

# Shire of Tammin

## ORDINARY COUNCIL MEETING

### AGENDA



### NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Shire of Tammin will be held on **Thursday 27 February 2020** in the Council Chambers, 1 Donnan St, Tammin, commencing at **5:00pm**.

Neville Hale  
Chief Executive Officer  
21 February 2020

### MISSION STATEMENT

*"Together with the people of Tammin we will provide leadership, vision and progress to achieve sustainability and growth"*

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## **AGENDA**

### **1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Shire President will declare the meeting open at \_\_\_\_\_ pm.

### **2. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES**

#### **Present:**

Cr M Greenwood	Shire President
Cr G Batchelor	Deputy President
Cr N Caffell	Member
Cr T Daniels	Member
Cr T Nicholls	Member
Cr C Thomson	Member

#### **In Attendance:**

Neville Hale	Chief Executive Officer
Morgan Ware	Manager of Finance & Administration
Fabian Houbrechts	Manager of Works & Services

#### **Leave of Absence previously granted:**

Nil

#### **Apologies:**

Nil

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

Nil

### **4. PUBLIC QUESTION TIME**

### **5. APPLICATIONS FOR LEAVE OF ABSENCE**

### **6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS**

### **7. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS**

### **8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

#### **8.1 Ordinary Council Meeting Minutes – 19 December 2019**

**Recommendation**

That the Minutes of the Ordinary Council Meeting held on 19 December 2019 be confirmed as a true record of proceedings.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/ \_\_\_\_

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

**10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Digital Soul Australia – Richard Fear – The Wireless Wheatbelt, Supporting Safer, Stronger & Healthier Communities

Mr Fear will talk to his proposed project to roll out of an internet service for the district.

## 11. MATTERS FOR CONSIDERATION – FINANCE

### 11.1 List of Payments for December 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Administration & Finance Officer
<b>Date:</b>	13 January 2020
<b>Author:</b>	Keira Wirth
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	FIN05
<b>Attachment/s:</b>	Attachment Item 11.1 – December Payment List Attachment Item 11.1 - Credit Card Statement

#### Background

Accounts paid for December 2019 totaling \$316,992.17 are listed below:

Cheque numbers	6748 - 6749	\$12,352.24
Direct debit payments	01/12/19 – 31/12/19	\$27,604.71
Licensing transfers	01/12/19 – 31/12/19	\$7,045.80
Bank fees	01/12/19 – 31/12/19	\$206.31
VISA payments	01/12/19 – 31/12/19	\$4,540.14
EFT payments	EFT3448 – EFT3498	\$168,456.67
Salaries and wages	01/12/19 – 31/12/19	\$48,393.15
<b>Total payments</b>	<b>01/12/19 – 31/12/19</b>	<b>\$316,992.17</b>

#### Comment

Nil

#### Financial Implications

Directly impacts the Shire of Tammin 2019/2020 Operating Budget

#### Policy Implications

Nil

#### Statutory Implications

*Local Government (Financial Management) Regulations 1996*

### **11. Payment of accounts**

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —*
  - a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and*
  - b) Petty cash systems.*
- (1) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.*
- (2) Payments made by a local government —*
  - a) Subject to sub-regulation (4), are not to be made in cash; and*
  - b) Are to be made in a manner which allows identification of —*
    - (i) The method of payment;*
    - (ii) The authority for the payment; and*
    - (iii) The identity of the person who authorised the payment.*
- (3) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.*

*[Regulation 11 amended in Gazette 31 Mar 2005 p. 1048.]*

### **12. Payments from municipal fund or trust fund**

- (1) A payment may only be made from the municipal fund or the trust fund —*
  - a) If the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
  - b) Otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

*[Regulation 12 inserted in Gazette 20 Jun 1997 p. 2838.]*

### **13. Lists of accounts**

- (1) If the local government has delegated 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.*
- (2) A list of accounts for approval to be paid is to be prepared each month showing —*
  - a) For each account which requires council authorisation in that month —*
    - (i) The payee's name;*
    - (ii) The amount of the payment; and*
    - (iii) Sufficient information to identify the transaction; and*
  - b) The date of the meeting of the council to which the list is to be presented.*

- (3) A list prepared under sub-regulation (1) or (2) is to be —
- a) Presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - b) Recorded in the minutes of that meeting.

**Strategic Plan Implications**

Nil

**Community Consultation**

Nil

**Recommendation**

That Council notes that during the month of December 2019, the Chief Executive Officer has made the following payments:

Municipal Fund payments totaling \$316,992.17 on Licensing transactions, Bank fees, EFT, Cheques, Visa, Direct Debit and Salaries and Wages payments.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_



Payment list December 2019				
Ref	Date	Creditors Name	Description	Amount
<b>Licensing</b>				
54	02/12/2019	Department of Transport	Daily Licensing Fee	\$ 752.60
54	03/12/2019	Department of Transport	Daily Licensing Fee	\$ 1,062.25
54	04/12/2019	Department of Transport	Daily Licensing Fee	\$ 372.50
54	06/12/2019	Department of Transport	Daily Licensing Fee	\$ 603.40
54	09/12/2019	Department of Transport	Daily Licensing Fee	\$ 79.25
54	12/12/2019	Department of Transport	Daily Licensing Fee	\$ 2,764.20
54	19/12/2019	Department of Transport	Daily Licensing Fee	\$ 126.90
42	19/12/2019	Department of Transport	Daily Licensing Fee	\$ 1,087.55
42	20/12/2019	Department of Transport	Daily Licensing Fee	\$ 23.70
54	23/12/2019	Department of Transport	Daily Licensing Fee	\$ 173.45
			<b>Subtotal</b>	<b>\$ 7,045.80</b>
<b>Bank Fees</b>				
54	03/12/2019	MERCHANT FEES	CBA MERCHANT FEES	\$ 77.93
54	04/12/2019	BANK FEES	NAB TRANSACTION FEE	\$ 4.90
54	23/12/2019	BANK FEES	NAB CONNECT FEE	\$ 24.49
42	31/12/2019	BANK FEES	NAB CONNECT FEE ACCESS & USAGE	\$ 42.49
54	31/12/2019	BANK FEES	MUNI BANK FEES	\$ 36.50
54	31/12/2019	BANK FEES	TRUST BANK FEES	\$ 20.00
			<b>Subtotal</b>	<b>\$ 206.31</b>
<b>EFT Payments</b>				
EFT3448	05/12/2019	Ant Scutter	Septic tank waste removal public toilets between bowling club, Town Hall & Administration Office	\$ 1,826.00
EFT3449	05/12/2019	Avon Valley Toyota	Purchase of Toyota Coaster Bus weighbridge, pit inspection, tow bar and window tinting.	\$113,500.00
EFT3450	05/12/2019	IT Vision	Monthly license fee for SynergySoft modules	\$ 2,113.10
EFT3451	05/12/2019	Johnnie Motion Music TA John Sloper	Seniors luncheon performance / Karaoke 25/11/2019	\$ 450.00
EFT3452	05/12/2019	Kellerberrin Farmers Co-Operative	Refreshment for staff leaving farewell	\$ 418.97
EFT3453	05/12/2019	Marketforce	Advertisement for Local Government Extraordinary Election Results 2019	\$ 228.88
EFT3454	05/12/2019	STS West	Back tyre puncture repair TN3 Ford Ranger Ute	\$ 80.00
EFT3455	05/12/2019	Synergy	Street lighting charges from 25/10/2019 - 24/11/2019	\$ 1,852.43
EFT3456	05/12/2019	Toll Ipec	Freight charges delivery of glasses for staff room from Host & additional monitor for CEO Office from PCS	\$ 24.64
EFT3457	05/12/2019	WA Contract Ranger Services Pty Ltd	Ranger services 15/11/2019 & 29/11/2019	\$ 607.75
EFT3458	05/12/2019	Westrac CAT	Engine oil 20 litres Cat DEOULS Compact Track loader	\$ 98.52
EFT3459	05/12/2019	Wheatbelt Office and Business Machines	Fuji Xerox photo copier charges from 08/10/2019 - 04/12/2019	\$ 1,018.70
EFT3460	05/12/2019	Wright Express Australia Pty Ltd (Puma)	Fuel charges for the month of November	\$ 5,180.40
EFT3461	12/12/2019	Australia Post	Postage charges for the month of November, office supplies and postage drop for Seniors Luncheon	\$ 83.66
EFT3462	12/12/2019	Avon Waste	Refuse collection & recycle collection for the month of November	\$ 2,961.17
EFT3463	12/12/2019	Cunderdin Farmers Cooperative Company Ltd	Reticulation parts for Donnan Park Oval	\$ 20.50
EFT3464	12/12/2019	Glenice Batchelor	Deputy President allowance July - December	\$ 300.00
EFT3465	12/12/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT3466	12/12/2019	Landgate	Rural UV'S chargeable schedule: R2019/1	\$ 135.70
EFT3467	12/12/2019	Metal Artwork Creations	Name badges for Council members	\$ 48.84
EFT3468	12/12/2019	Michael Greenwood	President allowance July - December	\$ 1,200.00
EFT3469	12/12/2019	Officeworks	Office supplies - Archiving boxes, 2020 diary & display files	\$ 71.84
EFT3470	12/12/2019	Synergy	Electricity charges 10/10/2019 - 05/12/2019	\$ 1,904.52
EFT3471	12/12/2019	Telstra	Telstra landline & internet charges for the month of November	\$ 931.45
EFT3472	12/12/2019	Toll Ipec	Freight charges for ice machine at the Depot	\$ 55.06
EFT3473	12/12/2019	Valley Ford	15,000km service on 2TN, CEO vehicle	\$ 399.00
EFT3474	12/12/2019	Western Australian Local Government Association (WALGA)	Website Design Refresh, Council Meetings, Events Calendar, Mega Menu, Social Media Integration with Facebook, Website Accessibility Controls	\$ 8,277.00

