



AGENDA

Ordinary Council Meeting

18 April 2024

**SHIRE OF BROOMEHILL-TAMBELLUP
NOTICE OF MEETING**

**An Ordinary Meeting of the Council of the Shire of Broomehill-Tambellup will be held
in the Tambellup Council Chambers 46-48 Norrish Street, Tambellup
on 18 April 2024 commencing at 4.30pm.**



**Karen Callaghan
Chief Executive Officer**

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Broomehill-Tambellup during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Broomehill-Tambellup. The Shire of Broomehill-Tambellup warns that anyone who has any application lodged with the Shire of Broomehill-Tambellup must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Broomehill-Tambellup in respect of the application.

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Shire of Broomehill–Tambellup

DISCLOSURE OF INTEREST FORM

To: Chief Executive Officer
Shire of Broomehill-Tambellup
46-48 Norrish Street
TAMBELLUP WA 6320

I, **(1)** _____ wish to disclose an interest in the
Following item to be considered by Council at its meeting to be held on **(2)** _____
Agenda Item **(3)** _____

The **type** of Interest I wish to declare is **(4)**

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Clause 22 of the Shire’s Code of Conduct for Council Members, Committee Members & Candidates.

The nature of my interest is **(5)** _____

The extent of my interest is **(6)** _____

I understand that the above information will be recorded in the minutes of the meeting and placed in the Disclosure of Financial and Impartiality of Interest Register.

Yours sincerely

Signed

Date

NOTES:

1. Insert your name (print)
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title
4. Tick box to indicate type of interest
5. Describe the nature of your interest
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 & 5.69 of the Act)

DISCLOSURE OF INTERESTS (NOTES FOR YOUR GUIDANCE)

A Member, who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the Member, must disclose the nature of the interest:

- a) In a written notice given to the Chief Executive Officer before the Meeting or;
- b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a) Preside at the part of the Meeting, relating to the matter or;
- b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (NOTES FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. These notes will be included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. **If in doubt declare.**
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences.

The only exceptions are:

- 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
- 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY DEFINITION:

An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'. A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a) in a written notice given to the Chief Executive Officer before the Meeting; or
- b) at the Meeting, immediately before the matter is discussed

IMPACT OF AN IMPARTIALITY DISCLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote. With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

Strategic Community Plan 2023-2033

'People Power'



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**Agenda for the Ordinary Council Meeting to be held on 18 April 2024
in the Tambellup Council Chambers, 46-48 Norrish Street, Tambellup.**

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Presiding Member, Cr White shall declare the meeting open at ____pm.

2. ATTENDANCE

Councillors

Cr ME White	President
Cr DT Barritt	Deputy President
Cr CM Dewar	
Cr CJ Letter	
Cr SH Penny	
Cr SJ Robinson	
Cr JL Wills	

Staff

KP Callaghan	Chief Executive Officer
KP Squibb	Manager of Finance & Administration
PA Hull	Strategic Support & Projects Officer
TO Korthuis	Governance & Executive Assistant
P Vlahov	Manager of Works

Apologies

3. DISCLOSURE OF INTEREST

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5. PUBLIC QUESTION TIME

6. PRESENTATIONS/PETITIONS/DEPUTATIONS

Nil

7. APPLICATION FOR LEAVE OF ABSENCE

8. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

9. CONFIRMATION OF MINUTES

9.1 ORDINARY COUNCIL MEETING 21 MARCH 2024

Recommendation:

That the minutes of the Ordinary Meeting of Council held on 21 March 2024 be confirmed as a true and accurate record of proceedings.

10. KEY PILLAR 1: BROOMEHILL-TAMBELLUP POINT OF DIFFERENCE

Nil.

11. KEY PILLAR 2: BROOMEHILL-TAMBELLUP ECONOMY

11.1 ACQUISITION OF THE WATER CORPORATION’S JAM CREEK ROAD DAM AND CATCHMENT

ATTACHMENT(S)	11.1.1 - Tambellup Dam Advice to Shire 11.1.2 - Tambellup Dam Proposed Subdivision 11.1.3 - Asset Condition and Site Investigation Report 11.1.4 - Dam Safety Advice Memorandum
FILE NO	ADM0072
APPLICANT	Water Corporation
AUTHOR	Tash Korthuis, Governance & Executive Assistant
DATE	4 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: Broomehill Tambellup Economy	
No specific community outcome	No specific corporate initiative

SUMMARY

The purpose of the report is for the Council to consider the acquisition of the Jam Creek Road dam and catchment from the Water Corporation.

