

Shire of Tammin

ORDINARY COUNCIL MEETING

MINUTES



An Ordinary Meeting of Council of the Shire of Tammin was held on **Thursday 28 November 2019** in the Council Chambers, 1 Donnan St, Tammin, commencing at **5:05pm**.

Neville Hale
Chief Executive Officer

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 Deputy Shire President declared the meeting open at 5:05pm.

1.1 Swearing-In of Council Members

Members of Council who were declared elected by the Returning Officer at the close of nominations on the 7 November 2019 are required to take the Declaration of Office (refer Form 7 attached).

Newly elected Councillors Tanya Nicholls and Charmaine Thomson took the Declaration of Elected Member before Neville Hale, Chief Executive Officer for a four year term being November 2019 to November 2023.

In the absence of the Shire President, Deputy President, Glenice Bachelor took the Chair.

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

Present:

Cr G Batchelor	Deputy President - Presiding
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:

Cr M Greenwood	Shire President
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3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None

4. PUBLIC QUESTION TIME

None

5. APPLICATIONS FOR LEAVE OF ABSENCE

TSC 112/19 MOTION

Council grant leave of absence for Cr Thomson for 19 December Ordinary Council Meeting

Moved: Cr Caffell

Seconded: Cr Daniels

Vote: Simple Majority

Carried: 5/0

6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

Nil

7. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS

Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 Special Council Meeting Minutes – 23 October 2019

TSC 113/19 MOTION

That the Minutes of the Special Council Meeting held on 23 October 2019 be confirmed as a true record of proceedings.

Moved: Cr Caffell

Seconded: Cr Daniels

Vote: Simple Majority

Carried: 5/0

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MATTERS FOR CONSIDERATION – FINANCE

11.1 List of Payments for October 2019

Location:	Shire of Tammin
Applicant:	Administration & Finance Officer
Date:	6 November 2019
Author:	Keira Wirth
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	FIN05
Attachment/s:	Attachment Item 11.1 – September Payment List Attachment Item 11.1 - Credit Card Statement

Background

Accounts paid for October 2019 totaling \$275,596.94 are listed below:

Cheque numbers	6477 – 6746	\$8,603.87
Direct debit payments	01/10/19 – 31/10/19	\$19,089.60
Licensing transfers	01/10/19 – 31/10/19	\$14,973.65
Bank fees	01/10/19 – 31/10/19	\$720.11
VISA payments	01/10/19 – 31/10/19	\$1,085.08
EFT payments	EFT3307 – EFT3383	\$161,849.61
Salaries and wages	01/10/19 – 31/10/19	\$69,275.02
Total payments	01/10/19 – 31/10/19	\$275,596.94

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

TSC 114/19 MOTION

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

Municipal Fund payments totaling \$275,596.94 on Licensing transactions, Bank fees, EFT, Cheques, Visa, Direct Debit and Salaries and Wages payments.