EFT3475	20/12/2019	Adapt Electrical Solutions	Install Christmas lights Donnan Street, replace several faulty globes	\$ 1,116.50
EFT3476	20/12/2019	Australian Taxation Office - BAS	BAS - November 2019	\$ 9,565.00
EFT3477	20/12/2019	Autopro Northam	Return 2 batteries model MFN100 PO D1363 (amount of \$418 gst incl) and swap for model 94B 1000CCA. Extra cost of \$332.6	\$ 332.60
EFT3478	20/12/2019	Charmaine Thomson	Refund Councillor nomination payment 2019	\$ 80.00
EFT3479	20/12/2019	Chatfield's Tree Nursery	Bus hire bond reimbursement hired on the 11/12/2019	\$ 200.00
EFT3480	20/12/2019	Countrywide Power Equipment	Supply of 3.4KVA Generator HONDA item n° EP3400HSR	\$ 1,105.47
EFT3481	20/12/2019	F-111 Engineering Pty Ltd	Repair on clutch Truck TN15 Hino	\$ 2,970.00
EFT3482	20/12/2019	IT Vision	Monthly license fee for SynergySoft - December 2019	\$ 2,113.10
EFT3483	20/12/2019	MetroCount	Supply 6v battery pack to suit traffic survey unit	\$ 66.00
EFT3484	20/12/2019	Northam Towing Service	Towing services for TN3 from Cunderdin Wheatbelt motors to Avon Valley Ford	\$ 275.00
EFT3485	20/12/2019	Perfect Computer Solutions	02/12/2019 CSV Report for SFO, 04/12/2019 Rate session not responding PCS fixed issue, 10/12/2019 Scanned admin computer for virus computer had been compromised PSC reconfigured, 11/12/2019 Fix depot internet	\$ 340.00
EFT3486	20/12/2019	Tanya Nicholls	Refund Councillor nomination payment 2019 election	\$ 80.00
EFT3487	20/12/2019	The Workwear Group Pty Ltd	Uniform Order 19/20, MFA, Local Government Corporate collection, LG logo embroidery - MFA, FO, CDO	\$ 909.41
EFT3488	20/12/2019	Toll Ipec	Freight charges, State Library	\$ 16.17
EFT3489	20/12/2019	Valley Ford	Investigation on engine failure of Ford Ranger TN3	\$ 609.40
EFT3490	20/12/2019	Western Australian Local Government Association	3x WALGA Desk pads for Council chambers	\$ 32.70
EFT3491	20/12/2019	Wheatbelt Plumbing & Gas	Connect pressure pipe from public toilets septic pump to new PVC pipe work. Reconnect storm water pump to flexi hose, Install ice machine at Depot, reinstall air conditioner remote at Pavilion, supply and install new cistern woman's toilet admin office, rebed toilet pans unit 7 & 10 Tamma Village.	\$ 1,670.90
EFT3492	20/12/2019	Charmaine Thomson	Audit Committee meeting 11/12/2019 sitting fee and travel	\$ 24.84
EFT3493	20/12/2019	EverGreen Synthetic Grass	Deposit to supply and install new bowling green	\$ 2,000.00
EFT3494	20/12/2019	Glenice Batchelor	Council meeting 19/12/2019 travel reimbursement and sitting fee	\$ 150.00
EFT3495	20/12/2019	Michael Greenwood	Council meeting 19/12/2019 sitting fee and travel	\$ 362.98
EFT3496	20/12/2019	Nicholas Caffell	Council meeting 19/12/2019 travel reimbursement and sitting fee	\$ 228.20
EFT3497	20/12/2019	Tania Daniels	Council meeting 19/12/2019 travel reimbursement and sitting fee	\$ 237.76
EFT3498	20/12/2019	Tanya Nicholls	Council meeting 19/12/2019 travel reimbursement and sitting fee	\$ 121.01
			<b>Subtotal</b>	<b>\$168,456.67</b>
<b>Cheque Payment</b>				
6748	12/12/2019	Australian Communications and Media Authority (ACMA)	Fire & Emergency Services, 4km South of, Tammin renewal of apparatus licence	\$ 113.00
6749	20/12/2019	Water Corporation	Water charges - 08/10/2019 - 11/12/2019	\$ 12,239.24
			<b>Subtotal</b>	<b>\$ 12,352.24</b>
<b>Direct Debt</b>				
DD1374.1	10/12/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 3,657.81
DD1374.2	10/12/2019	Australian Super	Superannuation contributions	\$ 172.15
DD1389.1	24/12/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 4,187.25
DD1389.2	24/12/2019	Australian Super	Superannuation contributions	\$ 197.75
DD1391.1	19/12/2019	Messages on Hold	Interactive Voice Recordings 18/12/2019 to 17/01/2020	\$ 169.00
DD1393.1	31/12/2019	Western Australian Treasury Corporation	Loan Payment & Interest Payments 78 - 81	\$ 23,050.71
			<b>Subtotal</b>	<b>\$ 27,604.71</b>
<b>NAB Visa Payments</b>				
DD1380.1	04/12/2019	NAB Business Visa	NAB Visa Transactions from 29/10/2019 to 28/11/2019	\$ 4,540.14
			<b>Subtotal</b>	<b>\$ 52,933.29</b>
<b>Salaries &amp; Wages</b>				
	10/12/2019	Shire of Tammin	Salary & Wages	\$ 23,025.62
	24/12/2019	Shire of Tammin	Salary & Wages	\$ 25,367.53
			<b>Subtotal</b>	<b>\$ 48,393.15</b>
<b>Total paid Municipal Account for the month of December</b>				<b>\$316,992.17</b>

## 11.2 List of Payments for January 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Administration & Finance Officer
<b>Date:</b>	3 February 2020
<b>Author:</b>	Keira Wirth
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	FIN05
<b>Attachment/s:</b>	Attachment Item 11.2 – January Payment List Attachment Item 11.2 - Credit Card Statement

### Background

Accounts paid for January 2019 totaling \$338,594.85 are listed below:

Cheque numbers	6750 - 6750	\$500.00
Direct debit payments	01/01/20 – 31/01/20	\$8,135.11
Licensing transfers	01/01/20 – 31/01/20	\$1,709.75
Bank fees	01/01/20 – 31/01/20	\$102.58
VISA payments	01/01/20 – 31/01/20	\$2,440.80
EFT payments	EFT3499 – EFT3550	\$277,496.79
Salaries and wages	01/01/20 – 31/01/20	\$48,209.82
<b>Total payments</b>	<b>01/01/20 – 31/01/20</b>	<b>\$338,597.85</b>

### Comment

Nil

### Financial Implications

Directly impacts the Shire of Tammin 2019/2020 Operating Budget

### Policy Implications

Nil

### Statutory Implications

#### ***Local Government (Financial Management) Regulations 1996***

#### ***11. Payment of accounts***

*(2) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —*

- c) *cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and*
  - d) *Petty cash systems.*
- (4) *A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.*
- (5) *Payments made by a local government —*
  - c) *Subject to sub-regulation (4), are not to be made in cash; and*
  - d) *Are to be made in a manner which allows identification of —*
    - (i) *The method of payment;*
    - (ii) *The authority for the payment; and*
    - (iii) *The identity of the person who authorised the payment.*
- (6) *Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.*

*[Regulation 11 amended in Gazette 31 Mar 2005 p. 1048.]*

## **12. Payments from municipal fund or trust fund**

- (3) *A payment may only be made from the municipal fund or the trust fund —*
  - c) *If the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
  - d) *Otherwise, if the payment is authorised in advance by a resolution of the council.*
- (4) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

*[Regulation 12 inserted in Gazette 20 Jun 1997 p. 2838.]*

## **13. Lists of accounts**

- (4) *If the local government has delegated 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 —*
  - e) *The payee's name;*
  - f) *The amount of the payment;*
  - g) *The date of the payment; and*
  - h) *Sufficient information to identify the transaction.*
- (5) *A list of accounts for approval to be paid is to be prepared each month showing —*
  - c) *For each account which requires council authorisation in that month —*
    - (iv) *The payee's name;*
    - (v) *The amount of the payment; and*
    - (vi) *Sufficient information to identify the transaction; and*
  - d) *The date of the meeting of the council to which the list is to be presented.*
- (6) *A list prepared under sub-regulation (1) or (2) is to be —*
  - c) *Presented to the council at the next ordinary meeting of the council after the list is prepared; and*

d) *Recorded in the minutes of that meeting.*

**Strategic Plan Implications**

Nil

**Community Consultation**

Nil

**Recommendation**

That Council notes that during the month of January 2019, the Chief Executive Officer has made the following payments:

Municipal Fund payments totaling \$338,594.85 on Licensing transactions, Bank fees, EFT, Cheques, Visa, Direct Debit and Salaries and Wages payments.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost:\_\_\_/\_\_\_

Payment list January 2020				
Ref	Date	Creditors Name	Description	Amount
<b>Licensing</b>				
55	06/01/2020	Department of Transport	Daily Licensing Fee	\$ 179.25
55	09/01/2020	Department of Transport	Daily Licensing Fee	\$ 88.80
55	10/01/2020	Department of Transport	Daily Licensing Fee	\$ 15.60
55	13/01/2020	Department of Transport	Daily Licensing Fee	\$ 153.80
55	14/01/2020	Department of Transport	Daily Licensing Fee	\$ 519.15
55	17/01/2020	Department of Transport	Daily Licensing Fee	\$ 74.75
55	20/01/2020	Department of Transport	Daily Licensing Fee	\$ 117.90
55	21/01/2020	Department of Transport	Daily Licensing Fee	\$ 457.60
55	22/01/2020	Department of Transport	Daily Licensing Fee	\$ 47.50
55	30/01/2020	Department of Transport	Daily Licensing Fee	\$ 55.40
			<b>Subtotal</b>	<b>\$ 1,709.75</b>
<b>Bank Fees</b>				
55	02/01/2020	MERCHANT FEES	MERCHANT FEES	\$ 22.00
55	03/01/2020	BANK FEES	NAB TRANSACTION BANK FEE	\$ 4.90
55	03/01/2020	MERCHANT FEES	CBA MERCHANT FEES	\$ 55.19
55	29/01/2020	BANK FEES	NAB CONNECT FEE	\$ 20.49
			<b>Subtotal</b>	<b>\$ 102.58</b>
<b>EFT Payment</b>				
EFT3499	10/01/2020	AMPAC Debt Recovery (WA) Pty Ltd	Debt recovery for the month of December	\$ 742.81
EFT3500	10/01/2020	Adapt Electrical Solutions	Replace and rewire all security lights at Pavilion 5 hours labour, Due to Vandalism	\$ 1,137.60
EFT3501	10/01/2020	Avon Waste	Refuse collection for the month of December 2019	\$ 2,605.13
EFT3502	10/01/2020	Baxters Rural Centre	Investigation and repairs of failing thermostat, flush system on loader, including labour (\$140/hr) and parts.	\$ 3,139.90
EFT3503	10/01/2020	Combined Tyres Cunderdin	Supply and install new tyre on rim on TN2232	\$ 174.90
EFT3504	10/01/2020	DKT Rural Agencies	Various reticulation materials Tamma Village	\$ 735.60
EFT3505	10/01/2020	Department of Mines, Industry Regulation and Safety	BSL Levy for the month of November 2019	\$ 56.65
EFT3506	10/01/2020	Farmways Kellerberrin	Manhole trap for ceilings in Depot	\$ 96.75
EFT3507	10/01/2020	Glenwarra Development Services	2nd Quarter 2019/20 - Planning Services & Scheme review during 2nd quarter	\$ 1,710.50
EFT3508	10/01/2020	Kellerberrin Farmers Co-Operative	Refreshments Council meeting 19/12/2019	\$ 27.53
EFT3509	10/01/2020	LGIS Risk Management	Regional risk Co-Ordinator program 2019-20 1st instalment	\$ 1,532.30
EFT3510	10/01/2020	LGRCEU	Payroll deductions	\$ 82.00
EFT3511	10/01/2020	Navsdron Pty Ltd ATF Navsdron Trust	Assistance finalising annual report, assistance and site visit C Smith long term financial plan. Assistance with monthly reporting	\$ 5,304.64
EFT3512	10/01/2020	Perfect Computer Solutions	Monthly fee for daily monitoring management and resolution of disaster recovery options at site for the month of December	\$ 85.00
EFT3513	10/01/2020	Shire of Kellerberrin	Supply street sweeper for Tammin town precinct cleaning	\$ 2,015.00
EFT3514	10/01/2020	Tammin Art Prize Committee	Contribution towards the 2020 Tammin Art Prize	\$ 1,500.00
EFT3515	10/01/2020	Tammin Bowling Club	Refreshments for Shire of Tammin Christmas party 2019 & hire of bar staff	\$ 645.00
EFT3516	10/01/2020	Tammin Senior Citizens Committee	Donation towards Australia Day Ceremony 2020	\$ 1,000.00
EFT3517	10/01/2020	Telstra	Internet and phone charges 23/12/2019 - 22/01/2020	\$ 926.59
EFT3518	10/01/2020	The Workwear Group Pty Ltd	Staff uniform - MWS	\$ 61.60
EFT3519	10/01/2020	Toll Ipec	Freight charges for parts for Caterpillar track loader	\$ 26.90
EFT3520	10/01/2020	Western Australian Local Government Association (WALGA)	Council Member Essentials Training Courses for all Councillors - E- learning	\$ 5,850.00
EFT3521	10/01/2020	Wheatbelt Motors	Replace compressor and regas air-conditioning freight and labour	\$ 2,390.00
EFT3522	10/01/2020	Wright Express Australia Pty Ltd (Puma)	Fuel charges for various vehicles for the month of December 2019	\$ 4,439.94
EFT3523	16/01/2020	AIT Specialists Pty Ltd	Fuel tax credit review 01/10/2019 - 31/12/2019	\$ 165.00
EFT3524	16/01/2020	Alta Crudeli	Bond reimbursement for Pavilion hire on the 3/01/2020	\$ 200.00
EFT3525	16/01/2020	Australia Post	Postage & stationary charges for the month of December 2020	\$ 96.47
EFT3526	16/01/2020	Cannon Hygiene Australia Pty Ltd	Cannon sanitary disposal various buildings period, 14/02/2020 - 13/02/2021	\$ 1,405.98
EFT3527	16/01/2020	Farmways Kellerberrin	Bag of cement (1 pallet 56 bags)	\$ 220.00
EFT3528	16/01/2020	Felton Industries Pty Ltd	Supply and deliver Park Setting code FELPS	\$ 3,494.70

