



# Ordinary Meeting of Council

## MINUTES

17 August 2017

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## SHIRE OF BROOMEHILL - TAMBELLUP

### Minutes of the Ordinary Meeting of Council of the Shire of Broomehill - Tambellup held in the Tambellup Council Chambers on Thursday 17 August 2017 commencing at 4.11pm.

#### 1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

<b>Present:</b>	Cr GM Sheridan	President
	Cr SJF Thompson	Deputy President
	Cr ME White	
	Cr MR Batchelor	
	Cr TW Prout	
	Cr MC Paganoni	
	Cr CL Dennis	
	KB Williams	Chief Executive Officer (CEO)
	GC Brigg	Manager of Works
	KP O'Neill	Manager Finance and Assets
	PA Hull	Strategic Support & Projects Officer
	LK Cristinelli	Governance and Executive Assistant

**Apologies:** Nil

**Leave of Absence:** Nil

#### 2. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

- 2.1 The President welcomed Councillors and Staff and declared the meeting open at 4.11pm.
- 2.2 The President welcomed Kelly Holzknicht to the meeting.

#### 3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

#### 4. PUBLIC QUESTION TIME

Nil

#### 5. APPLICATION FOR LEAVE OF ABSENCE

Nil

#### 6. DECLARATION OF INTEREST

Cr Prout declared a Financial Interest in Item 10.05.

Pam Hull left the meeting at 4.12pm.

**7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

**8.1 ORDINARY MEETING OF COUNCIL MINUTES 20 JULY 2017**

*170801*

*Moved Cr Thompson, seconded Cr Prout*

*“That the Minutes of the Ordinary Meeting of Council held on 20 July 2017 be confirmed as a true and accurate record of proceedings.”*

**CARRIED 7/0**

**9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**10. MATTERS FOR DECISION**

**10.01****FINANCIAL STATEMENTS FOR JULY 2017**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>Monthly Financial Statements for July 2017</b>	
<b>File Ref:</b>	Nil	
<b>Author:</b>	<b>KP O'Neill</b>	<b>Manager Finance and Assets</b>
<b>Date:</b>	<b>11 August 2017</b>	
<b>Disclosure of Interest:</b>	Nil	

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Pam Hull returned to the meeting at 4.13pm.

**Summary:** Council to consider the monthly financial report for the period ending 31 July 2017.

**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 2017/18 budget process, Council adopted 10% or \$10,000 as the material variance for reporting purposes for the year.

**Comment:** Council's budget for the 2017/18 year was adopted at the 20 July 2017 Council meeting.

Following adoption of the budget, rates were issued on 28 July 2017, with the following amounts levied –

Rates	\$2,412,344.38
Emergency Services Levy	\$60,075.00
Rubbish Charges	<u>\$61,660.00</u>
TOTAL	\$2,412,900.16

The budget provided for an increase of 5% in rate revenue from both UV and GRV properties which, in dollar terms, equates to an increase of \$115,961 in rate revenue from the previous year. Council agreed to again offer a 5% discount for prompt payment within 28 days from the date of issue of the rates notice.

The Emergency Services Levy, determined by the Minister for Emergency Services; Corrective Services, was increased from \$70 to \$75 for the 2017/18 year. Rubbish charges remain unchanged from the previous year.

The discount period ends at 4.00pm on Friday 25 August 2017, and the due date for payment of rates (without penalty) and the first instalments on the 2 and 4 instalment plans is Friday 1 September 2017. Penalty interest will apply on all amounts not paid by the close of business on this day.

Councillors should note that end of year processes are still being allocated for the 2016/17 year, and until the annual financial statements are finalised and audited they may be subject to change. This may affect opening balances contained in the July financial report.

**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

**Asset Management Implications:** There are no implications for the Asset Management Plan.

**Financial Implications:** The report represents the financial position of the Council at the end of the previous month.

**Workforce Plan Implications:** There are no implications for the Workforce Plan.

**Voting Requirements:** Simple Majority

**Council Decision:** *170802*

*Moved Cr Dennis, seconded Cr Paganoni*

*“That the Financial Statement for the period ending 31 July 2017 be adopted.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

**10.02 CREDITORS ACCOUNTS PAID JULY 2017**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>List of Payments for July 2017</b>	
<b>File Ref:</b>	Nil	
<b>Author:</b>	<b>KP O'Neill</b>	<b>Manager Finance and Assets</b>
<b>Date:</b>	<b>11 August 2017</b>	
<b>Disclosure of Interest:</b>	Nil	

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**Summary:** Council to consider the list of payments made from the Municipal and Trust Funds during July 2017.