Moved: Cr Daniels

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

Payment List for October 2019

Ref	Date	Creditor Name	Description	Amount
Licensing				
52	01/10/2019	Department of Transport	Daily Licensing transactions	\$ 29.25
52	02/10/2019	Department of Transport	Daily Licensing transactions	\$ 1,421.40
52	04/10/2019	Department of Transport	Daily Licensing transactions	\$ 3,477.65
52	07/10/2019	Department of Transport	Daily Licensing transactions	\$ 108.60
52	11/10/2019	Department of Transport	Daily Licensing transactions	\$ 33.50
52	14/10/2019	Department of Transport	Daily Licensing transactions	\$ 153.10
52	15/10/2019	Department of Transport	Daily Licensing transactions	\$ 33.50
52	16/10/2019	Department of Transport	Daily Licensing transactions	\$ 682.50
52	18/10/2019	Department of Transport	Daily Licensing transactions	\$ 494.30
52	21/10/2019	Department of Transport	Daily Licensing transactions	\$ 47.35
52	22/10/2019	Department of Transport	Daily Licensing transactions	\$ 919.65
52	22/10/2019	Department of Transport	Daily Licensing transactions	\$ 131.30
52	24/10/2019	Department of Transport	Daily Licensing transactions	\$ 323.00
52	25/10/2019	Department of Transport	Daily Licensing transactions	\$ 245.70
52	29/10/2019	Department of Transport	Daily Licensing transactions	\$ 6,499.15
52	30/10/2019	Department of Transport	Daily Licensing transactions	\$ 322.00
52	31/10/2019	Department of Transport	Daily Licensing transactions	\$ 51.70
			Subtotal	\$ 14,973.65
Bank Fees				
52	01/10/2019	MERCHANT FEES	MERCHANT FEES	\$ 482.73
52	03/10/2019	MERCHANT FEES	MERCHANT FEES	\$ 7.70
52	03/10/2019	MERCHANT FEES	MERCHANT FEES	\$ 149.94
52	24/10/2019	BANK FEES	NAB CONNECT FEE	\$ 21.74
52	31/10/2019	BANK FEES	MUNI A/C BANK FEES	\$ 38.00
52	31/10/2019	BANK FEES	TRUST A/C BANK FEES	\$ 20.00
			Subtotal	\$ 720.11
EFT Payments				
EFT3307	03/10/2019	AMPAC Debt Recovery (WA) Pty Ltd	Debt Recovery for the month of September	\$ 274.45
EFT3308	03/10/2019	ATOM	Freight charges for work uniforms	\$ 22.00
EFT3309	03/10/2019	Avon Paper Shred	Shredding services for archive boxes	\$ 430.65
EFT3310	03/10/2019	Avon Waste	Refuse Collection for September	\$ 2,605.13
EFT3311	03/10/2019	Baxters Rural Centre	Hydraulic fitting for Bobcat	\$ 39.60
EFT3312	03/10/2019	Conway Highbury Pty Ltd	Consultancy Services	\$ 1,397.00
EFT3313	03/10/2019	Crowe Certification	Building Surveying Services & Environmental Health	\$ 2,750.00
EFT3314	03/10/2019	Donald Thomson	Council meeting 26th September 2019	\$ 124.84
EFT3315	03/10/2019	Glenice Batchelor	Council meeting 26th September 2019	\$ 105.00
EFT3316	03/10/2019	Glenwarra Development Services	1st quarter 2019/20 planning services & scheme review	\$ 1,710.50
EFT3317	03/10/2019	IT Vision	Monthly Licence fee for SynergySoft Modules	\$ 2,113.10
EFT3318	03/10/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT3319	03/10/2019	Michael Greenwood	Council meeting September 26th 2019	\$ 236.49
EFT3320	03/10/2019	Nicholas Caffell	Council meeting September 26th 2019	\$ 120.06
EFT3321	03/10/2019	Perfect Computer Solutions	Computer maintenance	\$ 255.00
EFT3322	03/10/2019	Synergy	Electricity charges for various buildings	\$ 2,187.37
EFT3323	03/10/2019	Tania Daniels	Council meeting September 26th 2019	\$ 123.88
EFT3324	03/10/2019	Telstra	Telstra phone charges for the month of August	\$ 252.53
EFT3325	03/10/2019	Western Lock service	Supply 11 padlocks keyed to existing master key system	\$ 964.70
EFT3326	03/10/2019	Wheatbelt Renovations	Re-fit mounted fan in CEO office	\$ 82.50
EFT3327	03/10/2019	Wright Express Australia Pty Ltd (Puma)	Fuel charges for the month of September	\$ 6,437.56
EFT3328	10/10/2019	Australia Post	Postage and Stationary Charges	\$ 236.21
EFT3329	10/10/2019	Avon Valley Mitsubishi	Purchase of Mitsubishi Triton GLXrubber with extra's	\$ 35,104.60
EFT3330	10/10/2019	DKT Rural Agencies	Reticulation parts & one pair of safety shoes	\$ 343.15
EFT3331	10/10/2019	Department of Fire and Emergency Services	2019/20 Emergency Services Levy	\$ 1,776.69
EFT3332	10/10/2019	Donald Thomson	Deputy President Allowance term finished July 2019	\$ 150.00