EFT3529	16/01/2020	MB Power & AirCon	Supply & install Mitsubishi Heavy Industries FDT140AVSXVG in Donnan Park Pavilion 14.0kW Cooling	\$ 7,250.00
EFT3530	16/01/2020	T & T Wilkins	Progress payment for materials for Cooida repairs	\$ 711.00
EFT3531	16/01/2020	The Workwear Group Pty Ltd	Staff Uniforms - CDO	\$ 742.56
EFT3532	23/01/2020	Australian Taxation Office - BAS	BAS - December 2019	\$ 2,876.00
EFT3533	23/01/2020	Baxters Rural Centre	Service on Isuzu 1GDG275	\$ 1,621.95
EFT3534	23/01/2020	LGRCEU	Payroll deductions	\$ 61.50
EFT3535	23/01/2020	Moore Stephens	Budget Workshop Friday 6 March 2020 - Moore Stephens (MFA)	\$ 957.00
EFT3536	23/01/2020	Officeworks	Photo frame, Cadbury drinking chocolate & paper towel and supplies for Shire Administration Office	\$ 190.27
EFT3537	23/01/2020	Synergy	Street light usage from 25/11/2019 - 24/12/2019	\$ 1,688.70
EFT3538	23/01/2020	Telly Auto Electrical & Air Conditioning	Various auto electrical repairs to vehicles	\$ 3,089.36
EFT3539	23/01/2020	Telstra	Telstra charges Office internet 07/12/ 2019 - 06/01/2020	\$ 332.50
EFT3540	23/01/2020	Toll Ipec	Freight charges for hard drive from PCS	\$ 10.73
EFT3541	23/01/2020	WA Contract Ranger Services Pty Ltd	Ranger services 07/01/2020 & 20/01/2020	\$ 654.50
EFT3542	30/01/2020	Adapt Electrical Solutions	Install new PowerPoint for ice machine at Depot	\$ 477.40
EFT3543	30/01/2020	Baxters Rural Centre	Supply and deliver one Luigong 856H High Specs Loader	\$199,559.15
EFT3544	30/01/2020	Chatfield's Tree Nursery	40% Deposit for trees connecting corridors program Bungulla/McDonald	\$ 10,091.83
EFT3545	30/01/2020	Perfect Computer Solutions	19/12/2019 check on received email from CDO account, 09/01/2020 Change wifi password, 22/01/2020 connect FSO printer to wireless connection	\$ 212.50
EFT3546	30/01/2020	Shire of Quairading	CESM shared billing October 2019 - December 2019, vehicle, phone & uniform	\$ 3,924.67
EFT3547	30/01/2020	Synergy	Electricity charges Depot, Yorkrakine Hall & bush fire repeater 22/11/2019 - 21/01/2020	\$ 548.95
EFT3548	30/01/2020	Telstra	Councillor tablets, mobile phone usage and wireless services 18/01/2020 - 17/02/2020	\$ 247.23
EFT3549	30/01/2020	WA Contract Ranger Services Pty Ltd	Ranger services 13/12/2019 - dog registration follow up	\$ 280.50
EFT3550	30/01/2020	Wangara Trophies	Wangara Trophies payment for quote for new Honour Board	\$ 100.00
			<b>Subtotal</b>	<b>\$277,496.79</b>
<b>Cheque Payments</b>				
6750	30/01/2020	Albert Fourie	Gratuity payment 12 years service 2008 - 2020	\$ 500.00
			<b>Subtotal</b>	<b>\$500.00</b>
<b>Direct Debits</b>				
DD1396.1	07/01/2020	WA Local Government Superannuation Plan	Payroll deductions	\$ 3,140.93
DD1396.2	07/01/2020	Australian Super	Superannuation contributions	\$ 178.75
DD1406.1	21/01/2020	Messages on Hold	Messages on Hold 18/01/2020 to 17/02/2020	\$ 169.00
DD1408.1	21/01/2020	WA Local Government Superannuation Plan	Payroll deductions	\$ 3,552.45
DD1408.2	21/01/2020	Australian Super	Superannuation contributions	\$ 122.13
DD1412.1	23/01/2020	Western Australian Treasury Corporation	Guarantee Fee for the period ending 31 December 2019	\$ 971.85
			<b>Subtotal</b>	<b>\$ 8,135.11</b>
<b>NAB Visa Payments</b>				
DD1402.1	02/01/2020	NAB Business Visa	NAB Visa Transactions from 29/11/2019 to 27/12/2019	\$ 2,440.80
			<b>Subtotal</b>	<b>\$ 2,440.80</b>
<b>Salaries &amp; Wages</b>				
	7/01/2020	Shire Of Tammin	Salary & Wages	\$ 24,122.01
	21/01/2020	Shire of Tammin	Salary & Wages	\$ 24,087.81
			<b>Subtotal</b>	<b>\$ 48,209.82</b>
<b>Total paid Municipal Account for the month of December</b>				<b>\$338,594.85</b>

### 11.3 Financial Management Report for the month of December 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	30 January 2020
<b>Author:</b>	Morgan Ware
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 11.3 - December 2019 Monthly Financial Report

#### Background

Enclosed is the Monthly Financial Report for the month of December 2019.

#### Financial Implications

Financial Management of 2019/2020

#### Statutory Implications

#### ***Local Government (Financial Management) Regulations 1996***

#### ***34. Financial activity statement report — s. 6.4***

*(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.*

*(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 sub regulation (1)(d); and*



c) *such other supporting information as is considered relevant by the local government.*

(5) *The information in a statement of financial activity December be shown —*

a) *according to nature and type classification; or*

b) *by program; or*

c) *by business unit.*

(7) *A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —*

a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*

b) *recorded in the minutes of the meeting at which it is presented.*

*Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

### **Comment**

Nil

### **Policy Implications**

Council resolved that in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* a variance percentage of 10% or \$10,000, whichever is greater, be adopted for reporting material variances.

### **Strategic Plan Implications**

Nil

### **Community Consultation**

Nil

### **Recommendation**

That Council adopt the Monthly Financial Report for the period ending December 2019 comprising;

a) Statement of Financial Activity

b) Note 1 to Note 12

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 11.4 Financial Management Report for the month of January 2020

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	30 January 2020
<b>Author:</b>	Morgan Ware
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 11.4 - January 2020 Monthly Financial Report

### Background

Enclosed is the Monthly Financial Report for the month of January 2020.

### Financial Implications

Financial Management of 2019/2020

### Statutory Implications

#### ***Local Government (Financial Management) Regulations 1996***

#### ***34. Financial activity statement report — s. 6.4***

*(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.*

*(3) 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 —*

- f) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
- g) budget estimates to the end of the month to which the statement relates;*
- h) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- i) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- j) the net current assets at the end of the month to which the statement relates.*

*(4) Each statement of financial activity is to be accompanied by documents containing —*

- d) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
- e) an explanation of each of the material variances referred to in sub regulation (1)(d); and*

*f) such other supporting information as is considered relevant by the local government.*

*(6) The information in a statement of financial activity December be shown —*

*d) according to nature and type classification; or*

*e) by program; or*

*f) by business unit.*

*(8) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —*

*c) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*

*d) recorded in the minutes of the meeting at which it is presented.*

*Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

#### **Comment**

Nil

#### **Policy Implications**

Council resolved that in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* a variance percentage of 10% or \$10,000, whichever is greater, be adopted for reporting material variances.

#### **Strategic Plan Implications**

Nil

#### **Community Consultation**

Nil

#### **Recommendation**

That Council adopt the Monthly Financial Report for the period ending January 2020 comprising;

c) Statement of Financial Activity

d) Note 1 to Note 12

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 11.5 Corporate Business Plan Quarterly Report

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Date:</b>	30 January 2020
<b>Author:</b>	Morgan Ware
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item 11.5 – Corporate Business Plan Report 2018-2022 – Updated January 2020

### Proposal/Summary

To receive the Corporate Business Plan Report as attached.

### Background

All local governments are currently required to produce a plan for the future under Sec. 5.56 (1) of the *Local Government Act 1995*.

Regulations made under the Act outline the minimum requirements of a plan for the future namely:-

- A **Strategic Community Plan** to cover a period of at least 10 financial years.
- A **Corporate Business Plan** to cover a period of at least 4 financial years.

On the 25 October 2018, Council adopted the Corporate Business Plan. Staff review the attached report each quarter to see how the Shire is tracking.

### Comment

The spreadsheet identifies the strategies and actions for each Community Strategic Plan objective and the year/s of implementation for the four-year life of the Corporate Business Plan.

<b>Red means:</b>	No Budget, No Schedule, No Resource or No Project Standing
<b>Yellow means:</b>	Minimal Budget, Not on Schedule, Minimal Resource, and average overall Project Standing
<b>Green Means:</b>	Adequate Budget, On Schedule, Enough Resource and good overall Project Standing

On review of the strategic directions, it was noted that the Shire is achieving good overall results. A few areas which need attention are:

1. The Shire has a large capital works program for 2019/20. These projects are underway and will be completed by 30 June 2020. Some of these projects include the beautification of the Main Street (pot plants, tourist information bay, Cooinda refurbishment, Public Toilets renovation, and improvements at Donnan Park), improvements to walkways in public areas and upgrades to footpaths around the townsite.
2. The Town Dam structure needs to be reviewed for efficiency and improvements to reduce the expense of water used on the Town Oval when the water from the dam has run out. Council did install a new pump, foot valve and pontoon during the 2018/19 FY.
3. Community Development Officer to improve signage in townsite, showing directions to tourist's attractions such as Hunts Well, Yorkrakine Rock & Gardner Reserve. Tammin Tourist brochure to be created and published prior to the end of the FY as we don't currently have one.
4. Grant funding was unsuccessful to purchase solar for the Administration Office. New benches in the Memorial Park purchased and will be put in place. Grant applications to be made for seating and netball/basketball rings at Donnan Park & renovations to pavilion. Provide support to the Tammin Golf Club to submit grant for improvements to Golf House. Quotes received from the committee to support the grant application and working with the Committee and EHO to progress.
5. CDO to develop a survey for the community to comment regarding improvements to the Council recreation facilities.
6. Organise Thank a Volunteer Day to thank community members who volunteer their time.
7. Continue to advertise expression of interest for subsidised seedlings, fencing and pest control. The Shire has expensed some grant money and local farmers have received seedlings in 19/20 All Connecting Corridors money hoping to be dispersed in 19/20. CDO to contact Shire of Quairading NRM, Dylan Copeland for an update.
8. LTFP & Asset Management Plan to be reviewed by staff now the 2019/20 budget has been adopted by Council.

