<sup>th</sup> and 6<sup>th</sup> December.

## Building Maintenance

- Assisted Police with camera footage of vandalism around town site of Tambellup.
- Re-arranged static cameras to new problem areas.
- Arranged for repairs and repaint to cover graffiti in Norrish Street and Diprose Park public toilets.
- New air conditioner to be installed in server room in Tambellup Administration Office.
- Successful quotes have been locked in for repairs to the Broomehill Museum.
- Continued with various works request forms.
- Repairs to Tambellup Pavilion door and primed patches in walls.

For Council discussion and comment.

## CONSULTATION

Nil

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

## POLICY IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

KRA 1: Our People - Objectives 1.5.1; 1.5.2; 1.5.3

KRA 3: Our Places - Objectives 3.1.2; 3.3.3; 3.3.1; 3.4.1

## FINANCIAL IMPLICATIONS

Costs for activities outlined within the Manager of Works monthly report are reflected in the annual budget.

## VOTING REQUIREMENTS

Simple Majority

## COUNCIL DECISION

**191206**

***Moved Cr Holzkecht, seconded Cr Letter***

***That Council receives the report from the Manager of Works for the month of December 2019.***

***CARRIED 7/0***

**11. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**PROCEDURAL MOTION**

**191207**

***Moved Cr White, seconded Cr Barritt***

***That Council in accordance with the Local Government Act s5.23 (2) closes the meeting to members of the public to deal with confidential items behind closed doors.***

***CARRIED 7/0***

Unconfirmed



<b>11.01</b>	<b>CONFIDENTIAL – CONTRACT PROVISIONS – GSHI VARIATIONS</b>
<b>Attachment:</b>	<b>RM Smith &amp; Sons Variations</b>
<b>File Ref:</b>	CP.PR.63
<b>Author:</b>	KB Williams – Chief Executive Officer
<b>Date:</b>	06 December 2019
<b>Disclosure of Interest:</b>	Nil

## COUNCIL DECISION

**191208**

*Moved Cr White, seconded Cr Nazzari*

*That Council note the variations to the contracts for the Great Southern Housing Initiative as attached.*

**CARRIED 7/0**

## **PROCEDURAL MOTION**

**191209**

*Moved Cr Nazzari, seconded Cr Penny*

*That Council re-opens the meeting to members of the public.*

**CARRIED 7/0**

**12. APPLICATIONS FOR LEAVE OF ABSENCE**  
Nil

**13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**  
Nil

**14. QUESTIONS FROM MEMBERS WITHOUT NOTICE**  
Nil

**15. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Chief Executive Officer (CEO), Keith Williams, will be on Annual Leave for four weeks and Manager Finance and Administration, Kay O'Neill, will be Acting CEO during this period. Works Manager, Peter Vlahov, will be away for four weeks as he is having surgery.

**16. CLOSURE**

There being no further business, the President thanked Councillors and staff for their attendance, extended best wishes to CEO Keith Williams, wished everyone a Merry Christmas and declared the meeting closed at 4.15pm.