EFT3333	10/10/2019	Goomalling Twilight Club	Seniors Luncheon, Subsidised travel reimbursements	\$ 196.00
EFT3334	10/10/2019	IT Vision	Upload attractive items register to Synergy	\$ 412.50
EFT3335	10/10/2019	Kellerberrin Farmers Co-Operative	Council refreshments for September Council meeting	\$ 228.61
EFT3336	10/10/2019	Kellerberrin Medical Centre	Pre Employment medical	\$ 143.00
EFT3337	10/10/2019	Talis Consultants Pty Ltd	Valuation for Roads Network	\$ 5,445.00
EFT3338	10/10/2019	Telstra	Phone charges for the month of September	\$ 1,015.21
EFT3339	10/10/2019	WA Contract Ranger Services Pty Ltd	Ranger Services 20/09/2019 & 03/10/2019	\$ 561.00
EFT3340	10/10/2019	Wheatbelt Office and Business Machines	Photocopier charges for the month of September	\$ 957.14
EFT3341	17/10/2019	Adapt Electrical Solutions	Sirens at Tennis courts reset control panel	\$ 247.50
EFT3342	17/10/2019	Cunderdin Farmers Cooperative Company Ltd	Panasonic 32L Microwave for Administration Office	\$ 285.00
EFT3343	17/10/2019	Eastern Districts panel beaters	Windscreen repairs for 1TN	\$ 550.00
EFT3344	17/10/2019	Heswa Hyperlift	Testing and tagging for depot hoist	\$ 662.20
EFT3345	17/10/2019	KW & AJ Swann	Pushing gravel up at Anemeka Farm Gravel Pit	\$ 3,630.00
EFT3346	17/10/2019	LGIS (WA)	Instalment 2 LGIS Property, 30/06/2019 - 30/06/2020	\$ 27,401.26
EFT3347	17/10/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT3348	17/10/2019	Metal Artwork Creations	Silver Aluminium Staff badges	\$ 25.30
EFT3349	17/10/2019	Navsdron Pty Ltd ATF Navsdron Trust	Accounting Support	\$ 5,060.00
EFT3350	17/10/2019	Not Too Dusty Plant Hire	Dry Hire of water cart	\$ 2,695.00
EFT3351	17/10/2019	Officeworks	Laserjet ink cartridge, folders and fold back clips	\$ 240.46
EFT3352	17/10/2019	Perfect Computer Solutions	Desktop Mini Intel i5 PC & set up costs for PC	\$ 2,020.00
EFT3353	17/10/2019	RAMM Software Pty Ltd	2 day course training for RAMM Management	\$ 935.00
EFT3354	17/10/2019	Southern Cross Austereo Pty Ltd	Radio Advertising for Seniors Luncheon	\$ 1,166.00
EFT3355	17/10/2019	Synergy	Electricity charges for various buildings	\$ 2,195.24
EFT3356	17/10/2019	Wheatbelt Plumbing & Gas	Repair leak to evaporative air conditioner at Lesser Hall	\$ 500.50
EFT3357	23/10/2019	Department of Fire and Emergency Services	2019/20 Emergency Services Levy	\$ 1,776.69
EFT3358	23/10/2019	Glenice Batchelor	Refund of Councillor Nomination payment 2019 election	\$ 80.00
EFT3359	23/10/2019	Kellerberrin Medical Centre	Pre Employment medical	\$ 143.00
EFT3360	23/10/2019	MetroCount	Chappell Wheeldon various materials for road counters	\$ 321.20
EFT3361	23/10/2019	Officeworks	Office stationary & cleaning products	\$ 154.37
EFT3362	23/10/2019	Perfect Computer Solutions	Trend Worry Free Anti Virus - 3 Years, 12x	\$ 2,385.00
EFT3363	23/10/2019	Sweet Tammin Hotel	Meal for Council meeting and farewell to Councillor	\$ 436.00
EFT3364	23/10/2019	Tammin Community Christmas Tree	2019 Community Christmas Tree Donation	\$ 1,000.00
EFT3365	23/10/2019	Toll Ipec	Freight charges from State Library & Western Lock	\$ 51.16
EFT3366	23/10/2019	Wheatbelt Office and Business Machines	Photocopier charges Fuji Xerox	\$ 263.82
EFT3367	23/10/2019	Wheatbelt Plumbing & Gas	Install lockable ball valves to standpipes	\$ 6,397.27
EFT3368	31/10/2019	Australian Taxation Office - BAS	BAS for September 2019	\$ 666.00
EFT3369	31/10/2019	Cunderdin Medical Centre	Pre Employment medical	\$ 132.00
EFT3370	31/10/2019	F-111 Engineering Pty Ltd	Repairs to the cricket Pitch roller	\$ 3,587.65
EFT3371	31/10/2019	Glenice Batchelor	Special Council meeting for October 23rd 2019	\$ 105.00
EFT3372	31/10/2019	LGIS (WA)	LGISWA Bushfire insurance	\$ 1,650.00
EFT3373	31/10/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT3374	31/10/2019	Metal Artwork Creations	Silver Aluminium staff badge for EHBS	\$ 14.30
EFT3375	31/10/2019	Michael Greenwood	Special Council meeting for 23/10/2019	\$ 236.49
EFT3376	31/10/2019	Nicholas Caffell	Special Council meeting for 23/10/2019	\$ 123.88
EFT3377	31/10/2019	Promotional Exposure	Deposit 2020 Comedy Gold Thursday 13th August 2020	\$ 1,760.00
EFT3378	31/10/2019	Quairading Earthmoving	Push Gravel at pit mobilisation to pit on Wyola North Rd	\$ 17,105.00
EFT3379	31/10/2019	Raymond Jefferies	Rent reimbursement for 20 Ridley Street Tammin	\$ 107.14
EFT3380	31/10/2019	Roadswest Engineering Group Pty Ltd	Design for concrete floodway on Chappell Wheeldon Rd	\$ 6,275.50
EFT3381	31/10/2019	Tania Daniels	Special Council meeting for 23/10/2019	\$ 123.88
EFT3382	31/10/2019	Telstra	Telstra mobile device charges	\$ 254.83
EFT3383	31/10/2019	Wyalkatchem Weekly	Full page advertising costs in Wyalkatchem weekly	\$ 100.00
			Subtotal	\$161,849.61
Cheque				
6744	10/10/2019	Water Corporation	Water usage 14/08/2019 - 04/10/2019	\$ 2,730.46
6745	17/10/2019	Water Corporation	Standpipe Barrack road, used for various roads	\$ 5,727.98
6746	23/10/2019	Water Corporation	Water charges Yorkrakine Hall	\$ 145.43
			Subtotal	\$ 8,603.87