### **Consultation**

Staff

### **Statutory Implications**

*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.*

#### **Policy Implications**

Nil

#### **Financial Implications**

2019/20 Adopted Budget

#### **Strategic Implications**

#### ***Shire of Tammin Community Strategic Plan 2017-2027.***

#### **Civic Leadership Strategies**

**Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.**

The following outcomes and strategies have been identified to achieve this vision.

**Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values**

**Outcome 6.2 An efficient and effective organisation**

#### **Recommendation**

That Council receives and endorses the Corporate Business Plan Report for January 2020.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple majority

Carried/Lost: \_\_/ \_\_

## 11.6 Section 7.12A (4) - 2018/19 Financial Year – Audit Report

<b>Location:</b>	Shire of Tammin – Audit Committee
<b>Applicant:</b>	Office of the Auditor General
<b>Date:</b>	11 February 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Conditions of contract of employment
<b>File Reference:</b>	FIN02 – Audit
<b>Attachment/s:</b>	Attachment Item 11.6 - Audit Report RSM Attachment Item 11.6 – 7.12 A July 2019 Procurement Attachment Item 11.6 – Audit Opinion Report – Office of Auditor General

### Purpose/Summary

Council's Audit Committee submits comment on significant adverse trends and non compliance with Council's Internal Purchasing Policy as identified in the Shire's 2018/19 Audit Report prepared by the Office of the Auditor General.

### Background

The Auditor General's report was presented to Council at it 19 December 2019 Ordinary Meeting. The Report referenced the following material matters indicating significant adverse trends in the financial position of the Shire:

*"In accordance with the Local Government (Audit) Regulations 1996 I report that:*

*(i) In my opinion, the following material matters indicate significant adverse trends in the financial position of the Shire:*

- a. The Operating Surplus Ratio has been below the Department of Local Government, Sport and Cultural Industries (DLGSCI) standard for the past three years.*
- b. The Asset Renewal Funding Ratio has been below the DLGSCI standard for the past two years.*

*The financial ratios are reported in Note 34 of the annual financial report.*

*(ii) The following material matter indicates a non-compliance with Part 6 of the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 or applicable financial controls of any other written law were identified during the course of my audit:*

- a. For approximately 57% of purchase transactions we sampled, there was inadequate or no evidence that a sufficient number of quotations was obtained to test the market and no documentation was available to explain why other quotes were not sought. This practice increases the likelihood of not receiving value for money in procurement.*

*(iii) All required information and explanations were obtained by me.*

*(iv) All audit procedures were satisfactorily completed.*

- (v) In my opinion, the Asset Consumption Ratio and the Asset Renewal Funding Ratio included in the annual financial report were supported by verifiable information and reasonable assumptions.”*

The Audit Committee has received a Report from the Chief Executive Officer in regard to the findings detailed in the Report of the Auditor General which has been reviewed by the Committee which puts forward this detailed Report to Council as required by s 7.12A of the Local Government Act, 1995.

Accordingly the Committee recommends that Council:

- 1. note the adverse Audit findings in respect to the Operating Surplus Ratio and Asset Renewal Funding Ratio for the 2018/19 Financial Year, as reported by the Auditor General to the Audit Committee and Council on 19 December 2019, including the material matter of non compliance relating to procurement ;*
- 2. in accepting this report, authorize the Chief Executive Officer to forward a copy of the Report to the Minister in accordance with section 7.12A(4)(b) of the Local Government Act, 1995; and,*
- 3. publish a copy of this Report on its website in accordance with the provisions of section 7.12A(4)(b).*

#### **Comment**

The Shire's 2018/19 Annual Report, inclusive of the Audit Report was presented to the Shire's Audit Committee and Council on 19 December 2019 wherein the Agenda included the following attachments:

*Attachment Item 3.1.1 - Shire of Tammin - Audit Report 30.06.19*

*Attachment Item 3.1.2 - Shire of Tammin - Annual Financial Statements 30.06.19*

*Attachment Item 3.1.3 - Shire of Tammin - Management Letter 30.06.19*

*Attachment Item 3.1.4 – Shire of Tammin – Annual Report 30.06.19*

The Audit Report identified the following matters:

- 1. “Significant adverse trend in the financial position: Operating Surplus Ratio below the Department of Local Government, Sport and Cultural Industries (DLGSC) standard for the last three years; and,*
- 2. The Asset Renewal Funding Ratio has been below the DLGSC standard for the past two years.”*

A copy of the Auditors Report and Council minutes were forwarded to DLGSC on 20 December 2019 in accordance with the requirements of the Act. A copy of the Minutes of the 19 December 2019 Ordinary Meeting where placed on the Shire's website.

In accordance with section 7.12A(4) of the Local Government Act 1995 a local government is to prepare a report:

- a) addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and,*
- b) Give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*



Furthermore, within 14 days after a local government gives a report to the Minister under subsection (4)(b), the *CEO must publish a copy of the report on the local government's official website.*"

Accordingly, the following report is presented in accordance with the format required by the Office of the Auditor General.

The required report follows.

## **REPORT**

### **Section 7.12A(4)(a) of the *Local Government Act 1995* Office of the Auditor General (OAG) – 2018/19 Audit Report**

#### **Purpose of Report**

To inform Council and community members of significant adverse trends identified by its Auditors. Moreover, the report, in the required form, was not presented to the Shire's Audit Committee and or Council at the 19 December 2019 Meetings when reviewing the 2018/19 Annual Report inclusive of the Audit Report due to time constraints.

#### **1. Significant Matter Identified by OAG – Operating Surplus Ratio**

*"Significant adverse trend in the financial position: Operating Surplus Ratio below the Department standard for the last three years."*

Where the Operating Surplus Ratio is calculated as:

*Operating revenue (AAS) LESS Contributions to capital outlays LESS operating expense (AAS) DIVIDED BY Own Source Revenue (FR50)*

Department Standard - Basic Standard between 0% and 15% and advanced with ratio greater than 15%.

#### **Implication**

DLGSC Guidelines on Financial Ratios offers the following comment:

The 'Operating Surplus Ratio' is a measure of the Shire's financial performance. A positive operating surplus ratio indicates the percentage of total own source revenue available to help fund proposed capital expenditure, transfer to cash reserves or to reduce debt. A negative ratio indicates the percentage increase in total own source revenue (principally rates) that would have been required to achieve a break-even operating result.

#### **Management Comment**

It is difficult to quantify the impact of this ratio given that some 110 of 137 local governments failed to meet the required standard for the 2017/18 financial year. No information is at hand at this time in respect to 2018/19.

The CEO has previously sought independent comment on the Operating Surplus Ratio results following a self assessment that identified a number of contributing factors influencing the Ratio outcome. Factors such as recognition of Federal Assistance Grants being inconsistent from year to year and the impact of non-cash depreciation.

Notwithstanding these issues, the CEO discussed the adverse trend with Mr Ron Back, a recognized specialist in the field of local government financial management who has amassed a data base of financial records for almost all shires going back a number of years. Having reviewed data relating to the Shire of Tammin, Mr Back noted:

*“Irrespective of the views on the adequacy of this performance indicator, the legislation requires the Shire to calculate and report this ratio in its annual financial report.*

*In responding to the Departmental enquiry, it should be noted that the trend for this ratio is improving, from -166% to -51% to -50% to -21% in the last four years. It is noted that significant progress has been made. The operations of the Shire have not materially changed; indeed, the operations of the Shire have not changed over many decades.*

*The Shire has increased its rate revenue by 6.0%, 8.8%, 5.5% and 4.0% over this period which has contributed to the better performance, however it has been mindful of difficult economic climate and the impost on ratepayers. In addition, the results have been achieved despite the substantial increases arising from State charges. The Shire has also experienced a real reduction in its untied grants over the same period.”*

#### **Action Taken or Intended to be Taken**

The Shire of Tammin has noted that whilst the Ratio has been below the required standard over the past four years, it has been improving.

The Shire will continue to monitor the Ratio results and identify factors within its control that can be addressed with a view to improving the Ratio outcome. In this regard, it is mindful of factors beyond its control such as the timing and required accounting treatment of grants received.

#### **Completion or Proposed Completion Date**

Ongoing monitoring. The recognition of Federal Assistance Grants within the year to which they apply will go a long way to reducing the fluctuations currently experienced.

## **2. Significant Matter identified by OAG – Asset Renewal Funding Ratio**

*Significant adverse trend in the Asset Renewal Funding Ratio - is below the DLGSCI standard for the past two years.*

Where the Asset Renewal Funding Ratio is calculated as:

NPV of planned capital renewal over 10 years DIVIDED BY NPV of required capital expenditure over 10 year

#### **Implication**

The DLGSC Guidelines on Financial Ratios offers the following comment:

*A local government’s financial capacity to fund asset renewal at existing revenue/service levels.*

*Standard is met if the ratio is between 75% and 95%. Standard is improving if the ratio is between 95% and 105%*

The trend of the ratio is of concern as over the past four years it has fallen from 125% to 60% to 47% to 30%

#### **Management comment**

The Shire in consultation with its consultants is currently revisiting all aspects of this ratio calculation noting that four years ago the ratio stood at 125%. It is anticipated that updates have been incorrectly applied.

Furthermore, it is noted that the Shire holds significant funds in Reserves which can be applied to asset renewal projects if required.

#### **Action taken or intended to be taken**

Shire staff met with its consultants on Wednesday, 19 February 2020 where it was identified that the existing data had not been updated to reflect the decrease in infrastructure asset values nor the additional expenditure for asset renewal. These matters are currently being attended to and will be subject to further detailed analysis.

It is noted that the 2019/20 Budget includes \$310,000 of asset renewal projects, including provision of \$120,000 for improvements to the local Golf Club building. This funding is consistent with requirements. Moreover, it was identified that for 2019/20, actual expenditure on the road network was at least 50% greater than what is included in the projections used to calculate this ratio.

A review of the proposed asset renewal requirements is currently being undertaken with assistance from external consultants

#### **Completion or Proposed Completion Date**

It is proposed to have all asset renewal requirements incorporated into updated asset management plans by 30 June 2020 for inclusion in the 2020/21 budget deliberations

### **3. Non compliance with Internal purchasing policy 3.1(b)**

The Auditor General has reported that in regard to the Shire's procurement practices that:

*"there was inadequate or no evidence that a sufficient number of quotations was obtained to test the market and no documentation was available to explain why other quotes were not sought. This practice increases the likelihood of not receiving value for money in procurement."*

This matter was identified in the interim Audit prepared by the Shire's Auditors RSM in June 2019. The Audit Committee and Council reviewed these findings at respective Meetings in July 2019 and in accordance with requirements of the Local Government Act took the following action:

- 1. noted the adverse Audit finding in respect to Non-compliance with internal purchasing policy 3.1(b) and the actions proposed to be taken to address the issue;*
- 2. in accepting this report, authorized the Chief Executive Officer to forward a copy of the Report to the Minister in accordance with section 7.12A(4)(b) of the Local Government Act, 1995; and,*
- 3. published a copy of this Report on its website in accordance with the provisions of section 7.12A(4)(b).*

Each of the above actions were subsequently undertaken immediately following the July 2019 Ordinary Council Meeting with all staff with purchasing responsibilities being briefed on the requirements of the Shire's Purchasing Policy.

