



MINUTES

Ordinary Council Meeting

15 August 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 15 August 2024 commencing at 4.30pm.**



**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 15 August 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 4.32pm.

2. ATTENDANCE

Councillors

Cr ME White	President
Cr DT Barritt	Deputy President
Cr CJ Letter	
Cr SJ Robinson	
Cr CM Dewar	

Staff

KP Callaghan	Chief Executive Officer
KP Squibb	Manager of Finance & Administration
TO Korthuis	Governance & Executive Assistant
P Vlahov	Manager of Works

Apologies

Cr JL Wills
Cr SH Penny

3. 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 25 JULY 2024

Recommendation:

Moved Cr Letter, seconded Cr Robinson that the minutes of the Ordinary Meeting of Council held on 25 July 2024 be confirmed as a true and accurate record of proceedings.

CARRIED 5/0

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

Motion No: 099/24

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

Nil.

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

Nil.

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

Nil.

UNCONFIRMED

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 FINANCIAL STATEMENTS – JULY 2024

ATTACHMENT(S)	13.1.1 Financial Statements July 2024
FILE NO	N/A
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	6 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 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 July 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 Dewar, seconded Cr Barritt that the monthly financial statement for the period ending 31 July 2024 be received.

CARRIED 5/0

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

Motion No: 100/24

13.2 MONTHLY LIST OF PAYMENTS – JULY 2024

ATTACHMENT(S)	13.2.1 Monthly Payments Listing July 2024
FILE NO	N/A
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	6 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 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 July 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 –

July 2024

	\$
Municipal Fund	768,257.02
Trust Fund	0.00
Purchasing Cards	3,641.67
TOTAL	771,898.69

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 Dewar, seconded Cr Robinson 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 July 2024 be endorsed; comprising -

- Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$768,257.02; and
- Credit/Purchasing Card payments totalling \$3,641.67.

CARRIED 5/0

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

Motion No: 101/24

UNCONFIRMED

13.3 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

ATTACHMENT(S)	13.3.1 – Terms of Reference for the CEO Performance Review Committee
FILE NO	GV.CT.1
AUTHOR	Kay Squibb – Manager Finance & Administration
DATE	8 August 2024
DISCLOSURE OF INTEREST	Nil

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

SUMMARY

The purpose of this report is to establish a new Committee of the Council to be known as the Chief Executive Officer Performance Review Committee (Committee), adopt the terms of reference and appoint members.

BACKGROUND

Section 5.38 of the *Local Government Act 1995* establishes that the performance of the Chief Executive Officer (CEO) must be reviewed annually. The requirements associated with the review of the CEO are expanded upon in a combination of regulations, including the Model Standards for CEO Recruitment, Performance and Termination, Council Policy and the stipulations of the CEO's contract of employment.

Council Policy 1.1.5 CEO Performance Review outlines the procedure for undertaking the CEO performance review and should be read in conjunction with the proposed terms of reference for the Committee.

COMMENT

Establishing a formal Committee of the Council will ensure that a structured process is followed for evaluating the CEO's performance reviews. The proposed membership of four Councillors (including the Shire President) as opposed to the full Council will allow for efficient and agile meetings and for ease of convening meetings more frequently if required.

It is timely to establish the proposed Committee given the incumbent CEO has been in the role since 5 February 2024 and has recently completed the 6-month probationary period stated in clause 1.1 of the employment contract. A probationary review is required under Clause 7(4) of the CEO's contract of employment, to 'discuss the Performance Criteria (if any) that apply in addition to the Performance Criteria set out in Schedule 3 of this Contract'.

The terms of reference and Council Policy 1.1.5 CEO Performance Review state that an independent, external person will be appointed to assist with the review process.

Proposals will be sought from suitably qualified people to assist with the review, for appointment by the Committee at their first meeting which should be convened as soon as possible.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations 1996

Schedule 2 – Model standards for CEO recruitment, performance and termination

Division 3 – Standards for review of performance of CEOs

FINANCIAL IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Policy 1.1.4 CEO Recruitment, Performance and Termination Standards

Policy 1.1.5 CEO Performance Review

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 Letter, seconded Cr Barritt that

1. The Chief Executive Officer Performance Review Committee be established and the terms of reference for the Committee be adopted, as presented.
2. In accordance with the terms of reference, the Committee membership consist of the Shire President and
 - Councillor Robinson
 - Councillor Letter
 - Councillor Barrittwith terms expiring at the ordinary Council election in 2025.
3. A meeting of the Chief Executive Officer Performance Review Committee be held on 27 August 2024 for the purpose of finalising the CEO's probationary review, and to appoint an independent, external person to progress the CEO performance review process.

CARRIED 5/0

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

Motion No: 102/24

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

COUNCIL DECISION

Moved Cr Dewar, seconded Cr Barritt that in accordance with Section 5.23(2) of the Local Government Act 1995 the meeting is closed at 4.54pm to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

CARRIED 5/0

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

Motion No: 103/24

14.1 **CONFIDENTIAL** DEPARTMENT OF FIRE AND EMERGENCY SERVICES; LEASE FOR PORTION OF LOT 21 (18) CROWDEN STREET, TAMBELLUP AND PORTION OF LOT 22 (29) TAYLOR STREET, TAMBELLUP

ATTACHMENT(S)	14.1.1 – Draft Lease – 18 Crowden Street, Tambellup 14.1.2 – Draft License – 29 Taylor Street, Tambellup
FILE NO	CLAF064
AUTHOR	Kay Squibb – Manager Finance & Administration
DATE	1 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 Point of Difference	
2. A United Community 2.1 BT well-being and safety	No specific corporate action.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr Robinson, seconded Cr Barritt that –

1. the lease agreement between the Shire of Broomehill-Tambellup and the Department of Fire and Emergency Services for use of portion of Lot 21 (18) Crowden Street Tambellup (Tambellup Fire Shed), for a 10-year term with the option of two further terms of 5 years, be endorsed for signing under seal by the Shire President and Chief Executive Officer; and
2. the license agreement between the Shire of Broomehill-Tambellup and the Department of Fire and Emergency Services for use of portion of Lot 22 (29) Taylor Street Tambellup (for parking, fire and emergency services training and ancillary uses), for a 10 year term with the option of two further terms of 5 years, be endorsed for signing under seal by the Shire President and Chief Executive Officer.

CARRIED 5/0

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

Motion No: 104/24

PRODECURAL MOTION

Moved Cr Barritt, seconded Cr Dewar that the meeting be re-opened to members of the public at 4.55pm.

CARRIED 5/0

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

Motion No: 105/24

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 4.55pm.

UNCONFIRMED