

Ordinary Meeting of Council

MINUTES

21 September 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 21 September 2017 commencing at 4.26pm.

1. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present: 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)
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 4.26pm.

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

Chief Executive Officer Keith Williams declared a Financial Interest in Item 12.01 and a Financial Interest in Item 12.03.

7. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

8. CONFIRMATION OF PREVIOUS MEETING MINUTES

8.01 ORDINARY MEETING OF COUNCIL MINUTES 17 AUGUST 2017

170901

Moved Cr Thompson, seconded Cr Batchelor

"That the Minutes of the Ordinary Meeting of Council held on 17 August 2017 be confirmed as a true and accurate record of proceedings."

CARRIED 7/0

9. RECEIPT OF COMMITTEE MEETING MINUTES HELD SINCE LAST MEETING

9.01 RECEIPT OF LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) MEETING MINUTES 22 AUGUST 2017

170902

Moved Cr Paganoni, Seconded Cr Prout

"Receipt of the Local Emergency Management Committee (LEMC) Meeting Minutes 22 August 2017."

CARRIED 7/0

9.02 RECEIPT OF INDEPENDENT LIVING SENIORS ACCOMMODATION (ILSA) COMMITTEE MEETING MINUTES 08 SEPTEMBER 2017

170903

Moved Cr Prout, Seconded Cr Batchelor

"Receipt of the Minutes of the Independent Living Seniors Accommodation (ILSA) Committee 08 September 2017."

CARRIED 7/0

9.03 ADOPTION OF THE RECOMMENDATIONS OF THE INDEPENDENT LIVING SENIORS ACCOMMODATION (ILSA) COMMITTEE 08 SEPTEMBER 2017

170904

Moved Cr Prout, seconded Cr Batchelor

"That Council approves an Application for Rental Housing for a Sandalwood Villas unit as presented."

CARRIED 7/0

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr Garry Sheridan congratulated the shire works staff on the gravel roads program to date and said it was a credit to them.

11. MATTERS FOR DECISION

11.01 FINANCIAL STATEMENTS FOR AUGUST 2017

Program: Other Property and Services

Attachment: Monthly Financial Statements for August 2017

File Ref: Nil

Author: KP O'Neill Manager Finance and Assets

Date: 14 September 2017

Disclosure of Interest: Nil

Summary: Council to consider the monthly financial report for the period ending 31

August 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 2016/17 budget process, Council adopted 10% or \$10,000

as the material variance for reporting purposes for the year.

Comment: 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 the 30 June 2017 carried forward figures may be subject to change. This may affect opening balances contained in the

monthly financial report.

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 August approximately 75.62% in rates had been collected. The closing date for payment of rates, also the option to pay by

instalments, is the 1st September.

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: 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: 12

170905

Moved Cr Paganoni, seconded Cr Thompson

"That the Financial Statement for the period ending 31 August 2017 be adopted."

CARRIED 7/0

Reason For Change to Recommendation:

11.02 CREDITORS ACCOUNTS PAID AUGUST 2017

Program: Other Property and Services
Attachment: List of Payments for August 2017

File Ref: Nil

Author: KP O'Neill Manager Finance and Assets

Date: 14 September 2017

Disclosure of Interest: Nil

Summary: Council to consider the list of payments made from the Municipal and

Trust Funds during August 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
 \$598,736.72

 Trust Fund
 \$25,266.64

 Credit Cards
 \$1,128.06

 Total
 \$625,131.42

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: 170906

Moved Cr Dennis, seconded Cr White

"That the list of accounts paid during August 2017, consisting of:-

- Municipal Fund payments totalling \$598,736.72 comprising
 - > cheques numbered 3542 to 3564;
 - > electronic payments numbered EFT9254 to EFT9400; and
 - direct debits numbered DD4880.1 to DD4880.4, DD4881.1 to DD4881.4;
- Trust Fund payments totalling \$25,266.64 comprising
 - > electronic payments numbered EFT9401 to EFT9403,
- Credit Card payments totalling \$1,128.06;

be endorsed."

CARRIED 7/0

Reason For Change to Recommendation:

11.03 FITNESS FOR WORK POLICY

Program: Governance

Attachment: Current Policy 2.6 & Draft Proposed Policy 2.6

File Ref: ADM0165

Author: K Williams Chief Executive Officer

Date: 14 September 2017

Disclosure of Interest: Nil

Summary: For Council to consider revising Policy 2.6 - Fitness for Work

Background: Policy 2.6 was last reviewed in May 2016.

Comment: The current policy does not cover some aspects of current best practice

regarding fitness for work.

The Chief Executive Officer (CEO) has reviewed the policy against some other Local Government policies, and has also sought advice from Local Government Insurance Services (LGIS), Council's insurer, and the Western Australian Local Government Association (WALGA).