**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	\$1,284,032.88
Trust Fund	\$680.00
Credit Cards	\$1,366.24
<b>Total</b>	<b>\$1,286,079.12</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

**Asset Management**

**Implications:** There are no implications for the Asset Management Plan.



**Financial**

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

**Workforce Plan**

**Implications:** There are no implications for the Workforce Plan.

**Voting Requirements:** Simple Majority

**Council Decision:** *170803*

*Moved Cr Paganoni, seconded Cr Dennis*

*“That the list of accounts paid during July 2017 consisting of:-*

- *Municipal Fund payments totalling \$1,284,032.88 comprising
  - *cheques numbered 3526 to 3541;*
  - *electronic payments numbered EFT9166 to EFT9253; and*
  - *direct debits numbered DD4825.1 to DD4825.4, DD4846.1 to DD4846.4;**
- *Trust Fund payments totalling \$680.00 comprising
  - *cheques numbered 453; and**
- *Credit Card payments totalling \$1,366.24;*

*be endorsed.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

## 10.03 SCHEDULE OF FEES & CHARGES 2017/18 – AMENDMENT TO PRESCRIBED BUILDING FEES

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<b>Program:</b>	Economic Services	
<b>Attachment:</b>	Extract – amended 2017/18 Schedule of Fees and Charges	
<b>File Ref:</b>	ADM0066	
<b>Author:</b>	KP O’Neill	Manager Finance & Assets
<b>Date:</b>	10 August 2017	
<b>Disclosure of Interest:</b>	Nil	

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**Summary:** Council to approve amendments to the 2017/18 Schedule of Fees and Charges.

**Background:** The *Local Government Act 1995* (the Act) *s6.16 Imposition of fees and charges*, allows local governments to impose and recover a fee or charge for goods and services, and prescribes the type of goods or services where a fee or charge may be levied.

The Act states that fees and charges are to be imposed when adopting the annual budget, but may be imposed during a financial year or amended from time to time during a financial year. Council must adopt the imposition of fees and charges, or amendments if required, by absolute majority.

*Section 6.18 Effect of other written laws* requires local governments to comply with any fees and charges imposed under other legislation, and not to charge an amount that is inconsistent with the amounts determined under other written law.

*Section 6.19 Local government to give notice of fees and charges* requires local governments to give local public notice of any fees and charges if they are to be imposed after adoption of its annual budget, and the date from which they are in effect.

Building application fees, prescribed in the *Building Regulations 2012*, were amended and gazetted on 23 June 2017. The new fees are effective from 1 July 2017.

**Comment:** When preparing the annual budget for the July 2017 Council meeting, fees and charges imposed under other relevant legislation were checked however the amendments to the *Building Regulations 2011* were overlooked.

Staff sought advice from Department of Local Government, Sport and Cultural Industries (the Department) to determine whether Council is required to endorse the amendments, given that the fees are prescribed by legislation and outside of Councils control. The advice received confirmed that Council should adopt the amendments to the Schedule of Fees and Charges and give local public notice of the amendments.

The Schedule of Fees and Charges for the 2017/18 year have been updated to reflect the amendments to Building Application fees, an extract from the Schedule is attached showing the new fees. The amendments are to the minimum charge for the majority of fees, which has increased from \$96.00 to \$97.70.

To ensure transparency, and ultimately compliance with the Act, Council is requested to adopt the amendments as a matter of procedure, and give local public notice of the amendments. This decision requires an absolute majority of Council.

**Consultation:** LG Hotline - Department of Local Government, Sport and Cultural Industries

**Statutory Environment:**

*Local Government Act 1995*

6.16 *Imposition of fees and charges*

(3) *Fees and charges are to be imposed when adopting the annual budget but may be –*

(a) *imposed\* during a financial year; and*

(b) *amended\* from time to time during a financial year.*

*\* Absolute majority required.*

6.18 *Effect of other written laws*

(1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not–*

(a) *determine an amount that is inconsistent with the amount determined under the other written law; or*

(b) *charge a fee or charge in addition to the amount determined by or under the other written law.*

6.19 *Local government to give notice of fees and charges*

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –*

(a) *its intention to do so; and*

(b) *the date from which it is proposed the fees or charges will be imposed.*

**Policy Implications:** There is no policy applicable to this item.

**Strategic Implications:** There are no strategic implications.

**Asset Management Implications:** There are no implications for the Asset Management Plan.

**Financial Implications:** A minor increase in the fees charged for Building Applications will have minimal effect on the Shires revenue for the year.

**Workforce Plan**

**Implications:** There are no implications for the Workforce Plan.

**Voting**

**Requirements:** Absolute Majority

**Council Decision:** *170804*

*Moved Cr Batchelor, seconded Cr Thompson*

*“That Council amend the Schedule of Fees and Charges for the 2017/18 year, and give local public notice of this action, to allow for the amendments made to building application fees prescribed under the Building Regulations 2011, which were gazetted on 23 June 2017 and came into effect on 1 July 2017.”*

**CARRIED 7/0**  
**By Absolute Majority**

**Reason For Change  
to Recommendation:**

**10.04 TAMBELLUP GOLF CLUB – RATE CONCESSION**


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<b>Program:</b>	<b>General Purpose Funding</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>A447</b>	
<b>Author:</b>	<b>KB Williams</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>28 July 2017</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Council to consider a request for a rate concession for the 2017/18 financial year.