BACKGROUND

Over several years negotiations have taken place regarding the possible sale of the Water Corporation’s Jam Creek Road dam and catchment assets to the Shire. The dam is known as Tambellup No 1 dam.

The Shire entered into an agreement with the Water Corporation in 2010 to purchase water from the No 1 dam for use by the Tambellup Primary School and for the Shire’s parks and gardens in the Tambellup townsite. The agreement allowed for installation of infrastructure in that year to supply the Shire’s oval, parks and gardens as well as the Tambellup Primary School’s oval.

In March 2014 and again in February 2017 the Council resolved to acquire a portion of the dam and the Water Corporation were advised of the Council’s decision in both instances, however the land transfer did not progress. The Water Corporation has reached out again in January 2024 and now has internal authority to progress the matter.

COMMENT

The Water Corporation facility on Jam Creek Road Tambellup has not been utilised as a potable water supply for the townsite for some time. The town is serviced with scheme water.

The Shire has made numerous approaches over the years to the Water Corporation attempting to obtain ownership of the facility should it become surplus to their requirements. In January 2024 the Chief Executive Officer at the time met with representatives from the Water Corporation and further discussed acquisition of the dam. The Water Corporation advised that the dam is now surplus to requirements and would like to progress with the disposal of the dam to the Shire.

The Water Corporation confirm that internal authority has been received to progress and conclude negotiations on the following basis:

- The freehold land and assets to be acquired by the Shire are indicated on the enclosed Tambellup Dam Proposed Subdivision Plan (Attachment 11.1.2). Description of the land to be subdivided is Lot 1 on Plan 6877 being the whole of the land in Certificate of Title Volume 1205 Folio 240.
- The Shire accepts the land, dam, catchment and other assets (Assets) on an 'as is' condition basis and will conduct its own independent due diligence prior to entering into the contract for sale.
- Water Corporation makes no warranty as to the condition of the Assets or their suitability for the Shire's intended purpose.
- Preparation and lodgement by the Shire of a Deposited Plan of Subdivision (including proposed easements and road reserves) at Landgate to the satisfaction of Water Corporation.
- The Assets are to be transferred at NIL consideration, however the costs of subdivision, fencing and all other transaction costs (including Water Corporation solicitors' costs) are to be met by the Shire.
- Gravel extraction from Proposed Lot 2 by the Shire to cease.
- Water Corporation's Solicitors to prepare the contract for sale.
- Shire to provide a current resolution to acquire the Assets upon these terms.

While the Shire is gaining a significant asset at no cost, by accepting the Water Corporation's offer costs will be incurred to proceed with the subdivision of the land parcel, fencing and transactional costs for the land transfer. An estimate of these costs would be in the vicinity of \$20,000 to \$40,000.

The advantages of acquiring the water facility include the ability to manage the site, make improvements as required and guarantee access to an ongoing supply to meet the watering demands of Shire's oval, parks and gardens in the Tambellup townsite and for the Tambellup Primary School's oval.

It is recommended that the Council accept the proposal to acquire the Jam Creek Road dam and catchment from the Water Corporation.

CONSULTATION

Kym Walker – Water Corporation
Chief Executive Officer

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

While the assets will be transferred for no consideration, the costs of subdivision, fencing and all other transactions (including the Water Corporation's solicitors' costs) may be significant and will be met by the Shire. Provision to commence this process can be met in the current 2023/2024 budget with further provision to be made in 2024/2025 to complete the subdivision, land transfer and fencing.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

The item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The level of risk is considered to be "low risk and can be managed by existing procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

A new asset will be acquired if Council agrees to proceed with acquisition of this dam, and its future maintenance and renewal costs will need to be factored into the Asset Management Plan. Infrastructure to access the water from this dam is already in place and is provided for in the Plan.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Chief Executive Officer writes to the Water Corporation and confirms that -

- The Shire of Broomehill-Tambellup accepts, for no consideration, acquisition of freehold land and assets as indicated on the enclosed Tambellup Dam Proposed Subdivision Plan (Attachment 11.1.2). The description of the land to be subdivided is Lot 1 on Plan 6877 being the whole of the land in Certificate of Title Volume 1205 Folio 240;
- The Shire accepts the land, dam, catchment and other assets on an 'as is' condition basis and will conduct its own independent due diligence prior to entering into the contract for sale;
- A Deposited Plan of Subdivision (including proposed easements and road reserves) will be prepared by the Shire and lodged with Landgate to the satisfaction of the Water Corporation;
- The costs of subdivision, fencing and all other transaction costs (including Water Corporation solicitors' costs) will be met by the Shire;
- Gravel extraction from Proposed Lot 2 by the Shire will cease;
- The contract of sale will be prepared by the Water Corporation's Solicitors.

