



# Ordinary Meeting of Council

## MINUTES

19 July 2018

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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 19 July 2018 commencing at 4.00pm.

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

<b>Present:</b>	Cr SJF Thompson	President
	Cr MC Paganoni	Deputy President
	Cr GM Sheridan	
	Cr ME White	
	Cr MC Nazzari	
	Cr KJ Holzknacht	
	Cr CJ Letter	
	KB Williams	Chief Executive Officer (CEO)
	P Vlahov	Manager of Works
	KP O’Neill	Manager Finance and Administration
	PA Hull	Strategic Support and 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 4.04pm.

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

Nil

#### 4. PUBLIC QUESTION TIME

Nil

#### 5. APPLICATION FOR LEAVE OF ABSENCE

Cr Paganoni requested a Leave of Absence for the 16 August 2018 Ordinary Meeting of Council.

*180701*

*Moved Cr Sheridan, seconded Cr Holzknacht*

*“That Cr Paganoni be granted a Leave of Absence for the 16 August 2018 Ordinary Meeting of Council.”*

**CARRIED 7/0**

Cr Thompson requested a Leave of Absence for the 26 July 2018 Special Meeting of Council.

**180702**

*Moved Cr White, seconded Cr Nazzari*

*“That Cr Thompson be granted a Leave of Absence for the 26 July 2018 Special Meeting of Council.”*

**CARRIED 7/0**

Cr White requested a Leave of Absence for the 18 October 2018 and 15 November 2018 Ordinary Meetings of Council.

**180703**

*Moved Cr Letter, seconded Cr Sheridan*

*“That Cr White be granted a Leave of Absence for the 18 October 2018 and 15 November 2018 Ordinary Meetings of Council.”*

**CARRIED 7/0**

**6. DECLARATION OF INTEREST**

Nil

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

Nil

**8. CONFIRMATION OF PREVIOUS MEETING MINUTES**

**8.1 ORDINARY MEETING OF COUNCIL MINUTES 21 JUNE 2018**

**Council Decision:**        **180704**

*Moved Cr Holzknicht, seconded Cr Sheridan*

*“That the Ordinary Meeting of Council Minutes of 21 June 2018 be accepted.”*

**CARRIED 7/0**

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

**9.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MEETING MINUTES  
19 JUNE 2018**

**Council Decision:** 180705

*Moved Cr Thompson, seconded Cr White*

*“That the Local Emergency Management Committee Meeting Minutes  
of 19 June 2018 be accepted.”*

**CARRIED 7/0**

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

NIL

**11. MATTERS FOR DECISION**

**11.01 FINANCIAL STATEMENTS FOR JUNE 2018**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>Monthly Financial Statements for June 2018</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>KP O'Neill</b>	<b>Manager Finance and Administration</b>
<b>Date:</b>	<b>5 July 2018</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Council to consider the monthly financial report for the period ending 30 June 2018.

**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:** 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. At the end of June approximately 92% in rates and charges had been collected.

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.

Councillors should note that the financial report presented is an interim report as the accounts are still subject to final adjustments and allocations for the end of financial year. The audited financial report for the year ending 30 June 2018 will be presented for Council to adopt once it has been signed off by the Auditors.

**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:**        **180706**

*Moved Cr Paganoni, seconded Cr White*

*“That the interim Financial Report for the period ending 30 June 2018  
be received.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**



**11.02 CREDITORS ACCOUNTS PAID JUNE 2018**


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<b>Program:</b>	<b>Other Property and Services</b>	
<b>Attachment:</b>	<b>List of Payments for June 2018</b>	
<b>File Ref:</b>	Nil	
<b>Author:</b>	<b>KP O'Neill</b>	<b>Manager Finance and Administration</b>
<b>Date:</b>	<b>5 July 2018</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 June 2018.