Direct Debit				
DD1320.1	01/10/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 3,158.39
DD1320.2	01/10/2019	Australian Super	Superannuation contributions	\$ 175.45
DD1324.1	01/10/2019	Western Australian Treasury Corporation	Payment of Loan 78 & 79	\$ 7,845.45
DD1332.1	15/10/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 3,282.97
DD1332.2	15/10/2019	Australian Super	Superannuation contributions	\$ 195.27
DD1337.1	22/10/2019	Messages on Hold	Interactive voice recordings, 18/10/2019 - 17/11/2019	\$ 169.00
DD1342.1	29/10/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 4,090.92
DD1342.2	29/10/2019	Australian Super	Superannuation contributions	\$ 172.15
			Subtotal	\$ 19,089.60
NAB Visa Payment				
DD1327.1	03/10/2019	NAB Business Visa	Visa transactions from 29/08/19 to 27/09/19	\$ 1,085.08
			Subtotal	\$ 1,085.08
Salaries & Wages				
	1/10/2019	Shire of Tammin	Salary & Wages	\$ 21,531.00
	15/10/2019	Shire of Tammin	Salary & Wages	\$ 21,058.46
	29/10/2019	Shire of Tammin	Salary & Wages	\$ 26,685.56
			Subtotal	\$ 69,275.02
Total paid Municipal for the month of October				\$275,596.94