**Background:** The Tambellup Golf Club has written requesting Council consider granting a concession on the rate charges for the 2017/18 financial year.

**Comment:** The Golf Club provides a facility that is available to all members of the community and is used extensively during the golf season, as well as outside the season, by both Club members and non-members.

The club remains the only sporting organisation within the Broomehill-Tambellup Shire that has Council rates levied against it.

The Tambellup Golf Club has been granted a rate concession since the 2000/01 year. The Club is still liable to pay rubbish and recycling charges, and the Emergency Services Levy which is determined each year by the Department of Fire and Emergency Services (DFES).

**Consultation:** Nil

**Statutory****Environment:**

*Local Government Act 1995*

*s6.47 Concessions*

*Subject to the Rates and Charges (Rebates and Deferrals) 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.*

**Policy Implications:** Council does not have a policy in relation to granting concessions for rates or service charges.

**Strategic****Implications:**

Strategic Community Plan 2012 – 2022

Community Aspiration – Staying Active & Being Entertained

**Asset Management****Implications:**

There are no implications for the Asset Management Plan.

**Financial**

**Implications:** Provision of \$4,000 has been included in the 2017/18 Budget for ‘Rates Written Off’ in anticipation of such requests.  
Rate charges for the Tambellup Golf Club are \$682.77 for the 2017/18 year.

**Workforce Plan**

**Implications:** There are no implications for the Workforce Plan.

**Voting**

**Requirements:** Absolute Majority

**Council Decision:** *170805*

*Moved Cr Batchelor, seconded Cr Thompson*

*“That Council grants a rate concession of \$682.77 to the Tambellup Golf Club for the 2017/18 financial year.”*

*CARRIED 7/0  
By Absolute Majority*

**Reason For Change  
to Recommendation:**

**10.05 TAMBELLUP BUSINESS CENTRE – RATE CONCESSION**


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<b>Program:</b>	<b>General Purpose Funding</b>
<b>Attachment:</b>	<b>Nil</b>
<b>File Ref:</b>	<b>A505</b>
<b>Author:</b>	<b>KP O’Neill                      Manager Finance &amp; Assets</b>
<b>Date:</b>	<b>8 August 2017</b>
<b>Disclosure of Interest:</b>	<b>Cr Prout declared a Financial Interest in this Item as the Manager of the Tambellup Business Centre and left the meeting at 4.18pm.</b>

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<b>Summary:</b>	Council to consider granting a concession on rates for the 2017/18 year.
<b>Background:</b>	The Tambellup Business Centre has written requesting Council consider granting a rate concession for the 2017/18 financial year.
<b>Comment:</b>	<p>The Tambellup Business Centre is a not for profit organisation that provides training and assistance for small businesses, as well as assisting start up of new businesses.</p> <p>The Business Centre is unique in this area and is managed by a volunteer committee made up of local and regional members, of which Council currently holds a position.</p> <p>Council has granted a rate concession to the Tambellup Business Centre since 2010.</p>
<b>Consultation:</b>	Nil
<b>Statutory Environment:</b>	<p><i>Local Government Act 1995</i></p> <p><i>s6.47 Concessions</i></p> <p><i>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.</i></p> <p><i>*Absolute majority required.</i></p>
<b>Policy Implications:</b>	There is no policy applicable to this item.
<b>Strategic Implications:</b>	<p>Strategic Community Plan 2012-2022 – Building Prosperity</p> <p><i>Support the Tambellup Business Centre to enhance local business access to professional services and advice.</i></p>
<b>Asset Management Implications:</b>	There are no implications for the Asset Management Plan.

**Financial**

**Implications:** Rates for the Tambellup Business Centre are \$2,710.88 for the 2017/18 year.

Provision of \$4,000 has been included in the 2017/18 Budget for ‘Rates Written Off’ in anticipation of such requests.

**Workforce Plan**

**Implications:** There are no implications for the Workforce Plan.

**Voting**

**Requirements:** Absolute Majority

**Council Decision:** *170806*

*Moved Cr Batchelor, seconded Cr Paganoni*

*“That Council grants a rate concession to the Tambellup Business Centre for the 2017/2018 financial year.”*

***CARRIED 6/0  
By Absolute Majority***

**Reason For Change  
to Recommendation:**

Cr Prout returned to the meeting at 4.19pm.