12. KEY PILLAR 3: BROOMEHILL-TAMBELLUP LIFESTYLE

Nil

13. KEY PILLAR 4: BROOMEHILL-TAMBELLUP SHIRE SUPPORT

13.1 FINANCIAL STATEMENTS – MARCH 2024

ATTACHMENT(S)	13.1.1 Financial Statements March 2024
FILE NO	ADM0619
APPLICANT	n/a
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	8 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: Broomehill Tambellup Shire Support	
11. Delivered Shire Trust and Performance 11.2 SoBT financial sharing This is the Shire workforce releasing financial trends and results quarterly, transparently indicating where funds come from for each piece of work. The Shire is working well with the community to develop new revenue options to achieve community driven pieces of work.	11.2.1 Undertaking specific initiatives to improve meaning and understanding of the Shire’s monthly financial reports.

SUMMARY

The Council to consider the monthly financial statements for March 2024.

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 two months after the end of the month to which the report relates.

COMMENT

Each financial year, the 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 2023/24 budget process, the Council adopted 10% or \$10,000 (whichever is the greater) as the material variance for reporting purposes for the year.

The statement of financial activity identifies material variances, which is a requirement of the *Local Government (Financial Management) Regulations 1996*.

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 the previous month (the **relevant 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); and*
 - (b) budget estimates to the end of the month to which the statement relates; and*
 - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and*
 - (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 relevant month and a note containing a summary explaining the composition of the net current assets.*
- (2) Each statement of financial activity is to be accompanied by documents containing –*
- (a) [deleted].*
 - (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.*
- (3) The information in a statement of financial activity must be shown according to nature classification.*

FINANCIAL IMPLICATIONS

The report represents the financial position of the Shire at the end of the reporting period.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the monthly financial statement for the period ending 31 March 2024 be received.

13.2 MONTHLY LIST OF PAYMENTS – MARCH 2024

ATTACHMENT(S)	13.2.1 Monthly Payments Listing March 2024
FILE NO	ADM0619
APPLICANT	N/A
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	8 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Actions
Key Pillar: Broomehill Tambellup Shire Support	
11. Delivered Shire Trust and Performance 11.2 SoBT financial sharing This is the Shire workforce releasing financial trends and results quarterly, transparently indicating where funds come from for each piece of work. The Shire is working well with the community to develop new revenue options to achieve community driven pieces of work.	11.2.1 Undertaking specific initiatives to improve meaning and understanding of the Shire’s monthly financial reports.

SUMMARY

The Council to consider the list of payments made from the Municipal and Trust Funds during March 2024.

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.

The Regulations were amended, effective 1 September 2023, to include new regulation 13A which prescribes the reporting of payments made via purchasing cards. The reporting requirements are the same as those of payments made from the Municipal and Trust Funds. Credit card purchases have always been disclosed to the Council on the monthly list of payments, however the list of payments has been amended to report purchases using the Fleetcard fuel cards (issued to the Chief Executive Officer, Manager of Finance and Administration and Manager of Works).

COMMENT

Summary of payments made for the month –

March 2024

	\$	
Municipal Fund	434,307.25	
Trust Fund	0.00	
Purchasing Cards	2,764.81	
TOTAL	437,072.06	

Any comments or queries regarding the list of payments is to be directed to the Manager of Finance and Administration prior to the meeting.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

r13. 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.*

r13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared –

- (a) the payee’s name;*
- (b) the amount of the payment;*
- (c) the date of the payment;*
- (d) sufficient information to identify the payment.*

FINANCIAL IMPLICATIONS

The List of payments reports the payments made for the previous month from the Municipal and Trust Funds, and purchases made using Shire credit cards or purchasing cards.

POLICY IMPLICATIONS

Council Policy ‘2.1 Purchasing Policy’ provides guidance and restrictions relative to purchasing commitments.

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That, in accordance with regulations 13(1) and 13A(1) of the *Local Government (Financial Management) Regulations 1996* the list of payments paid under delegated authority or with Shire purchasing cards be noted for March 2024 comprising -

- Municipal Fund cheque, electronic funds transfer (EFT) and direct debit payments totalling \$434,307.25; and
- Credit/Purchasing Card payments totalling \$2,764.81.

