



Ordinary Meeting of Council

MINUTES

18 March 2021

THIS DOCUMENT IS AVAILABLE IN OTHER FORMATS ON REQUEST FOR PEOPLE WITH
DISABILITY.



CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
2.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	1
3.	ATTENDANCE	1
3.1	APOLOGIES	1
3.2	APPROVED LEAVE OF ABSENCE.....	1
4.	DECLARATION OF INTEREST	1
5.	PUBLIC QUESTION TIME	1
6.	PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS.....	2
7.	ITEMS BROUGHT FORWARD BY DECISION OF COUNCIL.....	2
8.	CONFIRMATION OF PREVIOUS MEETING MINUTES.....	2
8.1	ORDINARY MEETING OF COUNCIL MINUTES 11 FEBRUARY 2021	2
9.	RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING	2
9.1	AUDIT COMMITTEE MEETING MINUTES 11 FEBRUARY 2021	2
9.2	ADOPTION OF THE RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING MINUTES OF 11 FEBRUARY 2021	3
9.3	LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING MINUTES 09 MARCH 2021 ...	3
9.4	ADOPTION OF THE RECOMMENDATIONS OF THE LEMC COMMITTEE MEETING OF 09 MARCH 2021	3
10.	REPORTS OF OFFICERS	3
10.01	FINANCIAL STATEMENTS FOR JANUARY 2021	4
10.02	CREDITORS ACCOUNTS PAID FEBRUARY 2021.....	7
10.03	WORKS REPORT FOR MARCH 2021.....	9
11.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	12
11.01	CONFIDENTIAL: WORKFORCE PLAN 2018-2022 – MINOR REVIEW	13
11.02	CONFIDENTIAL: REQUEST FOR WAIVER OF RATES & CHARGES – A1066	13
11.03	CONFIDENTIAL: REQUEST TO WRITE OFF PENALTIES & LEGAL FEES - A146.....	14
11.04	CONFIDENTIAL: UNREASONABLE COMPLAINANT CONDUCT POLICY.....	14
12.	APPLICATIONS FOR LEAVE OF ABSENCE	15
13.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	15
14.	QUESTIONS FROM MEMBERS WITHOUT NOTICE	15
15.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	15
16.	CLOSURE.....	15

SHIRE OF BROOMEHILL-TAMBELLUP

Minutes of an Ordinary Meeting of Council of the Shire of Broomehill-Tambellup held in the Tambellup Council Chambers on Thursday 18 March 2021 commencing at 4.40pm.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President welcomed Councillors, staff and Tambellup resident Mr Warren Jeater and declared the meeting open at 4.40pm.

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

Cr Paganoni, Cr Holzknecht, Cr Penny and Cr Barritt declared an Impartiality Interest in Item 11.02 Confidential: Request for waiver of rates and charges - A1066.

5. PUBLIC QUESTION TIME

Warren Jeater, a resident of Tambellup wanted to bring a few things to the Shire's attention.
Speed Limits:

On the Great Southern Highway, north of Tambellup and just before the Tambellup Cemetery, the signage is 90km. A suggestion was made to move the 90km signage approximately 300metres beyond the Tambellup Cemetery for safety concerns for people turning in to the Cemetery. Works Manager, Peter Vlahov will have a discussion with Main Roads, Western Australia (MRWA) regarding this. Comment was made by Mr Jeater that speeding was an issue on East Terrace Tambellup, and some vehicles were doing more than the 50km zone. This will be raised by the Shire with the Tambellup Police, for monitoring, and it was suggested that Mr Jeater also contact the Police to bring it to their attention.

Mosquitos:

Mr Jeater mentioned that the town fogging for mosquitos had occurred during Monday and Tuesday night this week and was concerned about the open culvert drain East of Crowden Street, Tambellup. Water sits in the open culvert and is a breeding ground for mosquitos and Mr Jeater enquired if something could be done to fix this.

Works Manager, Peter Vlahov, said the Shire had looked at re-contouring the drain so there was better water flow, or filling the drain, and a further assessment will be made before the winter.