(Copy of July 2019 Report attached)

### **Consultation**

Mr Ron Back, Local Government Financial specialist  
Ben Symonds – Asset Management

### **Statutory Implications**

#### **7.12A. Duties of local government with respect to audits**

- (1) A local government is to do everything in its power to —
  - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
  - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
  - (aa) examine an audit report received by the local government; and
  - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
  - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
  - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
  - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

### **Policy Implications**

N/A

### **Financial Implications**

N/A

### **Strategic Implications**

#### **Civic Leadership Strategies**

*Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values*

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

6.1.2 Undertake the civic duties of Council with the highest degree of ethics

### **Recommendation**

That Council:

1. note the Office of the Auditor General's Report to the Audit Committee and Council on 19 December 2019 contained adverse Audit findings in respect to the Operating Surplus Ratio and Asset Renewal Funding Ratio for the 2018/19 Financial Year together with the Non-Compliance with the Internal Purchasing Policy as reported on in July 2019;
2. in accepting this report, authorise the Chief Executive Officer to forward a copy of the Report to the Minister in accordance with section 7.12A(4)(b) of the Local Government Act, 1995; and,
3. publish a copy of this Report on its website in accordance with the provisions of section 7.12A(4)(b).

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 11.7 Disposal of Wheel Loader

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Works & Services
<b>Date:</b>	19 February 2020
<b>Author:</b>	Fabian Houbrechts
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ENG 30
<b>Attachment/s:</b>	Nil

### Proposal/Summary

For Council to consider the disposal of the old Liugong Loader (P23) from its fleet of heavy machinery.

### Background

The Liugong loader (P23) was purchased in 2012 and currently has 3,697 working hours (i.e. average of 528 hours per year). The loader is showing average wear and tear for its age, parts are getting more difficult to source given its older model status and cost of repairs may escalate as the machinery gets older.

Originally, when considering the purchase of a replacement loader, the original intent was to keep the old loader to maintain the refuse site.

### Comments

The Shire of Tammin has recently acquired a new Liugong loader of the same size and capacity as the current loader. The current loader was used on average of 3 hours of work per week to process the waste generated and cap the freshly dumped waste. That would equal approximately 156hrs per year of the 528 hours of its annual use, resulting in 156 hours pa for the old loader and only 372 hours of usage for the new loader.

It is noted that the 528 hours per annum is well within the working capacity of such machinery. The fixed costs for each loader include licensing, insurance, servicing (including tyres) and the reduced hours for each plant item would result in increased holding costs for the same level of operational use with flow on cost impact to the hourly recovery cost for works undertaken.

It has been demonstrated over previous years that a single loader has the capacity to undertake the Shire's required work load, including those hours required for the refuse site.

In the circumstances, there is no cost benefit to the Shire were it to hold on to the old loader.

### Consultation

Baxters Rural Cunderdin (Liugong Dealer)

### **Statutory Implications**

*Local Government Act 1995 Part 3 Division 3 s.3.58 (2)*

#### **3.58. 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.

*Local Government (functions and General) Regulation 1996 Part 6 r.30 (3)*

Reg 30. Dispositions of property excluded from Act s. 3.58

- (3) A disposition of property other than land is an exempt disposition if —
  - (a) its market value is less than \$20 000; or
  - (b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.

### **Policy Implications**

Nil

### **Financial Implications**

The loader is now getting to an age and condition where maintenance cost could increase whilst the machine will not fully recover its own cost due to the low hours of work required for the refuse site.

Market appraisal suggests that the old loader is worth between \$35,000 and \$50,000 in its current condition and will only decrease in value over time notwithstanding is low level of anticipated use.

### **Strategic Implications**

Upkeep of the Shire of Tammin fleet by disposal of ageing machinery.

**Recommendation**

That Council:

1. Authorise the non – budgeted disposal of the Liugong Loader (P23); and,
2. Authorise the Chief Executive Officer to advertise tender for the disposal of the asset as per Part 3 Division 3, s. 3.58 of the Local Government Act, 1995.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Absolute Majority

Carried/Lost: \_\_\_\_/\_\_\_\_



## 11.8 SEAVROC Funds – Distribution Agreement

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of York
<b>Date:</b>	21 January 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ORG – 21
<b>Attachment/s:</b>	Attachment Item 11.8 - SEAVROC Funds Distribution

### Proposal/Summary

For Council to agree to endorse the Distribution Agreement - SEAVROC Funds, as attached to facilitate the distribution of funds held by the Shire of York on behalf of member Shires.

### Background

As per the attached Document, on 22 June 2007, the Shires of Beverley, Brookton, Cunderdin, Quairading and York entered into a memorandum of understanding (MOU) to establish the principles, objectives and rules of the South East Avon Voluntary Regional Organisation of Councils (SEAVROC) , an organization initiated by those Shires in July 2006.

The Shire of Tammin was joined as a party to SEAVROC on 18 November 2010.

Funding was sought from various sources including the former Department of Local Government (DLG) to deliver collaborative projects through SEAVROC.

On 4 September 2014, the Shires of Cunderdin, Quairading and Tammin withdrew as parties to SEAVROC and SEAVROC was subsequently disbanded.

At the time SEAVROC was disbanded, there were outstanding projects with unexpended funds the current balance of which is \$104,451 and are held on behalf of SEAVROC by the Shire of York. In the absence of a formal group to initiate or implement projects, the funds were being held indefinitely by the Shire of York.

The Shire of York contacted the DLG, now known as the Department of Local Government, Sport and Cultural Industries (DLGSC) on 21 March 2017 and 21 March 2019 seeking advice on how to deal with the funds. On 17 May 2017 the Shire of York repaid \$11,000 of the SEAVROC funds (specifically relating to amalgamation proceedings) to DLGSC, under its instructions.

In the absence of further advice from DLGSC, and following a meeting of Shires on 7 August 2019 at Local Government Week, it was agreed that the Shire of York would prepare a report regarding the distribution of the SEAVROC funds for its Council's consideration.

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Subsequently, as detailed in the attached correspondence, an Agreement has been prepared on behalf of the Group, outlining the obligations and responsibilities of the six local governments and the costs expected to be deducted from the funds prior to distribution.

Having endorsed the Agreement at its OCM of 16 December 2019, the Shire of York requests that each of the Shires of Beverley, Brookton, Cunderdin, Quairading and Tammin sign the attached Agreement so as to facilitate the distribution of funds and to finalise this matter.

The Shire of Tammin contacted the DLGSC on 22 January 2020 and 29 January 2020 seeking clarification of the status of the funds held by the Shire of York. A response, (see attached) was received from DLGSC on 3 February 2020 which indicates that in the absence of identified outstanding grant acquittals the distribution and use of the funds is the responsibility of the local governments shown as party to the Agreement.

### **Comments**

It is proposed that the funds, net of costs (cl.5), are to be distributed equally (cl.2) to each Shire party to the SEAVROC project for which funding was provided through various programmes.

It is recognized that the Shire of York has undertaken enquiries in regards to the accumulated funds obtained and held by it on behalf of participating Shires and the proposed distribution of those funds is undertaken in good faith.

However, as provided for in Clause 4 (1), acceptance of the funds will be at each shire's own risk whilst Clause 4(2) clearly requires each shire to satisfy itself of the appropriateness of the distribution and for what future purpose the funds could be used. Furthermore, the Shire of Tammin agrees, by clause 4(3), to *"indemnify the Shire of York against any claim, demand or liability of any kind arising from receipt, acceptance or use of the SEAVROC Funds"*.

In the circumstances, I sought further clarification and advice from the DLGSC and have spoken to the two CEO's who were involved with SEAVROC during the period when the funds were obtained.

The SEAVROC funding relates to the efforts of the participating shires to undertake an amalgamation to form a single local government entity. I understand that each Shire contributed monies to the fund in support of grants obtained and to meet specific costs within various projects.

It is noted that on 17 May 2017 the Shire of York repaid \$11,000 of the SEAVROC funds (specifically relating to amalgamation proceedings) to DLGSC, under its instructions. As the coordinating entity for the various grants, one could expect that this process may have completed the acquittal process.

Moreover, it has proven difficult to establish a clear picture of the history of transactions relating to the various grant funds for reasons outlined in the DLGSC email of 3 February 2020, namely:

- Elapse of time, some grants go back to 2010;
- Changes to the Departmental structure and the role it played;
- No evidence of outstanding grant acquittals;

- Change of SEAVROC CEOs/staff involved.

### **Consultation**

Department of Local Government Sport and Cultural Industries  
Shire of Quairading – CEO  
Shire of Beverley - CEO

### **Statutory Implications**

#### **Local Government Act, 1995**

s6.5. Accounts and records

The CEO has a duty —

(a) to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government; and

(b) to keep the accounts and records up to date and ready for inspection at any time by persons authorised to do so under this Act or another written law.

s6.15. Local government's ability to receive revenue and income

#### **Local Government (Financial Management) Regulations, 1996**

Reg. 8. Separate bank etc. accounts required for some moneys

(1) A local government is to maintain a separate account with a bank or other financial institution for each of the following purposes —

- (a) money required to be held in the municipal fund (other than money for which an account is to be established under paragraph (c)); and
- (b) money required to be held in the trust fund; and
- (c) money required to be held in reserve accounts.

(2) Money related to a purpose set forth in subregulation (1) is to be banked in the account maintained for that purpose. (3) Money from different accounts may be placed in a common investment authorised by the Act.

Reg.10. Money received, how to be dealt with Money received by a local government is to be paid into an account referred to in regulation 8.

### **Policy Implications**

N/A

### **Financial Implications**

In the absence of a requirement to refund the monies currently held by the Shire of York, one could treat any distribution received similar to unclaimed Trust funds, i.e. pay the funds into the Shire's Municipal Fund and at any later date, should someone demonstrate an entitlement to those funds, a repayment could be authorised by Council from the Municipal Account.

## **Strategic Implications**

### Civic Leadership Strategies

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.

The following outcomes and strategies have been identified to achieve this vision.

Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values

- 
- 6.1.1 Deliver sustainable governance through transparent and robust policy and processes
  - 6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation

- 
- 6.2.1 Ensure sound long-term financial management and deliver value for money

### **Recommendation**

That Council:

1. Agree to accept the distribution of SEAVROC monies in accordance with the attached “Distribution Agreement – SEAVROC Funds”; and,
2. Authorize the Shire President and Chief Executive Officer to sign the Agreement on behalf of Council and to affix the Shire’s Common Seal.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 12. MATTERS FOR CONSIDERATION – ADMINISTRATION

### 12.1 Proposed Policy 1.9 Attendance at Events and Functions

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Department of Local Government Sport and Cultural Industries (DLGSC)
<b>Date:</b>	06 February 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Has implications for my attendance at events
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item 12.1 – Attendance at Events Policy

#### Proposal/Summary

For Council to adopt a new policy in respect to Councillor and CEO attendance at events as a representative of the Shire

#### Background

On 20 October 2019, the new gifts framework contained within the Local Government Legislation Amendment Act 2019 came into operation. This new gift framework has been simplified, with the focus on transparency and accountability. However, a new s5.90A has been included in the Act that requires “*a local government to prepare and adopt a policy that deals with matters relating to the attendance of Council Members and the CEO at events*”.