A new policy based on the WALGA template policy is proposed for the following reasons:

• WALGA and LGIS will provide support and advice to any Local Government that uses the template as policy

- A non-standard policy would lead to Council requiring costly legal advice
- Consistency with other Local Governments
- Clarity about the responsibilities of the organisation
- Clarity about the responsibilities of the employee

It is recommended that Council adopt the revised policy as proposed.

The proposed policy does not include any provision for random drug or alcohol testing, however, should Council consider this necessary, the following clause can be added to the policy:

"Random Testing

Random testing may also be conducted. Random testing may utilise a variety of methods for randomly selecting names such as software, lottery of selection through coloured marbles in a bag drawn by each employee. All staff on site must participate in the random selection."

Consultation: WALGA, LGIS, Senior Staff.

Statutory

Environment: Occupational Safety and Health Act 1984

Policy Implications: Revised policy 2.6.

Strategic

Implications: This issue is not dealt with in the Plan

Asset Management

Implications: Nil

Financial

Implications: Some costs may be incurred in undertaking testing or enforcement of the

policy.

Workforce Plan

Implications: Nil

Voting Requirements: Simple Majority

Council Decision: 170907

Moved Cr Dennis, seconded Cr Paganoni

"That the draft Fitness for Work Policy, as attached, be circulated to staff for comment prior to being considered by Council for adoption."

CARRIED 7/0

Reason For Change to Recommendation:

11.04 PROPOSED CAR PORT – 44 REILLY ROAD, BROOMEHILL

Program: Planning
Attachment: Site Plan
File Ref: A4066

Author: KB Williams Chief Executive Officer

Date: 14 September 2017

Disclosure of Interest: Nil

Summary: An application has been lodged for the development of a new car port

adjacent to an existing dwelling at Lot 538 Reilly Road, Broomehill.

This report recommends that approval be granted, subject to conditions.

Background: An application for the development of a car port was received on 12

August 2017. The application was submitted by P Guazzelli.

The application fees were submitted on 14 September 2017, with a

justification for a reduced setback for the car port.

Comment: Description of Application

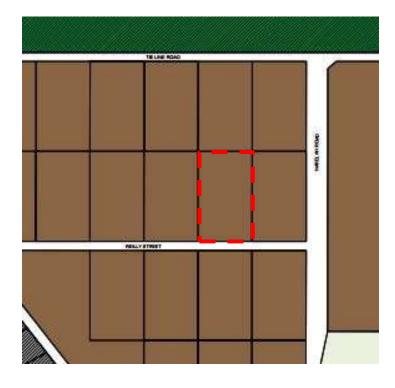
The applicant is seeking a planning approval to develop a freestanding car port adjacent to an existing dwelling. The proposed car port will measure 5.5 metres x 5.5 metres with a height of 2.25 metres. It is understood that

the car port will be constructed of metal.

Relevant Scheme Provisions

Zoning

The subject lot is zoned 'Rural Residential' under the Shire of Broomehill Town Planning Scheme No 1 ('the Scheme'):



Single Dwellings (and associated outbuildings) are usually exempt from Planning Consent; however, Clause 5.12.5 of the Broomehill TPS requires that an application for Planning Consent is required:

5.12.5 Development Requirements:

The provisions for controlling subdivision and development in a Rural Residential Zone shall comply with the requirements of Schedule 2 and with the following:

b) in addition to a building licence, the Council's prior planning consent is required for all development including a single house and such application shall be made in writing to the Council and be subject to the provisions of the Scheme;

Accordingly, an application has been submitted.

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

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

The applicant has requested a reduced setback to 8 metres, rather than the specified 10 metres. Car Ports are considered to be visually unobtrusive given that they have no walls, and although they do not apply to Rural Residential areas, the Residential Design Codes allow for reduced setbacks for Car Ports.

No dwellings are located on the properties adjacent to the proposed Car Port.

A Car Port does not require a Bushfire Attack Level (BAL) assessment.



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

Advertising of the application is not considered relevant. No consultation

has occurred.

Statutory

Environment: Shire of Broomehill Town Planning Scheme No 1

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: Planning Application fees of \$147.00 have been paid.

Workforce Plan

Implications: There are no workforce plan implications

Voting

Requirements: Simple Majority

Council Decision: 170908

Moved Cr White, seconded Cr Thompson

"That Council approve the application lodged by P Guazzelli for the use and development of a Car Port at Lot 538, No 44 Reilly Road, Broomehill subject to the following conditions:

- 1. The term of this approval is limited and expires 24 months from the date of this planning consent;
- 2. The car port must not be enclosed without first obtaining Planning Approval under the Shire of Broomehill-Tambellup Local Planning Scheme No 1."