13.3 CORPORATE BUSINESS PLAN – QUARTERLY PROGRESS REPORT JANUARY-MARCH 2024

ATTACHMENT(S)	13.3.1 – Corporate Business Plan 2023-2027 quarterly progress report – January-March 2024
FILE NO	ADM0382
APPLICANT	n/a
AUTHOR	Pam Hull, Strategic Support & Projects Officer
DATE	3 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: Broomehill Tambellup Shire Support	
11. Delivered Shire Trust and Performance 11.1 SoBT monitoring and reporting. This is the Shire workforce scoring all SCP pieces of work with a traffic light scoring system, and passing these results to all community members, quarterly.	11.1.1 Undertake quarterly assessment of all Corporate Business Plan initiatives using a traffic light scoring system, and reporting these in a meaningful summary (showing highlights) to the community via the Topics, Facebook and Shire website.

SUMMARY

The purpose of this report is for the Council to receive the Corporate Business Plan 2023-2027 Quarterly Report for the period January-March 2024.

BACKGROUND

Section 5.56(1) of the *Local Government Act 1995* requires all local governments to have a plan for the future of the district. In accordance with the *Local Government (Administration) Regulations 1996*, all local governments in Western Australia are required to have adopted two key documents: a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP). These documents are supported by informing plans, strategies, and other documents. Together these documents drive the development of each local government's Annual Budget.

The Corporate Business Plan outlines the Shire's key priorities and actions over the next four years and sets a road map to achieve the community's aspirations as outlined in 'People Power', the community's ten year Strategic Plan which was adopted by the Council on 17 November 2022. This plan integrates the community's aspirations into the Shire's operations and sets out the specific actions that will deliver on the objectives and strategies outlined in 'People Power'.

The Corporate Business Plan 2023-2027 was adopted by the Council on 18 May 2023.

Initiatives contained in the Corporate Business Plan are centered on the four Key Pillars of the Strategic Community Plan ‘People Power’:

- Broomehill-Tambellup Point of Difference
- Broomehill-Tambellup Economy
- Broomehill-Tambellup Lifestyle
- SoBT Shire Support

Twelve (12) aspirational areas sit under the Key Pillars, and it is within each of these that the Corporate Business Plan initiatives sit. Each initiative has been assigned to a member of the Senior Management Team as the coordinating officer and each member of the team has provided input into the Quarterly Report.

COMMENT

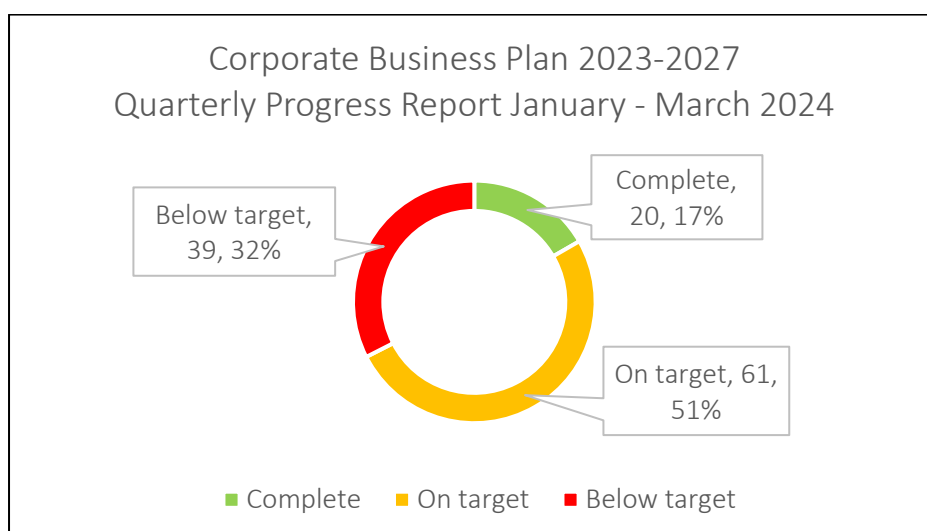
The Quarterly Report is provided as an attachment to the agenda for the Council’s reference. The report provides an update on progress of the first year initiatives (2023/2024) for the period January-March 2024. Initiatives not scheduled to be actioned this financial year are not reported on.

The status of each initiative has been colour coded using a traffic-light system as follows:

- Green – initiative is ‘Complete’ – action has been completed;
- Orange – initiative is ‘On Target’ – action has commenced and is on track to be delivered on time and on budget;
- Red – initiative is ‘Below Target’ – action has not commenced or has fallen behind its projected timeframe.