The attached Policy relates to the attendance of Council members and the CEO as a representative of Council, at events such as concerts, conferences and functions, including hospitality, and addresses the provision of tickets provided free of charge to **Council** or invitations to events that are to be accepted and distributed in accordance with this policy and associated guidelines.

Council may approve attendance by a council member at an event or hospitality function either as stated in this Council approved policy or by way of a specific Council resolution.

#### Comments

As stated in the Local Government Operational Guidelines relating to this Policy, Council members are expected to make decisions in the best interests of their community. To do this, that must consider each issue on its merits.

Decision-making could be influenced – or perceived to be influenced – in a number of ways, including through financial relationships, personal relationships and the receipt of gifts. However, certain gifts

received by Council members and CEOs are specifically excluded from the conflict of interest provisions (s5.62 (1B), including a gift that is received in accordance with an Attendance at Events policy.

### **Consultation**

DLGSC  
Conway Highbury – Niel Mitchell

### **Statutory Implications**

#### **5.90A. Policy for attendance at events**

- (1) In this section —  
**event** includes the following —
  - (a) a concert;
  - (b) a conference;
  - (c) a function;
  - (d) a sporting event;
  - (e) an occasion of a kind prescribed for the purposes of this definition.
- (2) A local government must prepare and adopt\* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —
  - (a) the provision of tickets to events; and
  - (b) payments in respect of attendance; and
  - (c) approval of attendance by the local government and criteria for approval; and
  - (d) any prescribed matter.

*\* Absolute majority required.*
- (3) A local government may amend\* the policy.  

*\* Absolute majority required.*
- (4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (5) The CEO must publish an up-to-date version of the policy on the local government's official website.

### **Policy Implications**

New Policy 1.9 – Attendance at events and functions  
As attached

### **Financial Implications**

N/A

### **Strategic Implications**

Extract from Strategic Community Plan 2017 - 2027

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### Civic Leadership Strategies

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.

The following outcomes and strategies have been identified to achieve this vision.

Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values

---

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

6.1.2 Undertake the civic duties of Council with the highest degree of ethics

#### **Recommendation**

That Council:

1. Adopt the attached Policy 1.9 – Attendance at events; and
2. Authorise the Chief Executive Officer to update Council's Policy Manual with the inclusion of this policy.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Absolute Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 12.2 Annual Electors Meeting- 6 February 2020

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	19 February 2020
<b>Author:</b>	Morgan Ware
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item 12.2 – General Meeting of Electors Minutes 06.02.20

### Proposal/Summary

The Annual General Meeting of Electors was held on Thursday 06 February 2020 at the Shire of Tammin Lesser Hall.

Accordingly, all decisions made at the electors' meeting are to be considered by Council at its Ordinary Council Meeting to be held on 27 February 2020.

### Background

At its December 2019 Ordinary Council Meeting the Council adopted the Financial Statement, Audit Report and Management Letter from Office of Auditor General for the 2018/19 financial year.

The Annual Report (which includes the Annual Financial Statements and the Audit Report referred to above) was accepted by Council and a date set for the Annual General Meeting of Electors.

Under the *Local Government Act 1995* decisions made at the Annual General Meeting of Electors are to be referred through to the next Council meeting for further consideration.

### Comment

Minutes of the Annual General Meeting of Electors are attached. No decisions were made at the elector's meeting for recommendation through to Council.

### Statutory Environment

#### Local Government Act 1995

##### **5.27. Electors' general meetings**

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

##### **5.33. Decisions made at electors' meetings**



- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*
- (a) *at the first ordinary council meeting after that meeting; or*
  - (b) *at a special meeting called for that purpose, whichever happens first.*
- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Community Consultation**

Some four members of the community were in attendance

**Recommendation**

That Council receive the minutes of the Annual General Electors Meeting held on Thursday 06 February 2020 and note that there were no decisions made at the Meeting that required further consideration by Council.

Moved: Cr

Seconded: Cr

Vote: Absolute Majority

Carried / Lost: \_/\_

## 12.3 Compliance Audit Return - 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	15 March 2019
<b>Author:</b>	Morgan Ware
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item - Compliance Audit Return 2019

### Proposal/ Summary

For Council to adopt the 2019 Compliance Audit Return.

### Background

Each local government is to carry out a compliance audit (following the end of each calendar year) against the requirements included in the Department of Local Government, Sports & Cultural Industries Compliance Audit Return (CAR).

In cases of non-compliance, additional information is required, explaining or qualifying the issues, together with explanation of what remedial action has been taken or proposed, with such information to be included in the Agenda item. Each Councillor is to be provided the opportunity to review the completed Return and make comment.

The adoption of the Return is to be recorded in the minutes of the meeting.

The Return is to be submitted to the Department of Local Government by 31 March 2020.

### Comment

The Compliance Audit Return has been completed and the following areas were found to be non-complaint.

Section / Reference	Question	Response	Comments
Finance	Q. 8 Where the auditor identified matters as significant in the auditors report (prepared under s7.9(1) of the Act), did the local government prepare a report stating what action had been taken with respect to each of the matters and give a copy to the Minister	Yes	The Audit Report was received on 19 December 2019 and the required report will be presented to Council at its 27 February 2020 Ordinary Meeting with details to be sent to the Minister and placed on the website.

	within 3 months after receipt of the Audit Report		
Tenders for Providing Goods & Services	Q. 27 Did the Local Government comply with it's current purchasing policy in relation to the supply of goods or services where the consideration under the contract is, or is expected to be \$150,000 or less or worth \$150,000 or less	No	The 2019 Interim Audit identified a number occasions of non-compliance which were the subject of a report to Council (July 2019) that was submitted to the Minister in accordance with s7.12A(4) and posted on the Shire's website.

This year's CAR involved a total of 104 questions (95 in 2018).

### **Consultation**

Chief Executive Officer

### **Policy Implications**

Nil

### **Statutory Environment**

Local Government Act – s7.13(1)(i) *provides that:*

*Regulations may make provision –*

- (i) *Requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –*
  - (i) *Of a financial nature or not; or*
  - (ii) *Under this Act or another written law*

*Local Government (Audit) Regulation 1996 Clause 14 provides that:*

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *A compliance audit return is to be –*
  - (a) *presented to the council at a meeting of the council;*
  - (b) *adopted by the council; and*
  - (c) *recorded in the minutes of the meeting at which it is adopted.*

### **Strategic Implications**

*"Civic Leadership Strategies*

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*Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.*

*The following outcomes and strategies have been identified to achieve this vision.*

*Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values*

*6.1.1 Deliver sustainable governance through transparent and robust policy and processes*

*6.1.2 Undertake the civic duties of Council with the highest degree of ethics"*

### **Recommendation**

That Council, in regard to the Shire of Tammin's Compliance Audit Return (CAR) 2019:

- Adopt the attached Compliance Audit Return 2019;
- Makes note of the areas of non- compliance which are to be reviewed and corrected;
- Authorise the Shire President and Chief Executive Officer to certify the Return; and,
- Instruct the Chief Executive Officer to lodge the CAR 2019 with the Department of Local Government, Sport and Cultural Industries.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_/ \_\_\_

## 12.4 National Redress Scheme

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Department of Local Government, Sport and Cultural Industries (DLGSC)
<b>Date:</b>	5 February 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	OSGOV – 26
<b>Attachment/s:</b>	Attachment Item 12.4 - National Redress Scheme Information Paper

### Proposal/Summary

For Council to be informed of the current status of the roll out of the National Redress Scheme

### Background

Council would be aware of the Royal Commission into Institutional Responses to Child Sexual Abuse which was established in January 2013 to investigate systemic failures of public and private institutions to protect children from child sexual abuse, report abuse, and respond to child sexual abuse.

The Royal Commission released three reports throughout the inquiry, including *Redress and Civil Litigation (September 2015)* making specific recommendations regarding the establishment of a single National Redress Scheme. The State Government commenced participating in the Scheme from 1 January 2019. At the time, WA local governments were excluded from the State's declaration so as to allow consultation with the local government sector and fuller consideration to be given to the mechanisms by which the sector could participate.

Since January 2019, the DLGSC has led an information and consultation process with the Local Government sector about the Scheme.

Local government peak bodies WALGA, Local Government Professionals Australia WA and LGIS have been involved in this process. WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA Local Government participation in the State's National Redress Scheme declaration with full coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019; and,*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

Following the consultation phase, a Cabinet Sub-Committee of the State Government met in December 2019 and resolved to (See information Paper for full detail):

- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and,
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

State Government agencies led by DLGSC will again engage with local governments in early 2020 and together with the Department of Justice have developed an Information Paper (attached) which further explains the State's decision and outlines the main considerations and actions for each local government to take in preparing to participate in the Scheme by 1 July 2020.

### **Comments**

During the consultation process, local governments raised the following concerns

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating under the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

Furthermore, the State's decision means the financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

### State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

### Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated with the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance)

As outlined in the attached Information Paper, local governments need to give consideration to:

- Confidentiality;
- Application processing/Staffing;
- Record keeping;
- Redress decisions (made independently); and
- Memorials.

To facilitate the participation of local government as a party to the State's declaration, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

*(The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration); and*

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme, including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

*(The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.)*

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

### **Consultation**

DLGSC

### **Statutory Implications**

The National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (WA)

### **Policy Implications**

N/A

### **Financial Implications**

The cost of participation is unknown, as it will depend on whether the Shire receives any Redress applications. However, there is expected to be some costs associated with staff training, confidentiality requirements and legal costs.

### **Strategic Implications**

Social/Community Strategies

Grow and sustain the population through planned provision of services. Maintain the sense of community, which is inclusive and welcoming for all.

The following outcomes and strategies have been identified to achieve this vision.

**Outcome 1.1                      A connected, supportive and diverse community that fosters inclusion, resilience and self-sufficiency**

1.1.1    Continue to develop and support a healthy inclusive and accessible community providing facilities and services for all ages, abilities, visitors and tourists

*(Cunderdin-Tammin Age Friendly Communities Plan 2017; Shire of Tammin, Tammin Town Centre Visioning Plan 2017)*



1.1.2 Continue to support and strengthen community groups and networks

1.1.3 Actively promote and support community events and activities

**Outcome 1.2 A growing, healthy and safe community**

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1.2.1 Maintain and enhance sport and recreation facilities

1.2.2 Improve recreation for all ages

1.2.3 Support provision of emergency services and encourage community volunteers

**Recommendation**

That Council receive the report and note the commencement of the Shire's participation in the National Redress Scheme with effect from 1 July 2020 and the associated processes, procedures and potential financial obligations that will arise there from.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 12.5 Appointments – Bush Fires Act 1954 - Chief Bushfire Control Officer

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of Tammin
<b>Date:</b>	13 <sup>th</sup> February 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	BUSH00
<b>Attachment/s:</b>	Letter – WA Department of Fire & Emergency Services (DFES)

### Proposal/Summary

For Council to consider advice from DFES to appoint its jointly employed Community Emergency Services Manager as the Shire's Chief Bush Fire Control Officer in accordance with s38A (1) of the Bush Fires Act 1954 and to appoint also a Deputy Chief Bush Fire Control Officer.

### Background

In accordance with legislative requirements Council is required to formally appoint one of its Fire Control Officers as its Chief Bush Fire Control Officer. This is done to ensure compliance and enable this Officer to lawfully undertake his/her duties under the Bush Fires Act 1954 (the Act).