The Chief Executive Officer (CEO) Keith Williams has been in discussions with the Department of Health and the Shire of Gnowangerup to use a different system to control the mosquitos. The Shire will be moving away from fogging and utilising a baiting system that is less harmful to native bees which are affected by the fogging.

Gardens:

Mr Jeater commented that the lack of street trees on Crowden Street made the street look bare and could there be more trees planted. Also the Norrish Street pavers near the Tambellup Deli needed repair and the concrete garden beds on Norrish Street needed filling with plants.

CEO Keith Williams said the Shire is currently landscaping and curbing Crowden Street.

Mr Jeater thanked the Councillors and staff for their time and retired from the meeting at 4.57pm.

Pam Hull left the meeting at 4.57pm.

Pam Hull returned to the meeting at 4.57pm.

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 11 FEBRUARY 2021

210301

Moved Cr Penny, seconded Cr White

That the Ordinary Meeting of Council Minutes of 11 February 2021 be accepted.

CARRIED 7/0

9. RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING

9.1 AUDIT COMMITTEE MEETING MINUTES 11 FEBRUARY 2021

210302

Moved Cr Holzknacht, seconded Cr Letter

That the Audit Committee Meeting Minutes of the 11 February 2021 be accepted.

CARRIED 7/0

9.2 ADOPTION OF THE RECOMMENDATIONS OF THE AUDIT COMMITTEE MEETING MINUTES OF 11 FEBRUARY 2021

210303

Moved Cr Holzknrecht, seconded Cr White

That, having undertaken a review of the Compliance Audit Return 2020, the Audit Committee recommends that it be adopted by Council as presented and forwarded to the Department of Local Government, Sport and Cultural Industries by 31 March 2021.

CARRIED 7/0

9.3 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING MINUTES 09 MARCH 2021

210304

Moved Cr Holzknrecht, seconded Cr Nazzari

That the Local Emergency Management Committee (LEMC) Meeting Minutes of the 09 March 2021 be accepted.

CARRIED 7/0

9.4 ADOPTION OF THE RECOMMENDATIONS OF THE LEMC COMMITTEE MEETING OF 09 MARCH 2021

210305

Moved Cr Letter, seconded Cr Nazzari

That the 'COVID-19 Post Exercise Report' as presented be endorsed and submitted to the State Emergency Management Committee.

Recommendation:

That a letter of thanks be sent to St John Ambulance Katanning for their ongoing support of the Tambellup Sub Centre, and other Sub Centres in the region.

CARRIED 7/0

10. REPORTS OF OFFICERS

10.01	FINANCIAL STATEMENTS FOR JANUARY 2021
Attachment:	Monthly Financial Statements for January 2021
File Ref:	Nil
Author:	KP O'Neill - Manager Finance and Administration
Date:	12 March 2021
Disclosure of Interest:	Nil

SUMMARY

Council to consider the monthly financial report for the period ending 31 January 2021.

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

OFFICER RECOMMENDATION

That the Financial Statements for the period ending 31 January 2021 and 28 February 2021 be adopted.

COUNCIL DECISION

210306

Moved Cr White, seconded Cr Letter

That Council move an amendment to the motion to remove the February 2021 Financial Statements.

CARRIED 7/0

COUNCIL DECISION:

210307

Moved Cr White, seconded Cr Letter

That the Financial Statements for the period ending 31 January 2021 be adopted.

CARRIED 7/0

REASON FOR CHANGE TO RECOMMENDATION

To remove the February 2021 Financial Statements from the Motion as they were not presented in the 18 March 2021 Agenda for adoption by Council.

10.02	CREDITORS ACCOUNTS PAID FEBRUARY 2021
Attachment:	List of Payments for February 2021
File Ref:	Nil
Author:	KP O’Neill – Manager Finance and Administration
Date:	12 March 2021
Disclosure of Interest:	Nil

SUMMARY

Council to consider the list of payments made from the Municipal and Trust Funds during February 2021.