**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	\$1,131,539.03
Trust Fund	\$29,203.26
Credit Cards	\$1,461.95
<b>Total</b>	<b>\$1,162,204.24</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:** 180707

*Moved Cr Letter, seconded Cr Sheridan*

*That the list of accounts paid during June 2018, consisting of –*

- *Municipal Fund cheque, EFT and direct debit payments totalling \$1,131,539.03;*
  - *Trust Fund cheque payments totalling \$29,203.26; and*
  - *Credit Card payments totalling \$1,461.95*
- be endorsed.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

## 11.03 POLICY AMENDMENT - APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

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<b>Program:</b>	<b>Governance</b>	
<b>Attachment:</b>	<ul style="list-style-type: none"> <li>• <b>Draft Amended Policy - Appointment of Acting Chief Executive Officer</b></li> <li>• <b>Current Policy 1.4</b></li> </ul>	
<b>File Ref:</b>	<b>ADM0165</b>	
<b>Author:</b>	<b>KB Williams</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>07 July 2018</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** For Council to consider adopting a revised policy related to the appointment of an Acting Chief Executive Officer for periods when the Chief Executive Officer (CEO) is on leave.

**Background:** Council has prepared and adopted a policy that is applicable when the CEO is on Annual or Long Service leave to ensure that the operation of the Local Government continues with good governance and oversight.

The policy is required to be modified as the position of Manager of Corporate Services has been made redundant, and the current policy provided for this position to Act as the CEO during periods of leave.

**Comment:** The *Local Government Act* requires local governments to make arrangements for an Acting CEO through the requirement to have a CEO. There are several options for Council to achieve this.

Many Council's appoint senior staff to the position of Acting CEO during periods when the CEO is on leave. This course of action is recommended, as was the case prior to the redundancy of the Manager of Corporate Services. This provides consistency, gives senior staff experience and builds capacity in the organisation.

Other options include appointing an external consultant or a CEO from another local government.

The draft policy includes an option of appointing a consultant CEO to ensure that the workload on senior staff is manageable over longer term periods.

Additionally, it is considered that any appointment to Acting CEO should attract the same rate of pay as the CEO.

**Consultation:**

- Voluntary Regional Organisational Councils (VROC) CEO's
- Senior staff

**Statutory Environment:** *Local Government Act 1995*

**Policy Implications:** Revised Policy

**Strategic**

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

**Asset Management**

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

**Financial**

**Implications:** Some costs may be incurred due to contractual and remuneration arrangements for staff during periods of Acting. These costs are budgeted.

**Workforce Plan**

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

**Voting Requirements:** Absolute Majority

**Council Decision:** *180708*

*Moved Cr Paganoni, seconded Cr Nazzari*

*“That the revised Appointment of Acting Chief Executive Officer Policy be adopted as tabled.”*

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

**Reason For Change to Recommendation:**

## 11.04 POLICY AMENDMENT - USE OF SHIRE PLANT AND EQUIPMENT

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<b>Program:</b>	<b>Governance</b>	
<b>Attachment:</b>	<ul style="list-style-type: none"> <li>• <b>Draft Amended Policy - Use of Shire Equipment by Staff, Community Groups and Organisations</b></li> <li>• <b>Current Policy 4.7</b></li> </ul>	
<b>File Ref:</b>	<b>ADM0165</b>	
<b>Author:</b>	<b>KB Williams</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>7 July 2018</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** For Council to consider adopting an amendment to the current policy to provide a framework for the use of Shire plant and equipment.

**Background:** The Chief Executive Officer (CEO) has identified a need to provide some guidance on the use of plant and equipment for personal and community use.

**Comment:** A policy on community use exists, however, Council currently does not have a policy relating to the personal use of plant and equipment owned by the Shire of Broomehill-Tambellup by staff.

Equipment is currently occasionally used and is generally returned in good working order. Equipment used ranges from mowers and whipper snippers to the skid steer loader.

Current practice allows Shire staff to utilise plant and equipment with the consent of the Manager of Works or CEO.

A draft policy has been developed to provide criteria and conditions on the private or community use of plant and equipment.

Various local governments allow employees to use plant and equipment, some for no cost, others as 'dry hire'. The Shire's of Cranbrook, Leonora, Moora and Plantagenet all allow use with conditions. Some local governments, such as the Shire of Denmark do not allow any employee use of plant and equipment.

Council can choose to adopt the tabled policy or to refuse to allow any use.

Additionally, there should be some criteria for community use of plant and equipment. Most of this use occurs during work hours and is covered by the Shire's insurance and conditions (such as recent community cropping and the Broomehill Historical Society works), however, from time to time some use may be outside of work hours.

**Consultation:**

- Western Australian Local Government Association (WALGA)
- Local Government Insurance Service (LGIS)
- Other local governments' senior staff.