11.2 Financial Management Report for the month of October 2019

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	8 November 2019
Author:	Morgan Ware
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 11.2 - October 2019 Monthly Financial Report

Background

Enclosed is the Monthly Financial Report for the month of October 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.*

(3) *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.*

(4) *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

Officers Recommendation

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

a) Statement of Financial Activity

b) Note 1 to Note 12

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

TSC 115/19 MOTION

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

- a) Statement of Financial Activity**
- b) Note 1 to Note 12; and,**
- c) That a Budget Review be undertaken in February 2020 to address identified variations noted.**

Moved: Cr Caffell

Seconded: Cr Daniels

Vote: Simple Majority

Carried: 5/0

Reason for change to recommendation

The CEO had identified a number of variations to the budget that require Council consideration

12. MATTERS FOR CONSIDERATION – ADMINISTRATION

12.1 Delegation Amendment – 1.2 Acting CEO Appointment

Location:	Shire of Tammin
Applicant:	Council
Date:	6 November 2019
Author:	Neville Hale
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	CEO leave arrangements
File Reference:	Nil
Attachment/s:	Attachment Item 12.1 - Revised Delegation 1.2

Proposal/Summary

For Council to adopt the proposed revised Delegation 1.2 wherein reference to the appointment of the Deputy CEO, Shire of Cunderdin as a potential Acting CEO for the Shire of Tammin be removed from the current Delegation.

Background

At the time when Delegation 1.2 Acting CEO appointment was adopted, the Shire of Tammin and the Shire of Cunderdin were operating under a Shared CEO Agreement and the DCEO at the Shire of Cunderdin was the then second most senior officer.

Following the termination of the Shared Services Agreement, it is no longer appropriate to reference the DCEO, Shire of Cunderdin.

Comments

The Shire of Tammin has one position currently recognized as a Senior Officer, i.e. Manager of Works and Services. In the absence of the CEO for a period of up to 4 weeks, the delegation permits the CEO to appoint the Manager Works and Services to Act in the position. Alternatively, he may recommend to Council that an external temporary placement be considered.

Consultation

Statutory Implications

Local Government Act, 1995 – s 5.37 – Senior employees

Policy Implications

Policy 2.2 Acting/Relieving CEO

Financial Implications

N/A

Strategic Implications

N/A

TSC 116/19 MOTION

That Council:

- 1. Adopt the amended Delegation 1.2 – Acting CEO appointment; and**
- 2. Authorise the Chief Executive Officer to update the Delegation Register with the revised Delegation 1.2.**

Moved: Cr Thomson

Seconded: Cr Nicholls

Vote: Absolute Majority

Carried: 5/0

12.2 Policy Manual Review - 2019

Location:	Shire of Tammin
Applicant:	Administration
Date:	6 November 2019
Author:	Neville Hale
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Policy impacts on the operations managed by the CEO
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 - Policy Manual November 2019

Proposal/Summary

For Council to review its policy manual

Background

Council's Policy Manual was the subject of a comprehensive review in June 2018 with the objective to –

- remove unnecessary policies that were of a delegations or operational nature,
- amend those that require change to reflect changes in legislation, and
- propose new policies to comply with legislative requirements or considered advisable.

As with the Delegations Register, the Policy Manual will fit into a hierarchy of requirements, which are noted within the Appendix to the revised document. Accordingly, it is necessary that it integrates with legislative requirements and the local laws, planning policy and delegations as made by Council.

Comments

During the past eighteen months, new policy requirements have been assessed and included in this revised document.