CARRIED 7/0

Reason For Change to Recommendation:

12.01 CONFIDENTIAL ITEM

170909

Moved Cr Thompson, 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 7/0

12.01 CONFIDENTIAL: CHIEF EXECUTIVE OFFICER USE OF

VEHICLE

Program: Governance

Attachment: Nil

File Ref: PE.ER.71

Author: KB Williams Chief Executive Officer

Date: 14 September 2017

Disclosure of Interest: Chief Executive Officer Keith Williams declared a Financial Interest

in this Item as the item is about his contract.

Council Decision: 170910

Moved Cr Dennis, seconded Cr White

"That Council grant consent to the CEO for the private use of the motor vehicle provided to the CEO under the terms of his contract within the Northern Territory and South Australia."

Officer

Recommendation: "That Council approve the following modification to Clause 5.3 (1)(b)

the CEO's contract:

(a) is for unlimited private use by you within Western Australia and, with the prior written approval of the Council or if the Council so resolves, with the prior written approval of the President, outside Western

Australia or north of the 26 Parallel; and"

Council Decision: "That Council approve the following modification to Clause 5.3 (1)(b) the CEO's contract:

(a) is for unlimited private use by you within Western Australia and, with the prior written approval of the Council, outside Western Australia or north of the 26

Parallel."

CARRIED 7/0

Reason For Change to Recommendation:

Council considers that use of the vehicle over a state border will not occur frequently, and would prefer to make this decision whenever it is intended to do so. To provide clarity about the role of the Council in this decision, the line: "with the prior written approval of the President" should be removed.

Council has no issue with the CEO using the vehicle above the 26th parallel, and is happy to remove the requirement to obtain consent for this use.

12.02 CONFIDENTIAL: TENDER CONSULTING SERVICES

WANDRRA AGRN 743

Program: Transport

Attachment: Nil

File Ref: ADM0504

Author: GC Brigg Manager of Works

Date: 15 September 2017

Disclosure of Interest: Nil

Council Decision: 170911

Moved Cr White, seconded Cr Paganoni

"That Council agrees to reject all tenders for the reasons advised in the report and re-advertises a new tender for consulting services for

WANDRRA AGRN 743."

CARRIED 7/0

Reason For Change to Recommendation:

Chief Executive Officer Keith Williams, Kay O'Neill, Pam Hull and Louise Cristinelli left the meeting at 4.55pm.

12.03 CONFIDENTIAL: CHIEF EXECUTIVE OFFICER ANNUAL

REVIEW

Program: Governance

Attachment: Nil

File Ref: PE.ER.71

Author: KB Williams Chief Executive Officer

Date: 14 September 2017

Disclosure of Interest: Chief Executive Officer Keith Williams declared a Financial Interest

in this Item as the item is about his contract.

Council Decision: 170912

Moved Cr White, seconded Cr Thompson

"That Council:

- 1. Completes the review process by accepting the findings of the CEO review panel that the CEO has met or exceeded the KPI's and performed to a satisfactory standard;
- 2. Advise the CEO to continue with the Key Performance Areas as set out the CEO's contract;
- 3. That the President and Deputy President in discussion with the CEO establish agreed revised KPI's for the next 12 months; and
- 4. That the President writes to the CEO informing him that the review is complete and congratulate the CEO on his performance over the last 12 months"

CARRIED 7/0

Reason For Change to Recommendation:

Chief Executive Officer Keith Williams, Kay O'Neill, Pam Hull and Louise Cristinelli returned to the meeting at 5.20pm.