## 10.06 REVIEW OF COUNCIL POLICY 1.5 – CODE OF CONDUCT FOR COUNCIL MEMBERS

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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<ul style="list-style-type: none"> <li>• <b>Policy 1.5 - Code of Conduct for Council Members</b></li> <li>• <b>Draft Copy of updated Policy - Code of Conduct for Council Members</b></li> <li>• <b>Local Government (Rules of Conduct) Regulations 2007 (as at 21 Jan 2017)</b></li> </ul>
<b>File Ref:</b>	<b>ADM0117 &amp; ADM165</b>
<b>Author:</b>	<b>KB Williams</b> <b>Chief Executive Officer</b>
<b>Date:</b>	<b>10 August 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to review Policy 1.5 – Code of Conduct for Council Members.

**Background:** Councillors agree to observe the Local Government (Rules of Conduct) Regulations 2007 when they sign the *Declaration by Elected Member of Council* when they are sworn in. Councillors are also guided by Council’s Code of Conduct, under Council Policy 1.5, and the contents of these documents are reiterated to councillors during the induction process following their swearing in.

Policy 1.5 was last reviewed by Council in 2015.

**Comment:** The *Local Government Act 1995* s.5.103 (1) requires every local government to prepare or adopt a Code of Conduct to be observed by Council members, Committee members and employees.

Council’s Code of Conduct covers such matters as the role of the Council member, principles guiding a member’s behaviour, Council’s relationship with employees, use of information, rules applying to disclosure of interests and the receipt of gifts, amongst other matters.

The *Local Government (Rules of Conduct) Regulations 2007* and Council’s Code of Conduct for Council Members should be read in conjunction with each other; both documents are attached.

Minor amendments are shown in red font in the attached Code.

**Consultation:** Nil

**Statutory Environment:** *Local Government Act 1995* -  
s. 5.103 (1): Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees; and  
s. 5.103 (3): Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.

**Policy Implications:** Nil unless Council resolves to further amend Policy 1.5 – Code of Conduct for Council Members

**Strategic Implications:** This issue is not dealt with in the Plan

**Asset Management Implications:** There are no asset management implications for Council

**Financial Implications:** This issue has no financial implications for Council

**Workforce Plan Implications:** There are no workforce plan implications for Council

**Voting Requirements:** Simple Majority

**Council Decision:** *170807*

*Moved Cr Dennis, seconded Cr White*

*“That Council, having reviewed Policy 1.5 Code of Conduct for Council Members (Code), endorses its Code with amendments, as presented.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

**10.07 REVIEW OF COUNCIL POLICY 3.1 – PURCHASING POLICY**


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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>Policy 3.1 – Purchasing Policy</b>
<b>File Ref:</b>	<b>ADM0165</b>
<b>Author:</b>	<b>JA Stewart                      Manager Corporate Services</b>
<b>Date:</b>	<b>02 August 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to review Policy 3.1 – Purchasing Policy (Policy).

**Background:** Policy 1.3 was adopted in October 2008 and has since been reviewed in May 2014 and November 2015. The Policy’s purpose is to provide a best practice approach to procurement in line with legislative requirements and the principles of transparency, probity and good governance. The Policy defines the Shire’s purchasing processes, providing guidance to officers in order to comply with regulatory obligations surrounding the purchase of goods, services and works; the purchasing process also ensures Council’s Occupational Safety and Health requirements are considered when making purchasing decisions.

**Comment:** Where applicable, the Shire accesses panels of pre-qualified suppliers provided through the Western Australian Local Government Association’s (WALGA) Preferred Supplier Contract or Business Service; this applies generally in relation to procurement by tender and for higher end purchases. Currently, Council Policy 3.1 only makes reference to WALGA panels.

The use of panels enables a local government to simplify and professionalise its procurement process by awarding work to suppliers who have already met pre-determined criteria for working in the local government environment. Pre-qualified supplier panels also assist a local government to conduct its procurement process in a transparent, fair and equitable manner and to ensure those processes are sound and without prejudice.

Many local and regionally based suppliers and services are not registered with the WALGA panel service. Local governments are able to establish their own panels for the procurement of suppliers and services; however, to do so, a local government must have a purchasing policy that adequately meets the requirements for establishment of such panels (*Local Government (Functions & General) Regulations 1996*, Part 4 Division 3 r.24).

It is proposed that updates be made to Council Policy 3.1 – Purchasing Policy to allow for the establishment of pre-qualified supplier panels and to bring the Policy into line with WALGA’s model policy – please see attached (additions/amendments in red font).

**Consultation:** WALGA Preferred Supplier Services  
Department of Local Government and Communities Circular No. 16-2015 – Amendments to the Local Government (Functions and General) Regulations 1996 – Best Practice

**Statutory****Environment:**

*s. 2.7 (2) (b) Local Government Act 1995* requires Council to ‘determine the local government’s policies’.

*Local Government (Functions & General) Regulations 1996* including but not limited to -

Part 4 Division 3 r.24AB – Local government may establish panels of pre-qualified suppliers

‘A local government may establish a panel of pre-qualified suppliers to supply particular goods or services to the local government in accordance with this Division.’

