



# Ordinary Meeting of Council

## MINUTES

**15 October 2020**

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## **SHIRE OF BROOMEHILL-TAMBELLUP**

### **Minutes of an Ordinary Meeting of Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on 15 October 2020 commencing at 4.44pm.**

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

The President welcomed Councillors and staff and declared the meeting open at 4.44pm.

**2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER**

Nil

**3. ATTENDANCE**

Cr MC Paganoni	President
Cr ME White	Deputy President
Cr MC Nazzari	
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
LK Cristinelli	Executive Assistant

**3.1 APOLOGIES**

PA Hull, Strategic Support & Projects Officer

**3.2 APPROVED LEAVE OF ABSENCE**

Cr Holzknicht has been approved a Leave of Absence from the 15 October 2020 Ordinary Council Meeting.

**4. DECLARATION OF INTEREST**

Chief Executive Officer, Keith Williams, declared a Financial Interest in Item 11.01 Chief Executive Officer Performance Review.

**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 17 SEPTEMBER 2020**

**201001**

***Moved Cr Letter, seconded Cr Penny***

***That the Ordinary Meeting of Council Minutes of 17 September 2020 be accepted.***

***CARRIED 6/0***

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

Nil

**10. REPORTS OF OFFICERS**

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<b>10.01</b>	<b>FINANCIAL STATEMENTS FOR SEPTEMBER 2020</b>
<b>Attachment:</b>	Monthly Financial Statements for September 2020
<b>File Ref:</b>	Nil
<b>Author:</b>	KP O’Neill - Manager Finance and Administration
<b>Date:</b>	07 October 2020
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

Council to consider the monthly financial report for the period ending September 2020.

### 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 2020/21 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

Strategic Community Plan 2018-2028

KRA One - Our People

1.5 Our Shire demonstrates strong leadership, effective governance and efficient service delivery to our community

- 1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interests of our residents

#### FINANCIAL IMPLICATIONS

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

#### VOTING REQUIREMENTS

Simple Majority

#### COUNCIL DECISION

**201002**

***Moved Cr Penny, seconded Cr Letter***

***That the Financial Statement for the period ending 30 September 2020 be adopted.***

***CARRIED 6/0***

<b>10.02</b>	<b>CREDITORS ACCOUNTS PAID SEPTEMBER 2020</b>
<b>Attachment:</b>	<b>List of Payments for September 2020</b>
<b>File Ref:</b>	Nil
<b>Author:</b>	KP O’Neill – Manager Finance and Administration
<b>Date:</b>	07 October 2020
<b>Disclosure of Interest:</b>	Nil

**SUMMARY**

Council to consider the list of payments made from the Municipal and Trust Funds during September 2020.

**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	\$643,699.30
Trust Fund	\$0.00
<u>Credit Cards</u>	<u>\$3,110.44</u>
<u>Total</u>	<u>\$648,804.74</u>

**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**

Strategic Community Plan 2018-2028

KRA One - Our People

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**FINANCIAL IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION**

**201003**

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

***That the list of accounts paid during September 2020, consisting of –***

- Municipal Fund cheque, EFT and direct debit payments totalling \$643,699.30;***
- Trust Fund cheque payments totalling \$0.00; and***
- Credit Card payments totalling \$3,110.44***

***be endorsed.***

***CARRIED 6/0***



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<b>10.03</b>	<b>POLICY MANUAL REVIEW : PART 1 – GOVERNANCE</b>
<b>Attachment:</b>	<b>Draft Policy Manual : Part 1 – Governance</b>
<b>File Ref:</b>	ADM0165
<b>Author:</b>	KB Williams – Chief Executive Officer
<b>Date:</b>	07 October 2020
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

Council to review Part 1 – Governance of the Shire of Broomehill-Tambellup Policy Manual.

### BACKGROUND

Council's Policy Manual was adopted in 2008 and includes six parts – 1 - Governance; 2 - Employees; 3 - Finance; 4 - Engineering; 5 - Building, Health and Planning and 6 - Other.

Council policies are reviewed every three years, or more frequently if changes to legislation or circumstances require.

Rather than undertake a review of the Policy Manual in its entirety, which is onerous for both Councillors and Staff, Parts 1 – 6 of the Policy Manual will be reviewed separately and presented to Council for endorsement over the coming months.

### COMMENT

Senior Staff have reviewed, and amended where necessary, the policies contained within Part 1 – Governance.

Policy 1.5 Code of Conduct for Elected Members has been reviewed to ensure consistency with the *Local Government Act 1995 (the Act)*, however it should be noted that the State Government are currently finalising new Council Member Code of Conduct Regulations which will replace the existing *Local Government (Rules of Conduct) Regulations 1997*. The Department of Local Government, Sport and Cultural Industries has advised that it expects to have the draft regulations circulated for consultation with the sector before the end of this year.

Once the new Regulations are gazetted all local governments will be required to adopt the new regulations at that time.

Amendments to policies are highlighted in red text.

All policies now include reference to relevant Legislation or Internal Documents/Procedures where appropriate, to refer users to additional information that should be read in conjunction with the policy.