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	\$872,853.77
Trust Fund	\$0.00
<u>Credit Cards</u>	<u>\$226.10</u>
<u>Total</u>	<u>\$873,079.87</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

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

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION

210308

Moved Cr Penny, seconded Cr Nazzari

That the list of accounts paid during February 2021, consisting of –

- Municipal Fund cheque, EFT and direct debit payments totalling \$872,853.77;***
- Trust Fund cheque payments totalling \$0.00; and***
- Credit Card payments totalling \$226.10***

be endorsed.

CARRIED 7/0

10.03	WORKS REPORT FOR MARCH 2021
Attachment:	Plant Maintenance Report – March 2021
File Ref:	Nil
Author:	P Vlahov – Manager of Works
Date:	11 March 2021
Disclosure of Interest:	Nil

SUMMARY

Council to consider the Manager of Works Report for March 2021.

BACKGROUND

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

COMMENT

Road Construction Program

- Staff are currently working on the Flat Rocks/Greenhills South Road intersection. This projects construction phase has been completed and the bitumen seal works have been programmed for 13th March. This phase will be followed by the installation of new signage which will complete the project.
- Tie Line/Moulyerup Road blackspot project will be commenced on the 15th March and it is anticipated that the works will take 3 weeks to complete.
- Some work has commenced on Journal Street Broomehill.

Plant Replacement

- Council has received the new Cat 444 Backhoe as per Councils Plant Replacement program 2020/21.

Maintenance Works

- Traffic Counters have been placed on various roads in accordance with Regional Road Group future funding applications.
- Installation of guide posts on various roads.
- Sign repairs and installations.
- The various signs throughout the shire that were painted with graffiti have now been replaced.
- Various pothole patching.
- Ongoing general maintenance as required.

Occupational Safety and Health

- A report has been compiled and forwarded to LGIS. This report lists the inspections that have been completed on Councils various playground equipment.
- One staff member has been off on Workers Compensation and is recommencing work this week.

Parks and Gardens

- A new Team Leader has been appointed to the Parks & Gardens team and has commenced work.
- Installed new garden beds located at the Broomehill Independent Living Units.
- General garden maintenance, oval mowing and weed control.
- The solar pumping system located at the Cooperative Bulk Handling (CBH) is operating at full capacity.
- The Jam Creek dams have received some run off and are at about one third capacity.

- Street and footpath sweeping.

RAV Requests Update

- Eureka Road has been requested to go from RAV 4 to RAV 7. All requested works have been completed and we are waiting for Main Roads to reassess.
- Norrish Road has been requested to be re-evaluated from RAV 4 to RAV 7. All requested works have been completed and we are waiting for Main Roads to reassess.
- Jam Creek Road has been requested to be re-evaluated from RAV 4 to RAV 7. All requested works have been completed and we are waiting for Main Roads to reassess.
- Bignell Road has been requested to be re-evaluated from RAV 4 to RAV 7. All requested works have been completed and we are waiting for Main Roads to reassess.

Depot Maintenance

Tambellup Depot

- New Fencing has been erected along the Bridge Street boundary.

Broomehill Depot

- The Mens Shed have inspected the old fire shed with a view to possibly using this facility.
- An Eye wash facility has been installed as part of our Occupational Safety and Health improvements.

Ranger Report

- Patrols of Broomehill and Tambellup town sites
- Patrols of bush reserves
- Sheep on road put back in paddock
- Removed snake from Broomehill Primary School
- Pictures of hooning car at the Broomehill Information Bay shown to police
- Follow up on report of goat stuck in fence
- Follow up report of sheep on the Great Southern Highway
- Fire break order compliance issues ongoing