Part 4 Division 3 r.24AC – Requirements before establishing panels of pre-qualified suppliers:

(1)A local government must not establish a panel of pre-qualified suppliers unless —

- (a) it has a written policy that makes provision in respect of the matters set out in subregulation (2); and
- (b) the local government is satisfied that there is, or will be, a continuing need for the particular goods or services to be supplied by pre-qualified suppliers.

(2) The matters referred to in subregulation (1)(a) are —

- (a) how the local government will procure goods or services from pre-qualified suppliers, including any process for obtaining quotations from them; and
- (b) how the local government will ensure that each pre-qualified supplier on a panel of pre-qualified suppliers will be invited to quote for the supply of the goods or services that the pre-qualified suppliers will be expected to supply; and
- (c) how the local government will ensure clear, consistent and regular communication between the local government and pre-qualified suppliers; and
- (d) any factors that the local government will take into account when distributing work among pre-qualified suppliers; and
- (e) the recording and retention of written information, or documents, in respect of —
  - (i) all quotations received from pre-qualified suppliers; and
  - (ii) all purchases made from pre-qualified suppliers.

**Policy Implications:**

Allowing for the establishment of the Shire’s own pre-qualified supplier panels represents an additional procurement method that will assist in ensuring a best practice approach to purchasing activities.

**Strategic****Implications:** Nil**Asset Management****Implications:** Nil**Financial****Implications:** The establishment of pre-qualified supplier panels (with pre-determined criteria) has the potential benefit of cost certainty over the timeframe of a panel, both for a shire's budget costing purposes and throughout the financial year (fixed hourly rates being an example).**Workforce Plan****Implications:** Pre-determined criteria and costings could be expected to impact positively on the expediency of the procurement process; once established, pre-qualified supplier panels provide for a more streamlined process.**Voting****Requirements:** Simple Majority**Council Decision:** *170808**Moved Cr Paganoni, seconded Cr White**“That Council updates Policy 1.3 – Purchasing Policy (Policy), as presented, to allow Council to establish pre-qualified supplier panels if it so wishes, and to bring the Policy into line with contemporary best practice.”***CARRIED 7/0****Reason For Change  
to Recommendation:**

## 10.08 REVIEW OF COUNCIL POLICY 2.2 – OCCUPATIONAL SAFETY AND HEALTH

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<b>Program:</b>	<b>Governance</b>
<b>Attachment:</b>	<b>Policy 2.2 – Occupational Safety and Health</b>
<b>File Ref:</b>	<b>ADM0209</b>
<b>Author:</b>	<b>JA Stewart                      Manager Corporate Services</b>
<b>Date:</b>	<b>01 August 2017</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

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**Summary:** Council to review Policy 2.2 - Occupational Safety and Health (OSH) following the OSH Safety Committee's annual review of this document.

**Background:** Council's Policy 2.2 was originally adopted in October 2008, amended in March 2012 and reviewed in May 2015 and May 2016.

Occupational Safety and Health requirements include an annual review of Council's OSH Policy (Policy). The objective of this document is to assist Council to comply with requirements in the management of OSH in the workplace.

**Comment:** Council's Occupational Safety and Health Committee has recently endorsed the updated, attached OSH Policy which includes removal of some existing employer information (replaced with more detailed information in relation to legislation around the employer's duty of care) and the inclusion of additional information that provides more emphasis on the employees' duties of care. All employees read and acknowledge this Policy on commencement of employment and the Policy is displayed in administration and depot buildings. The updates bring the Policy into line with contemporary best practice.

**Consultation:** Monty Archdale - LGIS Regional Risk Coordinator, Great Southern

**Statutory Environment:** *Local Government Act 1995 s.2.7 (2) (b)*

**Policy Implications:** As per amendments

**Strategic Implications:** This issue is not dealt with in the Plan

**Asset Management Implications:** There are no asset management implications

**Financial Implications:** This issue has no financial implications for Council

**Workforce Plan Implications:** Minor administrative requirements (e.g.; annual review)

**Voting Requirements:** Simple Majority

**Council Decision:**            **170809**

*Moved Cr Batchelor, seconded Cr Thompson*

*“That Council endorses the Occupational Safety and Health Policy, as presented, inclusive of amendments as endorsed and recommended by Council’s Occupational Safety and Health Committee”.*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**

**10.09 TAMBELLUP SPORTS GROUND FACILITIES - LEASE**


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<b>Program:</b>	<b>Recreation and Culture</b>
<b>Attachment:</b>	<b>Lease - Tambellup Community Pavilion Association Inc.</b>
<b>File Ref:</b>	<b>CLAF137</b>
<b>Author:</b>	<b>PA Hull Strategic Support &amp; Projects Officer</b>
<b>Date:</b>	<b>8 August 2017</b>
<b>Disclosure of Interest:</b>	<b>Cr Prout declared a Financial Interest in this Item as the Bar Manager of the Tambellup Community Pavilion and left the meeting at 4.36pm.</b>

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**Summary:** Council to consider entering into a Lease Agreement with the Tambellup Community Pavilion Association Incorporated, for the management of the Tambellup Sports Ground facilities.