Council may recall that following the 2 October 2019 Meeting of the Bush Fire Advisory Group, no nominations were received from the Volunteers in attendance for the positions of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer. Accordingly, these positions have remained unfilled for the duration of the current fire season.

Whilst calls were made and advertisements placed seeking volunteers for the two vacancies, no one has stepped forward. In response to these on-going vacancies, the Shire approached the FES Commissioner, to appoint one of his DFES officers as the CBFCO for the District of Tammin.

The FES Commissioner has responded, suggesting that Council appoint its jointly employed CESM officer to the position CBFCO. Council is required to endorse the appointment in order to meet requirements under the Bush Fires Act 1954.

Furthermore, in response to a direct request, Mr Brian Humphry has agreed to be appointed as the Shire's Deputy Chief Bush Fire Control Officer.

### Comment

The Shire of Tammin does not have established Bush Fire Brigades but through its Bush Fire Advisory Group receives nominations for the positions of Fire Control Officers (FCO's) for the purpose of issuing

burning permits and dealing with other matters prescribed under the Bush Fires Act 1954. As provided by section 38(1) of the *Act*, from the FCO's appoint both a CBFCO and DCBFCO.

In the absence of a Volunteer to take on the position of CBFCO, the FES Commissioner's recommendation is the most appropriate solution to address the vacancy. However, in the continued absence of volunteers to take on the required positions, the Shire is exposed to being in breach of s38(2C) of the *Act*.

Whilst Council has appointed two FCO's for the current fire season there is an expectation, following discussion at last year's Bush Fire Advisory Group meeting, that no burning permits would be issued until the position of CBFCO and DCBFCO had been filled for the long term.

### **Consultation**

FES Commissioner – Darren Klemm AFSM  
Tammin Bushfire Brigade Committee  
Chief Executive Officer – Neville Hale  
Community Emergency Services Manager – Simon Bell  
Manager of Works & Services – Fabian Houbrechts

### **Statutory Implications**

Bush Fire Act 1954

#### **38. Local government may appoint bush fire control officer**

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (2C) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the FES Commissioner may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (2D) Where a local government that has been served with a notice pursuant to subsection (2C) fails or neglects to comply with the requirements of that notice, the FES Commissioner may appoint a person who is not employed in the Department to the vacant office.
- (2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it

may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.

- (4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —
- (a) carrying out normal brigade activities;
  - [(b), (c) deleted]*
  - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;

#### **Policy Implications**

Shire of Tammin Policy Manual – Section 5, Fire Control

#### **Financial Implications**

There are no financial implications in relation to this item.

#### **Strategic Implications**

#### **Outcome 1.2 A growing, healthy and safe community**

- 1.2.1 Maintain and enhance sport and recreation facilities
- 1.2.2 Improve recreation for all ages
- 1.2.3 Support provision of emergency services and encourage community volunteers

#### **Recommendation**

That Council, under section 38 of the Bush Fire Act 1954:

1. appoint Mr Simon Bell, CESM as the Shire of Tammin Chief Bush Fire Control Officer;
2. appoint Mr Brian Humphry as the Shire of Tammin Deputy Chief Bush Fire Control Officer;
3. Authorise a Notice of the appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district; and,
4. Issue a Certificate of Appointment to Mr Bell.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost \_\_\_\_/\_\_\_\_

## 12.6 Local Government House Trust – Deed of Variation

<b>Location:</b>	170 Railway Parade, West Leederville
<b>Applicant:</b>	WA Local Government Association
<b>Date:</b>	19 February 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	OLGOV – 01
<b>Attachment/s:</b>	Attachment Item 12.6 - Email request from WALGA Attachment Item 12.6 - Deed of Variation – Local Government House Trust Attachment Item 12.6 - Extract from Trust Deed 1994 – CL12

### Proposal/Summary

WALGA is seeking Council's consent, by formal resolution, to a variation to the Trust Deed of the Local Government House Trust (the Trust).

### Background

As detailed in the attached email from WALGA CEO Nick Sloan, the *"Shire of Tammin is a unit holder and beneficiary to the Local Government House Trust, holding 2 unit/s as advised in WALGA's recent Quarterly Report Q4 2019."*

*The Trust's Board of Management is seeking to vary the Trust Deed in order to assist the Trust's income tax exempt status. As stipulated by the Deed, the Trust requires consent of at least 75 per cent of all beneficiaries in order to execute this variation.*

*As a beneficiary, the Shire of Tammin is requested to consent to the enclosed Deed of Variation supported by a resolution of Council; and to communicate this consent to WALGA in writing.*

*The Local Government House Trust exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.*

*The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to Division 1AB of the Income Tax Assessment Act 1936.*

*Legal advice identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State or Territory Body (STB). This view, while based upon highly technical grounds, is a risk nonetheless.*

Subsequently the Deed of Variation aims to strengthen the position that the Trust is a STB through the following amendments:

- 1. removing the existing Trustee's power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation)*
- 2. enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and*
- 3. ensuring that the Board of Management is the 'governing body' of the Trust (Clause 2.3 of the Deed of Variation)*

The proposed amendments as applied to the relevant clauses are shown in the attached email.

The first two amendments empower the beneficiaries to control appointment of Trustees whilst the third amendment confirms that power rests with the Board of Management which comprises local governments.

### **Comments**

Details of the proposed changes are described in the attached email, Deed of Variation and extract from the 1994 Trust Deed.

It is noted that clause 13 of the 1994 Trust Deed makes specific provision that the Trustees may delegate the exercise of all or any of the powers, authorities or discretions conferred on the Trustees to the Board of Management.

It is noted that this request is for Council consent to the variation and does not require Council to execute the document. At least 75% of the local government beneficiaries are required to give consent to the variation.

### **Consultation**

WALGA

### **Statutory Implications**

N/A

### **Policy Implications**

N/A

### **Financial Implications**

There are no costs attributable to the Shire. The Shire's 2 Unit holding in the Trust is recognised in the Shire's Financial Statements as a holding with a value of \$30,934.

## **Strategic Implications**

N/A

### **Recommendation**

That Council:

Agree to give consent to a variation Local Government House Trust Deed as reflected in the Deed of Variation, namely:

1)

“adds to and varies the Trust Deed and declares (inter alia) the following new or other powers authorities and discretions concerning the management, control or investment of the Trust Fund as follows:

2.1 delete the word “The” appearing after the words “Any trustee of the Trust may retire as trustee of the Trust.” in the existing clause 22.1 and replace it with the words “Subject to clause 22.3, the”;

2.2 insert after clause 22.2 the following:

“22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.

22.4 The Beneficiaries may at any time by Special Resolution:

- (a) remove a Trustee from the office as trustee of the Trust; and
- (b) appoint such new or additional Trustee.

For the purposes of this clause 22.4, “Special Resolution” means a resolution passed or decision made by not less than 75% of the Beneficiaries.”

2.3 insert a new clause 13A as follows:

#### **“13A DELEGATION TO THE BOARD OF MANAGEMENT**

Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.”

2) authorize the Chief Executive Officer to forward a copy to WALGA of the Council resolution giving its consent to the variation.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 12.7 RSL Memorial – Memorial Park

<b>Location:</b>	Memorial Park, Tammin
<b>Applicant:</b>	RSL Tammin Sub-Branch
<b>Date:</b>	12 February 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	ORGL – 06
<b>Attachment/s:</b>	Attachment Item 12.7 – Letter - 2 x Design Diagrams

### **Proposal/Summary**

For Council to consider its preferred design for a second Memorial proposed to recognize World War II and Vietnam Veterans.

### **Background**

Councillors would be aware of the existing Memorial erected in April 2019 that is located within Memorial Park. The Tammin R.S.L. Sub-Branch is proposing to erect a second memorial, subject to grant funding, to recognize World War 11 and Vietnam Veterans.

Two design concepts have been prepared for Council's consideration and a description of each is included in the attached correspondence.

The Tammin RSL Sub-Branch is seeking an early response to facilitate planning and quotes for its grant funding application.

### **Comments**

Either of the proposed memorials would make a significant contribution to the local community and enhance the role of Tammin's Memorial Park in recognizing local residents who have served our nation in times of conflict.

In considering the proposed design, one is mindful of its proposed location and compatibility with the existing structure.

### **Consultation**

David Rees Tammin RSL Sub-Branch

### **Statutory Implications**

N/A



### **Policy Implications**

N/A

### **Financial Implications**

There are no financial implications at this time.

### **Strategic Implications**

#### **Social /Community Strategies**

Grow and sustain the population through planned provision of services. Maintain the sense of community, which is inclusive and welcoming for all.

The following outcomes and strategies have been identified to achieve this vision.

Outcome 1.1 A connected, supportive and diverse community that fosters inclusion, resilience and self-sufficiency

- 
- 1.1.1 Continue to develop and support a healthy inclusive and accessible community providing facilities and services for all ages, abilities, visitors and tourists (Cunderdin-Tammin Age Friendly Communities Plan 2017; Shire of Tammin, Tammin Town Centre Visioning Plan 2017)
  - 1.1.2 Continue to support and strengthen community groups and networks
  - 1.1.3 Actively promote and support community events and activities

### **Recommendation**

For Council to determine which of the proposed Memorial designs it favours and to provide feedback to the Tammin RSL Sub-Branch.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 12.8 Establishment of the Audit & Risk Committee

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	20 February 2020
<b>Author:</b>	Neville Hale
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item – Audit Committee Terms of Reference

### Proposal/Summary

For Council to update the membership of its Audit Committee of Council for the period ending with the 2021 Election following the election of two new Councillors.

### Background

Council has previously established its Audit & Risk Committee following the October 2019 Ordinary Elections at which time there remained two unfilled Councillor Vacancies.

Following the Close of Nominations on 7 November 2019 for the Extraordinary Election to fill the two Councillor vacancies, Tanya Nicholls and Charmaine Thomson were sworn in as Councillors at the commencement of the 28 November 2019 Ordinary Council Meeting.

It is recommended that both new Councillors be appointed to the Audit & Risk Committee.

Committee appointments expire with the 2021 Ordinary Elections.

### Comment

In accordance with the Local Government Act, 1995 Council may establish a number of different types of committee.

Under the Local Government Act 1995 Committees can be classified as:

- Council committees, that is, a committee of three or more persons established by Council to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees; or,
- Non council committees established by some other authority, e.g. Emergency Management Act; or,
- community groups that operate with no delegated authority in respect to Council's powers or duties but which have an interest in some of the activities of Council and to which Council wishes to have formal representation by way of Delegates.

## **Shire of Tammin Audit & Risk Committee**

The Audit & Risk Committee is established under the Local Government Act, 1995 (the Act) s5.9(2) and s7.1A. Recommendations are made in Minutes of the Audit & Risk Committee meeting and should a Council resolution be required, recommendations are to be included as an item of business at the next available Ordinary Meeting of Council.

In accordance with the Local Government (Audit) Committee Regulations, the Audit Committee has a number of prescribed functions in providing guidance and assistance to the local government in relation to audits, the scope of the audit and matters relating to financial management and reporting on actions taken as required by s7.12A of the Act. (see Statutory Implications below).

Members are appointed for the two year period between elections, in this case the period ending October 2021 and are appointed in accordance with the Committees Terms of Reference which previously set the minimum committee membership as: Shire President and three (3) Councillors. The attached revised Terms of Reference has increased membership to be the President and five (5) Councillors.

Following previous discussion at the December 2019 Audit Committee Meeting it was suggested that all Councillors be members of the Audit & Risk Committee.