Further policy requirements will arise over the coming months in response to the recent Local Government Act, review.

New Policies added to date:

Policy 2.6 – Complaint Management

Policy 2.7- Fraud and Corruption Prevention

Policy 8.7 Recruitment and Selection Policy

The following Policies have been updated:

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Policy 2.1 – Senior Employees – Designation

– recognises the Manager of Works and Services as a Senior Employee for the purposes of Acting as CEO if required for short term.

Policy 2.2 Acting /Relieving CEO

- facilitates the Manager of Works and Services to Act in the position of CEO for short term requirements in conjunction with revised Delegation (see separate Item in this Agenda)

A new Policy dealing with “Attendance at events” has also been drafted in accordance with the requirements of s5.90A of the Act but is subject to a model policy being developed by the DLGSC. This policy will be the subject of a separate item to a later Council meeting and is to be included in this revised Policy Manual once adopted.

New Policy in respect to Codes of Conduct for Councillors and Employees was discussed at the previous Ordinary Council Meeting and will be put for consideration at a later meeting once a model policy has been finalised by the Department of Local Government, Sport and Cultural Industries.

Furthermore, in accordance with new s5.128 requirements, a local government is to prepare and adopt (via absolute majority) a policy for the continuing professional development of council members.

Consultation

DLGSC

Statutory Implications

Compliance with various Local Government Act requirements.

Policy Implications

As per this item

Financial Implications

None

Strategic Implications

The Policy Manual is to enable the effective and efficient implementation of Council’s instructions, adopted annual budget, and legislative and local law obligations.

TSC 117/19 MOTION

That the attached Policy Manual – November 2019 be adopted inclusive of those Policies requiring adoption by absolute majority.

Moved: Cr Caffell

Seconded: Cr Daniels

Vote: Absolute Majority

Carried: 5/0

12.3 Councillor training – Requirements and Options

Location:	Shire of Tammin
Applicant:	Department of Local Government, Sport & Cultural Industries (DLGSC)
Date:	13 November 2019
Author:	Neville Hale
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	ADM
Attachment/s:	Attachment Item 12.3 - WALGA Training options

Proposal/Summary

For Council to give consideration to its preferred training options

Background

Following Assent on 5 July 2019 of the Local Government Legislation Amendment Act, 2019 (Act 16 of 2019), Part 5 – Division 10 was inserted into the Local Government Act, 1995. In accordance with this Division new requirements relating to training for Council members have been introduced which in summary:

- Requires a Council member to complete five core modules of training within twelve months of being elected;
- That it is an offence for failure to complete the training;
- The CEO is to prepare a report each financial year outlining the training that has been completed by each council member in that financial year and it is to be published on the Shire's official website within one month of the end of financial year; and,
- Furthermore, the local government is to prepare and adopt (by absolute majority) a policy for the continuing professional development of council members.

WALGA is one of a number of training providers delivering the required modules.

Comments

In accordance with the above legislative requirements Councillors Batchelor, Thomson and Nicholls are required within 12 months to complete the following five training modules:

- Understanding Local Government
- Conflicts of interest
- Serving on Council
- Understanding Financial Reports and Budgets
- Meeting Procedures

The above modules can be undertaken via eLearning or Face to Face including the option of Regional On-site Delivery (Face-to-Face) (see attached WALGA Training Brochure)

The least cost option is for Councillors to undertake training by way of eLearning.

Consultation

WALGA – Governance

WALGA – Training Services Manager

Statutory Implications

Division 10 — Training and development

[Heading inserted: No. 16 of 2019 s. 61.]

5.126. Training for council members

- (1) Each council member must complete training in accordance with regulations.
- (2) Regulations may —
 - (a) prescribe a course of training; and
 - (b) prescribe the period within which training must be completed; and
 - (c) prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and
 - (d) provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5 000 for the offence.

[Section 5.126 inserted: No. 16 of 2019 s. 61.]

5.127. Report on training

- (1) A local government must prepare a report for each financial year on the training completed by council members in the financial year.
- (2) The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.