**Statutory**

**Environment:** *Occupational Safety and Health Act 1984*

**Policy Implications:** Amended Policy

**Strategic**

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

**Asset Management**

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

**Financial**

**Implications:** Some costs may be incurred for community uses

**Workforce Plan**

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

**Voting Requirements:** Simple Majority

**Council Decision:** *180709*

*Moved Cr Paganoni, seconded Cr White*

*“That the amended ‘Use of Shire Plant and Equipment’ Policy be adopted as tabled.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**



**Council Decision:**        **180710**

*Moved Cr Sheridan, seconded Cr Holzkecht*

*“That Council receives the ‘Disability Access and Inclusion Plan – Progress Report 2017/2018’ as presented.”*

**CARRIED 7/0**

**Reason For Change to  
Recommendation:**



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**11.06 PROPOSED STORAGE SHED EXTENSION – LOT 118  
TAMBELLUP WEST ROAD, TAMBELLUP**


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**Program:** Planning  
**Attachment:** Site Plan  
**File Ref:** A469  
**Author:** KB Williams Chief Executive Officer  
**Date:** 10 July 2018  
**Disclosure of Interest:** Nil

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**Summary:** For Council to consider an application for a Storage Shed extension to be developed at Lot 118 Tambellup West Road, Tambellup.

**Background:** An application for the development of an extension to an existing Storage Shed was received on 14 June 2018.

The proposed development consists of a 5.65 x 6.8 metre metal shed with a floor area of 38.4 square metres, to be added to an existing storage shed.

The shed has wall heights of 2.2 metres and a maximum height of 2.7 metres at the roof apex.

The shed is located near an existing dwelling from the dwelling located on the property.

**Comment:** Zoning

The subject lot is zoned for ‘Special Rural’ land uses under the Shire of Tambellup Local Planning Scheme No 2 (‘the Scheme’).

Description of Application

The applicant is seeking a planning approval to develop a storage shed.

Relevant Scheme Provisions

Zoning

In most zones Single Dwellings and ancillary outbuildings are exempt from the requirement to obtain Planning Consent; however, the proposed sheds are not ancillary to the dwelling/s located on the property, and Clause 6.5.4.1 specifically requires development approval for all development within the Special Rural zone.

The proposed development therefore requires planning approval.

Development Standards:

The Scheme contains the following setback provisions relevant to the application:

**5.5 SITE REQUIREMENTS**

*The site building requirements for land in various zones shall be as set out in Table 2.*

**TABLE 2 - SITE REQUIREMENTS - MINIMUM SETBACKS FROM BOUNDARIES**

<b>ZONE</b>	<b>STREET</b>	<b>REAR</b>	<b>SIDE</b>
<i>Residential</i>	<i>As in the R Codes</i>		
<i>Town Centre</i>	<i>0m</i>	<i>At the Council's discretion</i>	
<i>Industrial</i>	<i>7.5m</i>	<i>7.5m</i>	<i>5m on one side</i>
<i>Rural Residential</i>	<i>15.0m</i>	<i>10.0m</i>	<i>10.0m</i>
<i>Farming</i>	<i>15.0m</i>	<i>10.0m</i>	<i>10.0m</i>

The shed complies with the development standards. The nearest property boundary is over 160 metres away.

The proposed shed is located outside of a Bushfire Prone Area and does not require a Bushfire Attack Level (BAL) assessment.

It is recommended that the proposed use is consistent with the Scheme objectives and can be approved.

**Consultation:** Council has the ability to advertise any application under the Scheme.

Consultation has occurred with the applicant.

**Statutory Environment:** Shire of Tambellup Town Planning Scheme No 2.

**Policy Implications:** Nil

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

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

**Financial Implications:** The applicant has paid the planning fees

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

**Voting Requirements:** Simple Majority

**Council Decision:**        **180711**

*Moved Cr Letter, seconded Cr Nazzari*

*“That Council approve the application lodged by T Lay for the use and development of an extension to an existing Storage Shed on Lot 118 Tambellup West Road, Tambellup, subject to the following conditions:*

- 1.    The term of this approval is limited and expires 24 months from the date of this planning consent;”*

**CARRIED 7/0**

**Reason For Change  
to Recommendation:**

**11.07****WORKS REPORT FOR JUNE/JULY 2018**

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<b>Program:</b>	<b>Transport</b>	
<b>Attachment:</b>	<b>Plant Maintenance Report – June/July 2018</b>	
<b>File Ref:</b>	<b>Nil</b>	
<b>Author:</b>	<b>P Vlahov</b>	<b>Manager of Works</b>
<b>Date:</b>	<b>11 July 2018</b>	
<b>Disclosure of Interest:</b>	<b>Nil</b>	

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**Summary:** Council to consider the Manager of Works Report for June/July 2018.