The following table illustrates progress against the 120 initiatives scheduled to be actioned in 2023/2024:

Status	Definition	Number of initiatives	%
Complete	Action has been completed	20	17%
On target	Action has commenced and is on track to be delivered on time and on budget	61	51%
Below target	Action has not commenced or has fallen behind its projected timeframe.	39	32%
		120	100%



The following initiatives have been completed since the last progress report (to the end of December 2023):

3.2.1	Review Municipal Heritage Inventories from Shires (pre-amalgamation) into one unified Shire BT Heritage List.	Local Heritage Survey and List adopted December 2023 OCM. Local Planning Policy - Heritage Places adopted at March 2024 OCM
3.4.7	Sealing and kerbing of all streets within both town sites	Crawford St East and West, Donald, Bridge, Nelson and Chillicup Sts sealed. Kerbing repairs completed where required.
10.3.6	Becoming an active contributor to the Gillamii Centre.	Formalisation of three year financial contribution and partnership endorsed by the Council at the March 2024 OCM.

The progress on initiatives noted as ‘On Track’ ranges from just commenced, to almost complete, and ongoing. Many initiatives noted as ‘Below Target’ are not yet commenced.

A number of initiatives are noted as ‘On Target’, however are largely complete. These include:

- 3.2.6 Implementation of an electronic cemetery administration system – the final amendments to the online niche wall displays are being implemented by the contractor. The online sites are live and links will be added to the Shire’s website.
- 5.2.3 Assist the Business Enterprise Centre (BEC) to have certainty of land tenure - lobbying of Department of Land to assist process. BEC needs to finalise through Taylor, Nott & Molinari.
- 8.1.1 Implementation of the Broomehill Heritage Precinct Master Plan – most initiatives have been implemented by either the Shire or the Broomehill Heritage Group. The Plan requires review to determine which actions are still needing to be completed.
- 10.3.3 Identification of energy efficiency improvements and installation of solar PV systems on Shire owned buildings that are major power consumers – solar panels are to be installed on the Tambellup Community Pavilion, scheduled for the end of April 2024.

The report as attached will be published for community information through the Shire website and in Topics.

CONSULTATION

Senior Management Team

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
- (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
- *Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

FINANCIAL IMPLICATIONS

Provision is made in the annual budget for the delivery of initiatives in the Corporate Business Plan.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

Failing to provide the Council with updates such as the attached progress report will contribute to a lack of Council knowledge about the Shire’s current business activities. Quarterly updates as proposed will allow Councillors to provide accurate responses to resident enquiries.

ASSET MANAGEMENT IMPLICATIONS

Nil.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

That the Corporate Business Plan 2023-2027 Quarterly Progress Report for the period January-March 2024, as presented, be received.

13.4 DISPOSAL OF ISUZU JETPATCHER

ATTACHMENT(S)	Nil
FILE NO	PTT18
APPLICANT	Nil
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	12 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: BT Shire Support	
No specific community outcome	No specific corporate plan initiative

SUMMARY

The purpose of this report is to seek authority to dispose of the Isuzu Jetpatcher (the Jetpatcher) which was included in a recent public auction conducted by Smith Broughton Auctioneers.

BACKGROUND

The sale of the Jetpatcher has been included in the annual budget for a number of years; it is a costly, high maintenance piece of equipment with minimal usage.

Section 3.58(2) of the *Local Government Act 1995* allows for disposal of property to either the highest bidder at a public auction or the most acceptable tender from a public tender.

The Manager of Works sought advice from various auctioneers, and Smith Broughton Auctioneers were selected to offer the Jetpatcher for sale by public auction. The auction was conducted on 4-11 April 2024 and, at the close of the auction, the highest bidder had submitted a price of \$70,000 (including GST) to purchase the Jetpatcher.

The estimated proceeds from the sale included in the 2023/24 Budget is \$80,000. As the offer from the auction (\$63,636.36 excluding GST) is significantly below the budgeted amount, the Councils permission is required to either accept or reject the offer.

COMMENT

While below the budget estimate, the offer submitted to purchase the Jetpatcher provides a decent return on an aging piece of equipment. There are currently no staff on the works crew trained to use the Jetpatcher and maintenance required after each use is becoming prohibitive.

It is recommended that the Council accept the offer submitted at auction of \$70,000 (including GST).