**Background:** The construction of the new facilities at the Tambellup Sports Ground is complete and Council has previously determined that its preference is for the facilities to be managed by the community.

A new community organisation, the Tambellup Community Pavilion Association Inc. (TCPA) has been established for the purpose of assuming the ongoing management of the facilities. A grant was secured that allowed the Association's committee to work with a consultant to ensure all legislated governance requirements are completed, and incorporation was granted in June 2017.

In order to formalise the transition of management of the facilities to the committee, it is suggested Council enters into a lease agreement with the TCPA.

**Comment:** A draft of the lease document was endorsed by Council at the May 2017 Ordinary Council meeting.

Since that time, a number of amendments have been made to the document, specifically the following clauses:

26. *The building will be handed over to the Tenant at the date of execution of this document with appropriate furniture and equipment as listed in Appendix 2: 'Inventory' to this document. Ownership for the duration of the tenancy, and maintenance and replacement of furniture and equipment as listed in Appendix 1 is the responsibility of the Tenant.*

27. *In the event the Tenant ceases to operate within the terms of its Constitution, all furniture and equipment listed in Appendix 2: Inventory shall remain within the building.*

In addition, minor amendments have been made to *Appendix 1 - Responsibilities*, as clarified with the TCPA.

**Consultation:** Tambellup Community Pavilion Association Inc.  
Chief Executive Officer



**Statutory**

**Environment:** Local Government Act 1995  
3.58. *Disposing of property*

Local Government (Functions and General) Regulations 1996  
30. *Dispositions of property excluded from Act s. 3.58*

The lease of the facilities to the TCPA is considered an exempt disposition under the above legislation.

**Policy Implications:** Nil

**Strategic**

**Implications:** The Shire’s Strategic Community Plan identifies ‘Strengthening community spirit’ as an important aspiration. Within that aspiration is the commitment to ‘Partner with the community to support the creation of community driven associations in Broomehill and Tambellup’.

**Asset Management**

**Implications:** The lease of the facilities at the Tambellup Sports Ground transfers day-to-day responsibility for the management to the TCPA. Council retains ownership and long term asset management responsibilities.

**Financial**

**Implications:** Council will receive revenue of \$5,000 per annum through payment of the lease fee by the TCPA.

**Workforce Plan**

**Implications:** There are no workforce plan implications.

**Voting**

**Requirements:** Simple Majority

**Council Decision:** *170810*

*Moved Cr White, seconded Cr Paganoni*

*“That Council enters into a lease agreement with the Tambellup Community Pavilion Association Incorporated for the management of the Tambellup Sports Ground and facilities for a term of three years with an annual lease fee of \$5,000.”*

**CARRIED 6/0**

**Reason For Change to Recommendation:**

Cr Prout returned to the meeting at 4.38pm.  
Cr Prout left the meeting at 4.39pm.  
Kelly Holzknacht left the meeting at 4.39pm.

**11.01 CONFIDENTIAL ITEM**

***170811***

***Moved Cr Dennis, seconded Cr Batchelor***

***“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***

**11.01 CONFIDENTIAL: PLANT REPLACEMENT – COMPACT TRACK LOADER**


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<b>Program:</b>	Transport
<b>Attachment:</b>	<b>Confidential: Analysis of quotations received and specification for new Compact Track Loader</b>
<b>File Ref:</b>	ADM0303 & ADM0414
<b>Author:</b>	GC Brigg                      Manager of Works
<b>Date:</b>	11 August 2017
<b>Disclosure of Interest:</b>	Nil

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**Council Decision**            *170812*

*Moved Cr Prout, seconded Cr Dennis*

1. *“That Council accepts the quote from Westrac to purchase the Caterpillar 299D XHP which includes the forestry package and the extended 36months/6,000hr full machine warranty and trades Council’s current Caterpillar 259B for the price of \$110,075.70;*
2. *That Council accepts the quote from Westrac and purchase the multipurpose bucket offered as optional extra \$5650;*

**CARRIED 7/0**

*170813*

*Moved Cr White, seconded Cr Thompson*

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

**CARRIED 7/0**

Kelly Holzknacht returned to the meeting at 4.59pm.