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

**Comment:** **Programmed Construction Works**

- Regional Road Group Submissions have been completed and submitted for 2018/19 and 2019/20.
- The construction team is currently on maintenance grading of bitumen shoulders. The Broomehill-Kojonup Road, Flat Rocks Road, Fairfield Road, North Greenhills Road and Tieline Roads have been completed.
- The new wash down bay which is located at the Tambellup Works Depot will be completed by the 17<sup>th</sup> July and the existing pressure cleaner will be relocated to the Broomehill Depot.

**Plant Replacement**

- Have started the process of gathering prices and information for items listed in the 10 year Plant Replacement Program.
- A machinery demonstration day was held at the Tambellup Works Depot on Tuesday the 10<sup>th</sup> of July. It was well attended by neighbouring shire staff.

**Maintenance Works**

- Grading various roads
- Pot-hole patching
- Roadside vegetation pruning/slashing has been completed on various roads in the Broomehill district and the Contractor is currently working on Etna Road.
- General maintenance
- Various fallen trees
- Signage maintenance
- Guide posting maintenance
- Install concrete steps at the Tambellup Oval
- Install a new drainage sump at the intersection of Crowden and Norrish Streets.
- Assisted with various garden operations and various construction jobs.

## Building Maintenance

- Various minor repairs at Lavieville Lodge.
- Repair electrical faults at the Broomehill Caravan Park.
- Air conditioners have been repaired at 11 Lavarock Street and the Tambellup Refuse Site.
- Various minor repairs at the Tambellup Pavilion.
- Replaced light fittings at the Holland Park toilets.

## Occupational Health and Safety

- There have been no incidents to report.

## Parks and Gardens

- Diprose Park tree removal
- Pruned various street trees.
- Weed control
- Oval maintenance
- General mowing
- Reticulation repairs and maintenance
- Broomehill Complex - Some landscaping work has commenced and will be ongoing
- Dam Levels:
  - ❖ Tambellup West Dam (No 2) is 90% full
  - ❖ Jam Creek Dam 30% full
  - ❖ Broomehill Dam is 50% full
- Work has commenced on planting various shrubs into a garden bed in Broomehill adjacent to the Broomehill Hall.

## Workshop

- Minor repairs and servicing
- Re-calibrated the grade control on the construction grader
- Have begun constructing a small greenhouse at the Tambellup Depot and have relocated the existing greenhouse to the Broomehill Depot.

For Council discussion and comment.

**Consultation:** Nil

**Statutory Environment:** *Local Government Act 1995*

**Policy Implications:** Nil

**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

**Voting**

**Requirements:** Simple Majority

**Council Decision:** *180712*

*Moved Cr Paganoni, seconded Cr White*

*“That Council receives the report from the Manager of Works for the months of June/July 2018.”*

**CARRIED 7/0**

**Reason For Change  
to Recommendation:**

**12.01 CONFIDENTIAL ITEM**

**180713**

*Moved Cr White, seconded Cr Holzkecht*

*“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**

**12.01****CONFIDENTIAL: WORKFORCE PLAN 2018-2022**

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**Program:** Governance  
**Attachment:** **Shire of Broomehill-Tambellup Workforce Plan 2018-2022**  
**File Ref:** ADM0383  
**Author:** PA Hull Strategic Support & Projects Officer  
**Date:** 05 July 2018  
**Disclosure of Interest:** Nil

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**Council Decision:** 180714

*Moved Cr Paganoni, seconded Cr Sheridan*

*“That Council receives the Shire of Broomehill-Tambellup Workforce Plan 2018-2022 as presented.”*

**CARRIED 7/0**

**Reason For Change to Recommendation:**

180715

*Moved Cr White, seconded Cr Sheridan*

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

**CARRIED 7/0**



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

Nil

**14. DATE OF NEXT MEETING**

Special Meeting of Council 26 July 2018

Ordinary Council Meeting 16 August 2018

**15. CLOSURE**

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 5.02pm.