170913

Moved Cr Batchelor, seconded Cr Thompson

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

CARRIED 7/0

13.01 MAINTENANCE REPORT FOR AUGUST 2017

Program: Transport

Attachment: Nil File Ref: Nil

Author: GC Brigg Manager of Works

Date: 15 September 2017

Disclosure of Interest: Nil

Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
ОТА	Toyota Landcruiser wagon			2017	2017	1yr/30,000km	
1TA	Ford Ranger Utility			2017	2017	1yr/30,000kms	
BH00	Toyota Hilux Dual Cab	4,867	10,000	2017	2017	1yr/30,000kms	
BH000	Holden Colorado			2017	2017	1yr/25,000 km	
BH001	CAT vibe Roller	366	250	2016		8 yrs/8000 hrs	
BH002	ISUZU Flatbed Truck	11,177	20,000	2016	2016	7yrs/250,000km	
BH003	Toyota Landcruiser GXL Dual Cab	19,304	20,000	2017	2017	1yr/30,000 km	
BH004	CAT 12M Grader	8,014	8,000	2250	2009	8 yrs/8,000 hrs	Checked turbo timer. Replaced exhaust muffler, gasket and turbo timer.
BH005	Cat multi tyre Roller	5,117	5,000	2011	2011	8 yrs/8000 hrs	Replaced headlight bulb. Checked park brake switch.
BH006	CAT 12M	5,156	5,500	2012	2012	8 yrs/8,000 hrs	Replaced wiper blades. Check exhaust leak.
ВН007	Toro Mower	560	600	2016	2016	5yrs/5,000 hrs	Fixed control rod, replaced hydraulic filter.
BH009	Colorado 4x4 Tray Back	16,216	15,000	2015	2015	1yr/30,000 km	
BH012	Isuzu Fire Truck						
BH013	Cat 444F Backhoe	1,897	2000	2013	2013	10yrs/8,000hrs	
BH014	Toyota Landcruiser	4,669	10,000	2017	2017	1yr/30,000 km	
внто	Kenworth Truck	19,979	40,000	2016	2017	5yrs/250,000km	Taken to Albany for PTO repair by CJD Machinery (warranty). Serviced @ 19,665 kms.
ВНТ84	Toro Groundmaster 3500D mower	554	600	2013	2013		
ВНТ92	299D XPS Skid Steer			2017	2017		

Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
BHT125	Mack Curser 8 Wheel Tipper	116,511	120,000	2013	2013	5yrs/250,000km	Replaced wiper blades. Adjusted brakes. Taken to Albany for exhaust manifold machining, and transmission fault check.
BHT1624	Fuel trailer			2015	2016		
BHT1633	Tandem Axle Dolly	23956		2015	2015		Replaced mudguard
TA001	Toyota Landcruiser	11,000	20,000	2017	2017	1 yr/30,000 kms	Serviced 10,000 kms.
TA005	Toyota Hilux Tray Top	3,341	10,000	2016	2016	1 yr/30,000 kms	
TA017	Isuzu Tipper	84,583	95,000	2014	2014	5yrs/200,000km	
TA052	Toyota Hilux Tray Top	7,259	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 front boom hydraulics @ 146,304 kms. Replaced hydraulic ram seal kit. Checked electrical fault on window winder.
TA18	12M Grader	1,112	1,500	2016	2016	7 yrs/8,000 hrs	Transmission oil sample taken for follow up check. Replaced shire radio.
TA281	930K Loader	2,624	3,000	2014	2014	8 yrs/8,000 hrs	Replaced cutting edge. Replaced LH Door frame panel
TA386	Isuzu Tipper	54,386	60,000	2012	2012	5yrs/200,000km	Checked engine fault.
TA2251	3 Axle Float Trailer				2009		
1 TIU 961	Papas Tandem Fuel Trailer			2008			Refitted Honda pump.
1TMR361	Rockwheeler Side Tipper Trailer	58,454		2012	2012		Adjusted brakes & replaced mudguard.
1TMR367	Tandem Axle Dolly						Adjusted brakes
BKTBR	Skid steer Bucket Broom			2013			
1TLT850	Loadstar 8x5 Trailer			2011			
BH2085	Trailer for Pump at Town dam						
BH2098 BH2134	Boxtop Trailer Trailer for Mobile Standpipe						

Reg No.	Description	Current Kms/Hrs	Next Service Due	Year of Manufacture	Year of Purchase	Changeover	Comments
TA2129	Fuel Tanker						
1TCY082	Papas Tandem Fuel Trailer						
1TCY093	Papas Tandem Trailer						
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						Fixed wiring and replaced plug.
BHT1624	Fuel Trailer				2016		
1TOI298	Sign Trailer				2015		
Fogger	Fogger						
TSAW	Tree Saw						
STAB	Stabiliser attachment				2014		
CATBR	Caterpillar Broom						
	Cement Mixer						
	Tree Grab						
	Wacker Packer						
	Tambellup Fogger						
	Broomehill Fogger						
1TRR872	Hire Side Tipper Trailer	1876		2016			
	Pressure Washer						Fixed leak in gun
	Polesaw						Fixed carburator and sharpened chain.
	Honda Pump						Fixed carburator, replaced outlet fitting and hose.
	Chainsaw						Fix, cleaned & sharpened.
	Stihl concrete saw					nort was receiv	Replaced spark plug & tuned up.

This Report was received by Council

13.02 WORKS REPORT FOR AUGUST 2017

Program: Transport

Attachment: Nil File Ref: Nil

Author: GC Brigg Manager of Works

Date: 15 September 2017

Disclosure of Interest: Nil

The Works Report for August 2017 will be tabled at the 19 October 2017 Ordinary Council Meeting.

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

Nil

14. DATE OF NEXT MEETING

19 October 2017

15. CLOSURE

There being no further business the President thanked Councillors and Staff for their attendance and declared the meeting closed at 5.28pm.