Substantial amendments have been made to the following Policies –

#### **1.4 Appointment of Acting Chief Executive Officer**

The amendments proposed ensure compliance with the Act. An outcome from the recent Local Government Act review have included the requirement for Councils to adopt a policy that sets out the process around appointment of a person or employee as the Acting CEO.

**1.10 iPad or Tablet Policy for Councillors and Staff**

Amended to reflect the devices now offered to Councillors and Staff, and update the staff members that the policy applies to.

**1.11 Elected Member Training and Professional Development Policy**

The Local Government Act review resulted in amendments to the Act which now require Elected Members to complete the 'Council Member Essentials' training within 12 months of being elected, and that an Elected Members Training Register is published on the Councils website. Amendments to this policy ensure compliance with the Act.

**1.14 Asset Capitalisation Policy**

The threshold for recognition of assets has been amended to \$5,000 for all asset classes, as required in the *Local Government (Financial Management) Regulations 1996*.

For Council consideration.

**CONSULTATION**

Senior Staff

**STATUTORY ENVIRONMENT**

Section 2.7 (2) (b) of the *Local Government Act 1995* states that Council is to 'determine the local government's policies'.

**POLICY IMPLICATIONS**

Review of the Shire of Broomehill-Tambellup Policy Manual – Part 1 Governance.

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018-2028

KRA One - Our People

1.5 Our Shire demonstrates strong leadership, effective governance and efficient service delivery to our community

1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interests of our residents

**FINANCIAL IMPLICATIONS**

This issue has no financial implications for Council

**VOTING REQUIREMENTS**

Simple Majority

Cr Letter left the meeting at 5.04pm.

Cr Letter returned to the meeting at 5.05pm.

**OFFICER RECOMMENDATION**

*That Council endorses the review of the Shire of Broomehill-Tambellup Policy Manual, Part 1 – Governance, as presented.*

**COUNCIL DECISION****201004*****Moved Cr Nazzari, seconded Cr Penny******That Council endorses the review of the Shire of Broomehill-Tambellup Policy Manual, Part 1 – Governance, as presented and includes the amendments to Item 1.2 Use of Shire Facilities.******CARRIED 6/0*****REASON FOR CHANGE TO RECOMMENDATION**

To include the following amendments to Policy 1.2 Use of Shire Facilities:

- Dot point 3 – Primary Schools – Hall for End of year Presentation Nights to Primary Schools and P & C Associations - Hall for End of year Presentation Nights and Fundraising Activities
- Dot point 5 – Broomehill Catholic Church – Hire of tables and chairs for Christmas Eve church services to Broomehill religious organisations - Hire of tables and chairs for Christmas Eve church services
- Dot point 6 – Broomehill Historical Society – Hire of tables and chairs for Carols by Candlelight to Broomehill Heritage Group - Hire of tables and chairs for Carols by Candlelight

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<b>10.04</b>	<b>CORPORATE BUSINESS PLAN 2018-2022 QUARTERLY PROGRESS REPORT</b>
<b>Attachment:</b>	<b>Corporate Business Plan 2018-2022 Quarterly Progress Report – July to September 2020</b>
<b>File Ref:</b>	ADM0543
<b>Author:</b>	PA Hull – Strategic Support & Projects Officer
<b>Date:</b>	05 October 2020
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

Council to receive the Corporate Business Plan 2018-2022 Quarterly Progress Report for the period July-September 2020.

### BACKGROUND

Local Government (Administration) Regulations 1996 requires that Council prepares a Corporate Business Plan which reflects the aspirations of the Strategic Community Plan and translates these into Council priorities and operations within available resources.

The Corporate Business Plan is a medium term document which covers the first four years of the Strategic Community Plan 2018-2028. A major review is completed at the end of the four year period in conjunction with the major review of the Strategic Community Plan. A yearly desktop review is also conducted to review the financial implications for the year ahead in context of the annual budget, Strategic Resource Plan and other informing documents.

Council adopted the Corporate Business Plan 2018-2022 at the April 2019 Ordinary Meeting. A desktop review of the document was completed and endorsed at the July 2020 Ordinary Council meeting.

### COMMENT

The attached report provides Council and the community with a ‘snapshot’ of progress towards achieving the objectives of the Strategic Community Plan, for the quarter July-September 2020.

The report will be made available for community information.

### CONSULTATION

Chief Executive Officer  
Senior staff

### STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996:  
r. 19DA. Corporate business plans, requirements for (Act s. 5.56)

### POLICY IMPLICATIONS

Nil

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018-2028

Key Result Area 1: Our People

1.5 Our Shire demonstrates strong leadership, effective governance and efficient service delivery to our community

1.5.1 Promote excellence in governance, compliance, regulation, reporting, customer service and delivery of outcomes that are in the best interests of our residents

**FINANCIAL IMPLICATIONS**

Provision for actions contained within the Corporate Business Plan is made in the current budget, or will be considered as part of future budget deliberations.