CONSULTATION

Chief Executive Officer
Manager of Works

STATUTORY ENVIRONMENT

Local Government Act 1995

s3.58 Disposing of Property

(1) In this section —

***dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;*

***property** includes the whole or any part of the interest of a local government in property, but does not include money.*

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

FINANCIAL IMPLICATIONS

A reduction in revenue of \$16,363.64 if the Council agrees to accept the final offer from the highest bidder at auction. The proceeds from the sale of the Jetpatcher are budgeted to be transferred to the Plant Reserve, accepting the offer will result in a lesser transfer to the Reserve.

Smith Broughton Auctioneers charge a 2.5% commission (approximately \$1,750) and this will be allocated as an operating expense in plant maintenance.

POLICY IMPLICATIONS

Nil.

RISK MANAGEMENT IMPLICATIONS

This item has been evaluated against the Shire's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

ASSET MANAGEMENT IMPLICATIONS

Once sold, the Isuzu Jetpacher will be removed from the asset register and Asset Management Plan.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That, in accordance with section 3.58(2)(a) of the *Local Government Act 1995*, the auction bid of \$70,000 (including GST) submitted to Smith Broughton Auctioneers for purchase of the Isuzu Jetpacher be accepted.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14.1 CONFIDENTIAL – SUNDRY DEBTORS WRITE OFF

ATTACHMENT(S)	14.1.1 – CONFIDENTIAL Sundry debtor listing
FILE NO	ADM
APPLICANT	Nil
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	4 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: Broomehill Tambellup Shire Support	
No specific community outcome	No specific corporate plan initiative

OFFICER RECOMMENDATION

That the following sundry debtor accounts, totalling \$13,030.42, be written off –

Debtor #	Invoice #	Balance
100	4697	250.00
11	2795	4,400.00
11	2965	2,475.00
198	4712	250.00
207	4696	250.00
469	3953	271.90
602	2341	10.00
657	4715	250.00
658	2690	80.00
685	3005	37.98
704	4424	250.00
704	4727	250.00
733	3319	80.00
734	3305	190.00
774	3626	360.00
792	3733	92.48
822	3947	271.90
822	4705	250.00
856	4717	250.00
857	4698	250.00
861	4429	250.00
861	4695	250.00
863	4432	400.00
885	4693	250.00
886	4694	250.00
888	4702	250.00
894	4716	250.00

896	4722	87.00
899	5094	274.16
B21078	4713	250.00

14.2 CONFIDENTIAL - RATES OUTSTANDING; ASSESSMENT A265

ATTACHMENT(S)	14.2.1 – Palisade Corporate Law ‘Scope of Engagement’
FILE NO	A265
APPLICANT	Nil
AUTHOR	Kay Squibb – Manager of Finance & Administration
DATE	5 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: Broomehill Tambellup Shire Support	
No specific community outcome	No specific corporate plan initiative

OFFICER RECOMMENDATION

That the Council, pursuant to section 6.64(1)(b) of the *Local Government Act 1995*, proceed with the sale of assessment A265 14 (lot 234) Tambellup West Road, Tambellup which has rates in arrears for three or more years, on the basis of being unable to locate the owner of the property despite having made reasonable efforts to do so; and from the proceeds of sale recover the outstanding rates and charges on the assessment.

14.3 CONFIDENTIAL - ASSESSMENT A1061; WRITE OFF PENALTY INTEREST

ATTACHMENT(S)	Nil
FILE NO	A1061
APPLICANT	Nil
AUTHOR	Kay Squibb, Manager Finance & Administration
DATE	2 April 2024
DISCLOSURE OF INTEREST	Nil

STRATEGIC IMPLICATIONS	
Strategic Community Plan 2023-2033	Corporate Business Plan 2023 -2027
Community Outcomes	Corporate Initiative
Key Pillar: Broomehill-Tambellup Economy	
6. Attracted New Businesses 6.4 BT new business This is the Shire making it easy for any new business to be attracted to the area such as a supportive Town Planning Scheme, commercial and industrial land development and encourage value-adding to current business and industry.	6.4.1 Support existing businesses through innovative methods for Shire support to ensure their continuation and the basic provision of service for both visitors and local residents.

OFFICER RECOMMENDATION

That penalty interest of \$9,838.35 be written off on rate assessment A1061 in accordance with section 6.12 of the *Local Government Act 1995*.

15. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

16. QUESTIONS FROM MEMBERS WITHOUT NOTICE

17. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

18. CLOSURE

There being no further business to discuss, the Presiding Member, Cr White, declared the meeting closed at _____pm.