**12.01****MAINTENANCE REPORT FOR JUNE/JULY 2017**

**Program:** Transport  
**Attachment:** Nil  
**File Ref:** Nil  
**Author:** GC Brigg Manager of Works  
**Date:** 11 August 2017  
**Disclosure of Interest:** Nil

Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
0TA	Toyota Landcruiser wagon			2017	2017	1 yr / 30,000km	
1TA	Toyota Hilux			2017	2017	1 yr / 30,000 kms	
BH00	Toyota Hilux Dual Cab	2,505	10,000	2017	2017	1 yr / 30,000 kms	
BH000	Holden Colorado			2017	2017	1yr / 30,000 km	
BH001	CAT vibe Roller	323	250	2016		8 yrs / 8000 hrs	
BH002	ISUZU Flatbed Truck	10,912	20,000	2016	2016	7 yrs / 250,000km	
BH003	Toyota Landcruiser GXL Dual Cab	17,542	20,000	2017	2017	1 yr / 30,000 km	Serviced at 10,000km.
BH004	CAT 12M Grader	7,930	8,000	2250	2009	8 yrs / 8,000 hrs	Adjusted circle drive wear pads. Fitted new Oversize sticker.
BH005	Cat multi tyre Roller	5,009	5,000	2011	2011	8 yrs / 8000 hrs	Replaced 2 hydraulic hoses & replaced side glass.
BH006	CAT 12M	5,064	5,500	2012	2012	8 yrs / 8,000 hrs	Serviced @ 5,022 hrs.
BH007	Toro mower	552	600	2016	2016	5 yrs / 5,000 hrs	Fixed hole in cutting deck & replaced all idler pulley.
BH009	Colorado 4x4 Tray Back	13,697	15,000	2015	2015	1 yr / 30,000 km	
BH012	Isuzu Fire Truck						
BH013	Cat 444F Backhoe	1,814	2000	2013	2013	10 yrs / 8,000 hrs	Fixed transmission filler pipe.
BH014	Toyota Landcruiser	2,330	10,000	2017	2017	1 yr / 30,000 km	
BHT0	Kenworth Truck	16,213	20,000	2016	2017	5 yrs / 250,000 km	
BHT84	Toro Groundmaster 3500D mower	540	600	2013	2013		
BHT92	CAT 259B3 Skid Steer	1,414	1500	2012	2013	5 yrs / 8,000hrs	Replaced door glass. Checked and greased.
BHT125	Mack Curser 8 Wheel Tipper	114,115	120,000	2013	2013	8yrs / 250,000km	Fixed hydraulic stop valve.
BHT1624	Fuel trailer			2015	2016		
BHT1633	Tandem Axle Dolly	18512		2015	2015		
TA001	Toyota Landcruiser	5,442	10,000	2017	2017	1 yr / 30,000 kms	Fitted Accessories.
TA005	Toyota Hilux Tray Top	3,141	10,000	2016	2016	1 yr / 30,000 kms	
TA017	Isuzu Tipper	81,551	95,000	2014	2014	5 yrs / 200,000 km	Serviced @ 80,000 km.
TA052	Toyota Hilux Tray Top	6,516	10,000	2017	2017	1 yr 30,000 km	
TA06	Jet Patcher Isuzu	146,304	150,000	2007	2010	8 yrs / 8,000 hrs	Fixed pneumatic switching system, hydraulic needs to be fixed, still waiting for parts.
TA18	12M Grader	1,076	1,500	2016	2016	7 yrs / 8,000 hrs	Serviced @ 1,046 hrs.

Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
TA281	930K Loader	2,564	3,000	2014	2014	8 yrs / 8,000 hrs	Serviced @ 2,507 hrs, Fixed transmission fault.
TA386	Isuzu Tipper	53,578	60,000	2012	2012	5 yrs / 200,000 km	
TA2251	3 axle Float Trailer				2009		
1 TIU 961	Papas Tandem Fuel Trailer			2008			
1TMR361	Rockwheeler Side Tipper Trailer	58,454		2012	2012		
1TMR367	Tandem Axle Dolly						Replaced mudflaps.
BKTBR	Skid steer Bucket Broom			2013			Replaced bristles.
1TLT850	Loadstar 8x5 Trailer			2011			
BH2085	Trailer for Pump at Town dam						
BH2098	Boxtop Trailer						
BH2134	Trailer for Mobile Standpipe						
TA2129	Fuel Tanker						
1TCY082	Papas Tandem Fuel Trailer						
1TCY093	Papas Tandem Trailer						Replaced tail lights and rewired plug.
1TIU961	8 x 5 Papas Fuel Trailer						
1TFH594	Loadstar Boxtop Trailer						
1TFC580	Gardeners Boxtop trailer						
1TFD241	Boxtop Trailer for firefighting						
1TJX516	Plant Trailer for Mowers						
BHT1624	Fuel Trailer				2016		
1TOI298	Sign Trailer				2015		
Fogger	Fogger						
TSAW	Tree Saw						
STAB	Stabiliser attachment				2014		
CATBR	Caterpillar Broom						
	Cement Mixer						
	Tree Grab						Fitted new hose shield & replaced 2 hoses.
	Wacker Packer						
	Tambellup Fogger						Made a fogger stand for easy loading.
	Broomehill Fogger						
1TRR872	Hire Side Tipper Trailer	1876		2016			