Building Maintenance Report

- Ongoing Works request forms and general maintenance completed
- Installed new shade sails at the Broomehill Pavilion and arranged for a technician to secure properly
- Report of leaking roof at Tambellup Pavilion repaired
- Repaired leaking roof at 18 Ivy Street Broomehill
- Replaced bling track at 18 Ivy Street Broomehill
- Unit 1 Lavieville Lodge renovations completed
- Antennas at Broomehill Independent Living Units (ILU) upgraded to satellite
- Range hood issues at Broomehill ILU reported, builder not responding to repair the issue and new contractors scheduled to rectify
- Unit 1 Sandalwood Villas Tambellup cleaned out, faults repaired and new tenant has moved in
- Paving extension at Broomehill ILU completed
- Identified issues with monitoring the Tambellup Administration Office solar panels
- Fit out list and budget for Broomehill cabins started

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

210309

Moved Cr Nazzari, seconded Cr Penny

That Council receives the report from the Manager of Works for the month of March 2021.

CARRIED 7/0

11. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

PROCEDURAL MOTION

210310

Moved Cr Nazzari, seconded Cr White

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

11.01	CONFIDENTIAL: WORKFORCE PLAN 2018-2022 – MINOR REVIEW
Attachment:	<ul style="list-style-type: none">• Workforce Plan 2018-2022• Workforce Plan 2018-2022 - 2020 Minor Review
File Ref:	ADM0383
Author:	PA Hull – Strategic Support & Projects Officer
Date:	08 March 2021
Disclosure of Interest:	Nil

COUNCIL DECISION**210311*****Moved Cr White, seconded Cr Nazzari******That Council receives the Shire of Broomehill-Tambellup Workforce Plan 2018-2022 Minor Review as presented.******CARRIED 7/0***

11.02	CONFIDENTIAL: REQUEST FOR WAIVER OF RATES & CHARGES – A1066
Attachment:	Confidential: Correspondence from owner requesting waiver
File Ref:	A1066
Author:	KP O’Neill – Manager Finance & Administration
Date:	15 March 2021
Disclosure of Interest:	Cr Paganoni, Cr Holzknrecht, Cr Penny and Cr Barritt declared an Impartiality Interest in this Item as members of the Broomehill Co-Operative Committee.

COUNCIL DECISION**210312*****Moved Cr Penny, seconded Cr Holzknrecht******That Council advises the owner of rates assessment A1066 that a waiver of rates and charges owing has not been granted, and that the balance is required to be paid in full prior to settlement of the sale.******CARRIED 6/1******By Simple Majority******Cr White would have liked some form of rate relief for the applicant***

11.03	CONFIDENTIAL: REQUEST TO WRITE OFF PENALTIES & LEGAL FEES - A146
Attachment:	Confidential: Correspondence from owner
File Ref:	A146
Author:	KP O’Neill – Manager Finance & Administration
Date:	15 March 2021
Disclosure of Interest:	Nil

COUNCIL DECISION

210313

***Moved Cr Letter, seconded Cr Penny
That Council write off rates penalty interest, ESL penalty interest and legal fees charged to rate assessment A146, and advises the owner of this decision.***

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

11.04	CONFIDENTIAL: UNREASONABLE COMPLAINANT CONDUCT POLICY
Attachment:	Confidential: Unreasonable Complainant Conduct Policy
File Ref:	ADM0165
Author:	KB Williams – Chief Executive Officer
Date:	16 March 2021
Disclosure of Interest:	Nil

COUNCIL DECISION

210314

***Moved Cr Penny, seconded Cr Letter
That Council move an amendment to the motion.***

CARRIED 7/0

COUNCIL DECISION

210315

***Moved Cr Letter, seconded Cr White
That Council adopt the new policy 1.26 ‘Unreasonable Complainant Conduct Policy’ with amendment.***

CARRIED 7/0

REASON FOR CHANGE TO RECOMMENDATION

Council wanted to ensure the new policy covered all shire owned buildings.

PROCEDURAL MOTION

210316

Moved Cr Letter, seconded Cr White

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

CARRIED 7/0

12. APPLICATIONS FOR LEAVE OF ABSENCE

210317

Moved Cr White, seconded Cr Nazzari

That Cr Holzknicht be granted a Leave of Absence from the 15 April 2021 Ordinary Meeting of Council.

CARRIED 7/0

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 6.34pm.