### **Consultation**

Council

### **Statutory Implications**

Local Government Act, 1995

#### **5.8. Establishment of committees**

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. \* *Absolute majority required.*

#### **5.9. Committees, types of**

(1) In this section —

***other person*** means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

#### **5.10. Committee members, appointment of**

(1) A committee is to have as its members —

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
  - (b) persons who are appointed to be members of the committee under subsection (4) or (5).
- \* Absolute majority required.*

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
  - (b) the person resigns from membership of the committee; or
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day,whichever happens first.

5.17. Limits on delegation of powers and duties to certain committees

- (1) A local government can delegate —
  - (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
    - (i) any power or duty that requires a decision of an absolute majority of the council; and
    - (ii) any other power or duty that is prescribed;and
  - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
  - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
    - (i) the local government's property; or
    - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
  - (2) The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.
- \* Absolute majority required.*
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
  - (4) An employee is not to be a member of an audit committee.

## **Local Government (Audit) Regulations 1996**

### **16. Functions of audit committee**

An audit committee has the following functions —

- (a) to guide and assist the local government in carrying out —
  - (i) its functions under Part 6 of the Act; and
  - (ii) its functions relating to other audits and other matters related to financial management;
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;
- (c) to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —
  - (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council;
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
  - (i) regulation 17(1); and
  - (ii) the *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government —
  - (i) is required to take by section 7.12A(3); and
  - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
  - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
  - (iv) has accepted should be taken following receipt of a report of a review conducted under the *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c);
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.

### **17. CEO to review certain systems and procedures**

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.

- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

**Policy Implications**

N/A

**Financial Implications**

Committee members are entitled to claim meeting fees and travel expenses.  
Delegates are entitled to claim travel expenses only.

**Strategic Implications**

**Strategic Community Plan**

6. Civic Leadership

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity and act in good faith on behalf of their communities.

CL 6.1 Deliver sustainable governance through transparent and robust policy and processes.

**Recommendation 1**

That Council:

1. a) In accordance with s5.9(2)(a) of the Local Government Act 1995, establish its Audit & Risk Committee and appoint Cr Greenwood, Cr Daniels, Cr Batchelor, Cr Caffell, Cr Thomson and Cr Nicholls as members of the Audit and Risk Committee: and
- b) Endorse the attached Terms of Reference

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Absolute Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

## 12.9

## Tammin Achievement Awards 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Community Development Officer
<b>Date:</b>	19 February 2020
<b>Author:</b>	Samantha Pimlott
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	PUB00
<b>Attachment/s:</b>	Attachment Item 12.9 – Confidential Nomination Citizen of the Year 2 Attachment Item 12.9 – Confidential Nomination Citizen of the Year Attachment Item 12.9 – Confidential Nomination Recognition Award 2 Attachment Item 12.9 – Confidential Nomination Recognition Award Attachment Item 12.9 – Confidential Nomination Senior Citizen of the Year

### Proposal/Summary

Council is asked to consider the nominations received for the Tammin Achievement Awards 2019 to be held on 19 March 2020.

### Background

The Tammin Achievement Awards acknowledge Tammin residents for their contribution in making a difference to our community and recognise those who put in the extra effort to become role models and encourage and motivate others to step out and set new boundaries of achievement.

Nominations opened 10<sup>th</sup> February. A copy of the form was posted to all residents within the Tammin community, emails to newsletter recipients, electronic notice board, advertised on the Shire Facebook page, website, Tabloid newsletter, Shire newsletter and also forwarded to all local clubs and organisations. An online form was also created to try and make it easier for people to nominate.

There are 4 categories which a local community member or group can be nominated for:

- a) 2019 Citizen of the Year Award
- b) 2019 Senior Citizen of the Year Award (for a person over 65 years)
- c) 2019 Youth Citizen of the Year Award (for a person under 25 years)
- d) 2019 Recognition Award

The Tammin Achievement Awards are also a good opportunity for new members in our community to get to know the “locals” and also find out what Tammin has to offer. It is an open invitation for all residents.

### **Comments**

After the extensive advertising we have received five nomination forms. Of the 5 nominations only 3 of the 4 categories are represented. At Council's discretion, it may wish to nominate a deserving recipient to fill this category or leave it unfilled for this year's Achievement Awards Night.

### **Consultation**

Tammin Clubs and Organisation's.  
Extensive advertising and direct mail-outs

### **Statutory Implications**

Nil

### **Policy Implications**

#### **7.1 Tammin Achievement Awards**

#### **POLICY STATEMENT**

1. The purpose of the Awards is to –
  - a) Acknowledge Tammin residents for their contribution in making a difference to our community and recognise those who put in that extra effort not only in their contribution, but those that become role models and encourage and motivate others to step out and set new boundaries of achievement.
  - b) Honour and recognise Tammin residents who have achieved success in sporting, cultural and community pursuits.

#### **APPLICATION**

2. Categories
  - a) These include, but are not limited to –
    - arts and culture,
    - sports and recreation,
    - environment,
    - education,
    - civic duty,
    - community volunteerism and
    - youth or seniors' leadership.
  - b) Sporting Awards, as recommended by each respective Tammin Sports Club, for example –
    - best & fairest winners,
    - club champion,
    - team achievement,
  - c) Nominees will have made a significant contribution through a unique achievement or outstanding service –
    - as a volunteer;



- in the course of their work, or
- in any area that provides a benefit to the Tammin community.

3. Nominations and eligibility

- a) All Tammin clubs and organisations will be invited to nominate members and/or teams for an award. The nominees do not have to be the winner or champions of their respective sport. Who is nominated is entirely at the discretion of the respective club.
- b) To nominate, a completed nomination form including a description of why the person and or team should be considered for an award, is to be submitted within the deadline.
- c) No awards will be granted without a duly completed nomination and nominations received which do not meet the criteria will not be accepted.

4. When

The presentation shall be held on 19<sup>th</sup> March 2020.

5. Venue

Tammin Bowling Club

6. Invitees

- a) All award recipients and their immediate family are invited as well as the Shire President, elected members, CDO and the CEO.
- b) Two representatives of each club and organisation and residents new to Tammin shall also be invited to the awards night.

7. Format

- a) Semi-formal,
- b) drinks and finger food to be provided.

**OBJECTIVE**

To recognise achievements by members of the community and invite new residents to make social connections within the Tammin Community.

**STATUTORY CONTEXT**

None

**CORPORATE CONTEXT**

Annual Budget

**HISTORY**

Former Policy	7.3
Adopted	28 June 2018

**REFERENCES**

None

### **Financial Implications**

2018/19 Budget - \$1,500.00

### **Strategic Implications**

Nil

### **Recommendation**

For Council to recognise the following Tammin Achievement Awards 2019 recipients:

- a) 2019 Citizen of the Year Award \_\_\_\_\_
- b) 2019 Senior Citizen of the Year Award (for a person over 65 years) \_\_\_\_\_
- c) 2019 Youth Citizen of the Year Award (for a person under 25 years) \_\_\_\_\_
- d) 2019 Recognition Award \_\_\_\_\_

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote : Simple Majority

Carried/Lost \_\_\_\_/\_\_\_\_

### 13. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

### 14. MATTERS FOR CONSIDERATION – TOWN PLANNING

#### 14.1 Town Planning Update

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	N/A
<b>Date:</b>	10 February 2020
<b>Author:</b>	N. Jurmann
<b>Item Approved by:</b>	Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### Proposal/Summary

This information report is an update for the Councillors on the status of the proposed Shire of Tammin Local Planning Scheme No.2 and the Joint Local Planning Strategy for Cunderdin, Quairading and Tammin.

#### Background

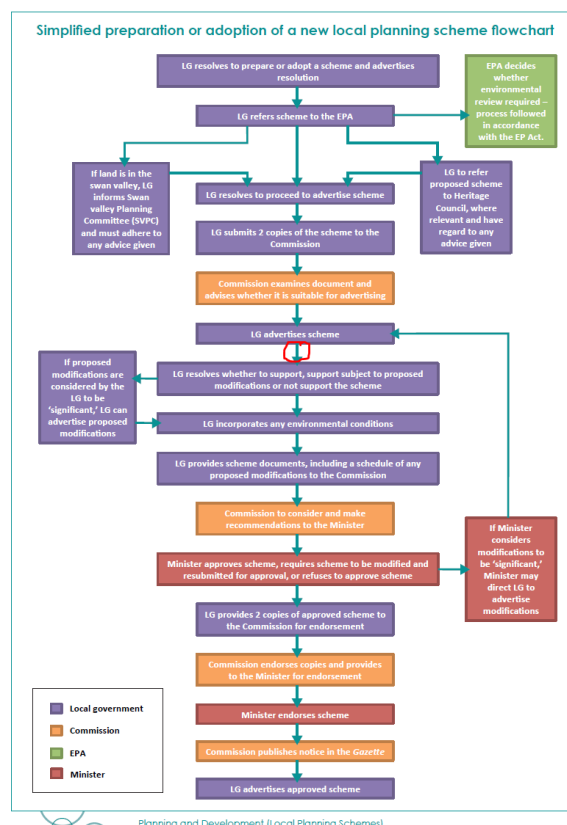
The Shire of Tammin recently undertook advertising for the proposed Shire of Tammin Town Planning Scheme No.2 and Joint Local Planning Strategy for Cunderdin, Quairading and Tammin. The documents were out for comment for 3 months and the advertising was completed on the 31st of January 2020.

We are currently in the process of developing the schedule of submissions and recommendations to enable Council to consider whether to support subject to modifications or not support the scheme.

#### Comments

The main business area of Tammin, which is currently zoned Town Centre, is proposed to be rezoned to Commercial, which is a result of the old Town Centre zone no longer existing in the Planning and Development (Local Planning Schemes) Regulations 2015.

We are researching options for the town centre, including modifications to the Zoning Table that could address the concerns about some of the current uses becoming non-conforming uses and would avoid the need to re-advertise the scheme. In addition to this we have had a request to rezone



the 4 residential blocks on Barracks Road to light industry and I am currently discussing the possibility of this with the Department of Planning.

I expect that a more detailed report covering the submissions and potential changes to the Scheme will be available before the March Council Meeting and a final copy of these changes for council to vote will be available at the April Council Meeting. Whilst the Scheme can be progressed separately to the Joint Strategy, the Scheme cannot be adopted before the Joint Strategy, as the Strategy informs the Scheme.

### **Consultation**

During the advertising period several rate payers from Tammin contacted the contract planner Natasha Jurmann regarding the zoning changes, with several mapping errors being noted. Discussions with these rate payers and the CEO have indicated that some changes will be required to the scheme text and mapping, such as a property that was listed as residential being a church; businesses on the southern side of town not identified on the maps; and a residential property being listed as cultural facilities.

### **Statutory Implications**

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

### **Policy Implications**

10.1 – Relocated Buildings

This Policy is not impacted by the proposed changes in the new Local Planning Scheme No. 2

### **Financial Implications**

If further advertising is required, then additional advertising costs.

### **Strategic Implications**

Nil

### **Recommendation**

That Councilors receive this information report.

Moved: Cr \_\_\_\_\_

Seconded: Cr \_\_\_\_\_

Vote: Simple Majority

Carried/Lost: \_\_\_\_/\_\_\_\_

**15. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**16. MATTERS FOR WHICH THE MEETING MAY BE CLOSED (S`5.23)**

Nil

**17. CLOSURE OF MEETING**

There being no further business the Shire President declared the meeting closed at \_\_\_\_pm.