*This Report was received by Council*

**12.02****WORKS REPORT FOR JULY 2017**

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<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Nil</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>GC Brigg</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>11 August 2017</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Broomehill**

- Gardeners are working hard keeping up with parks and gardens after good rain over the last month.
- Roses and gardens have been pruned ready for spring.
- CBH dams are full.
- Town Dam is full.
- Complex dam is full (above the inlet pipes). All set for next summer.
- Paul Plant is erecting the shade structure in Holland Park. Shade structure is complete. The following items remain to be done: secure playgroup shades (shade cloth) to the new building, re-install swings into the playground (removed for access), reinstate fencing and sand soft fall.
- Paul Plant has completed pram ramps around town.
- Clover is still a problem on the oval. Imported sand used for top dressing the oval seems to be the main problem for the influx of clover. Contractor will continue to spray every 2 weeks.
- After discussions, gravel will be back loaded to the tennis courts in preparation of retaining the fill under the courts.

**Tambellup**

- Gardeners are busy trimming trees.
- Gardeners have been pruning roses and plants around town getting ready for spring growth.
- A number of works staff are busy completing landscaping at the oval.
- Clover is starting to show in the oval. Broadleaf spraying will be done before the opening of the pavilion.
- Woodlands will carry out soil tests before the spring to check if treated water is affecting the soil. They will custom blend the new fertilizer to suit the soil tests.
- There was a change of plans with the sequence of constructing the pram ramps. Ramps have been started at the intersection of Crowden and Taylor Street. Ramps at the intersection of Crowden Street and Norrish Street will be next.
- The Carport for the Administration office has been picked up and will be installed as the builder completes other projects.
- A number of staff have been doing tidy up work at the pavilion. This includes finishing gravelled areas.
- Jam Creek dam pump has been repaired and working again.
- Jam creek dams are full.
- Number 2 dam is down around 2m.
- Number 1 dam is down around 1m.

## Roads

- Construction crew are still working on gravel sheeting Beejenup Road. Trucks were diverted to carting topsoil and mulch from Albany and have been held with a number of wet days. There is still around 4 weeks of gravel sheeting of Beejenup Road to be done.
- Gravel sheeting is completed from the intersection of Gnowangerup / Beejenup to the intersection of Beejenup / Toolbrunup Road, approximately 13km. Construction crew will continue gravel sheeting south of Beejenup / Toolbrunup intersection heading south until funds are exhausted.
- Construction crew have been doing gravel repairs on various roads plus installing bus stops.
- Maintenance graders are working on roads west of Tambellup moving north.
- Maintenance crew have been working on landscaping and other projects around the pavilion.
- Mechanic is waiting for parts for the Jetpatcher and when repaired it will be on the bitumen network.
- Backhoe has been cleaning culverts along various roads.

## Plant

- Still waiting for the Landcruiser dual cab ute for the leading hand construction. This vehicle is now 2 months late.
- Seeking a number of quotes for other replacements. Most vehicles need to be ordered 10 weeks ahead at present. Landcruisers are taking up to 5 months.
- Ingrey Ford Narrogin has been sold. The new owners are keen for the shire to move to a Ford fleet. Salespeople are currently working on a deal for changeovers across the fleet.
- The Mack truck has an exhaust leak. The truck will go to Albany Truck Centre when the exhaust manifold is removed so that the exhaust system can be faced before installing new gaskets.
- New 1200mm stabilizer has arrived in Bunbury. This will be delivered when ready.
- After conversations with Westrac about Visionlink, it was found that some of the older machines did report incorrect information on idle time. Westrac service personnel explained the parameters were set too wide with earlier machines regarding idle time. Some mining operators were finding Visionlink was reporting up to 58% idle time when this was incorrect. Westrac have carried out updates to all the machines with the Visionlink system. Older units like the 2009 Caterpillar 12M were well out of date. Westrac have reset the parameters so idle time is when there is no input from the operator. This is basically if the machine is sitting idling out of gear with the operator not using any controls. This will give a much better guide on idle time in the future.
- After discussions held with Pickles Auctions and Westrac it was noted that used grader sales to eastern states are growing. Westrac valuation for trading the 2009 12M grader at budget time was \$100,000. Pickles Auctions are selling 12M graders through the auctions between \$120,000 and \$140,000.
- It is worth council discussing the replacement of the 2009 grader sooner than discussed, as the overall saving to council could be \$30,000 if done while graders are selling well to the eastern states. Current idle time is being policed using the Visionlink system.

***This Report was received by Council***

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**

Nil

**14. DATE OF NEXT MEETING**

21 September 2017

**15. CLOSURE**

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 5.23pm.