**VOTING REQUIREMENTS**

Simple majority

**COUNCIL DECISION**

**201005**

***Moved Cr White, seconded Cr Penny***

***That Council receives the Corporate Business Plan 2018-2022 Quarterly Progress Report for the period July-September 2020.***

***CARRIED 6/0***

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<b>10.05</b>	<b>WORKS REPORT FOR OCTOBER 2020</b>
<b>Attachment:</b>	<b>Plant Maintenance Report – October 2020</b>
<b>File Ref:</b>	Nil
<b>Author:</b>	P Vlahov – Manager of Works
<b>Date:</b>	08 October 2020
<b>Disclosure of Interest:</b>	Nil

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### SUMMARY

Council to consider the Manager of Works Report for October 2020.

### BACKGROUND

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

### COMMENT

#### Programmed Construction Works

- Toolbrunup Road Construction – This project is now 50% completed. Culverts have been widened, road width has been widened and gravel sheeting is in progress.

#### Plant Replacement

- Tenders for a grader and a backhoe loader have been completed through the WALGA E- Tender process.

#### Maintenance Works

- Installed various signs. Replaced various damaged or missing signs
- Sign installed on the new Fire Brigade Building in Broomehill
- Repaired various pot holes
- Began removal of broken kerbs and prepared for new kerbing
- Removed various fallen trees
- Maintenance grading
- Constructed new school bus bay on Grahams Well Road

#### Occupational Health and Safety

- There have been no incidents to report

#### Parks and Gardens

- Both ovals have been cored, fertilized and treated for black beetles
- The solar pumping system located at the CBH dam site is working well. The transfer pump located at the Broomehill Complex dam has been repaired
- The solar pumping system located on Jam Creek Road has also been repaired
- General planting, pruning, mowing and weed control
- Various minor maintenance is underway at the Holland Park playground

#### Building Maintenance Report

- Ongoing works request forms and general maintenance
- Solar panel viewing fault rectified
- Pad bolt installed at the Broomehill Recreational Complex
- Lock repaired at the Tambellup Lesser Hall
- Leak in the Tambellup Town Hall addressed

- Quotes being obtained for painting of the Tambellup Infant Health Centre, Holland Park Playground and 63 Taylor Street, Tambellup
- Tank removed from Infant Health Centre, Tambellup
- Pinup board installed at the Broomehill Office
- Flyer stand in Broomehill office moved down to be more accessible to the public
- Electrical fault repaired at the Broomehill Caravan Park

Ranger Report

- Six dogs picked up
- Two dogs registered
- Warnings given to owners of dogs that are non-compliant
- Tree on firebreak from illegal reserve firewood cutting in Broomehill
- Patrols of both town sites
- Followed up on report of sheep with no water
- Followed up on a report of an alpaca that could not stand

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

**201006**

***Moved Cr Letter, seconded Cr Barritt***

***That Council receives the report from the Manager of Works for the month of October 2020.***

***CARRIED 6/0***

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

**PROCEDURAL MOTION**

**201007**

*Moved Cr White, seconded Cr Nazzari*

*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 6/0**



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<b>11.01</b>	<b>CONFIDENTIAL: CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW</b>
<b>Attachment:</b>	CEO Annual Performance Review – Council Report
<b>File Ref:</b>	PE.ER.71
<b>Author:</b>	Cr MC Paganoni – Shire President
<b>Date:</b>	06 October 2020
<b>Disclosure of Interest:</b>	Chief Executive Officer, Keith Williams, declared a Financial Interest in this Item as the subject of the Review and left the meeting at 5.48pm.

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Peter Vlahov, Kay O’Neill and Louise Cristinelli left the meeting at 5.48pm, as the confidential agenda item relates to a member of staff.

#### COUNCIL DECISION

#### **201008**

*Moved Cr White, seconded Cr Nazzari*

*That Council, in considering the ‘Chief Executive Officer’s (CEO) Annual Performance Review – Council Report’:*

- 1. Notes that Mr. Keith Williams’s performance review in his role as Chief Executive Officer for the Shire of Broomehill Tambellup 2020 annual appraisal has been undertaken;*
- 2. Endorses Mr. Williams’ overall rating of ‘Meets Performance Requirements’;*
- 3. Endorses the Key Performance Indicators for the 2020/21 appraisal period;*
- 4. Schedules the next review of the CEO’s performance to be commenced by 1 August 2021 and completed for endorsement at the September 2021 Ordinary Meeting of Council;*
- 5. Varies Mr Williams’ base salary by 2.2% effective from 1 July 2020.*

**CARRIED 5/1**

Cr Paganoni voted against the motion as he did not concur with Point 5.

**PROCEDURAL MOTION****201009*****Moved Cr White, seconded Cr Letter******That Council re-opens the meeting to members of the public.*****CARRIED 6/0**

Chief Executive Officer, Keith Williams, Peter Vlahov, Kay O'Neill and Louise Cristinelli returned to the meeting at 6.08pm.

President, Cr Mark Paganoni informed Chief Executive Officer, Keith Williams, Peter Vlahov, Kay O'Neill and Louise Cristinelli of Council Decision on Item 11.01.

**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**

Nil

**16. CLOSURE**

There being no further business, the President thanked Councillors and staff for their attendance and declared the meeting closed at 6.10pm.