[Section 5.127 inserted: No. 16 of 2019 s. 61.]

5.128. Policy for continuing professional development

- (1) A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.

** Absolute majority required.*

- (2) A local government may amend* the policy.

** Absolute majority required.*

- (3) 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.
- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.
- (5) A local government —
 - (a) must review the policy after each ordinary election; and
 - (b) may review the policy at any other time.

[Section 5.128 inserted: No. 16 of 2019 s. 61.]

Policy Implications

S5.128 requires Council to prepare and adopt a new policy in relation to the continuing professional development of council members

Financial Implications

The new legislative requirements now imposed upon the Shire will result in additional cost to provide the necessary training within the range of \$2,925 (\$975 x3) to \$6,990 (\$2,330 x 3) excluding travel, accommodation and meals where necessary

Should the training be provided onsite (Tammin Council Chambers) over a period of 5 days at a cost of \$19,900 which could be defrayed across all six Tammin Councillors and others from neighbouring shires, if interested. The 2019/20 Budget provides \$14,000 for Councillor training.

It is noted that those Councillors whose terms expire in October 2021 are required to undertake training so these costs will become a regular budget consideration.

Strategic Implications

N/A

Officers Recommendation

For Council to determine its preferred option to facilitate the required Councillor training to be undertaken within the next twelve months.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

TSC 118/19 MOTION

Council's preferred option for its training requirements are:

- a) **Councillor training topics Understanding Local Government and Local Government and Conflicts of Interest to be done via E-Learning;**
- b) **The remaining three required training modules to be delivered via a late February 2020 face to face workshop with the inclusion of other Shires; and.**
- c) **The CEO to investigate the availability of these options and report back to the December 2019 Council Meeting.**

Moved: Cr Nicholls

Seconded: Cr Daniels

Vote: Simple Majority

Carried/Lost: 5/-

12.4 Wheel Loader - Tender RFT - 03 - 2019/20

Location:	Shire of Tammin
Applicant:	Manager of Works & Services
Date:	18 November 2019
Author:	Fabian Houbrechts
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.4 - Evaluation Sheet November 2019 Attachment Item 12.4 – Tammin Wheel Loader Specification

Proposal/Summary

For Council to consider the six (6) tenders received for the purchase of a wheel loader as per RFT 03-2019/20.

Background

On 12 October 2019 the Shire of Tammin called for Tenders for the purchase of a new wheel loader to add to its fleet as per the 2019/20 budget.

The basic specifications of the required wheel-loader are:

- a minimum operating weight of 17 tonne;
- 140kw minimum at 2,200 rpm;
- 3m³ minimum bucket capacity

(See Tender document for full specification and options).

Tenders comprise a total of 10 different models of loader.

Comments

The tender process was conducted via advertisements placed in the West Australian newspaper in accordance with the requirements of the Local Government (Functions & General) Regulations for purchases greater than \$150,000.

The Shire received 6 submissions being:

- McIntosh and Son for 2 models; CASE 921F and Liugong 856H
- Westrac for 2 models: CAT 950GC Coupler and CAT 938-IT
- Komatsu for 2 models: WA380-8 and WA 430-6
- Clark for 1 model: Doosan DL300
- CJD Equipment for 1 model: Volvo L110F
- Baxter Rural for 2 models: Liugong 856H and Liugong 835

Each of the above tenders was evaluated in accordance with the prescribed selection criteria included in the Tender documentation and Council Policy 3.1. The attached evaluation summary follows the assessment of the submissions undertaken by staff on 13th November 2019 in accordance with Local Government (Function and General) Regulations 1996.

Tendered prices ranged from \$184,000 to \$377,690 were price reflected both greater operating weight and power output. The selection criteria scoring reflected similar variations (see attached), the result of which it is recommended that tender 03 2019/20, for the supply of a wheel loader, be awarded to Baxter Rural for the Liugong model 856H at a cost of \$184,000 exclusive of GST.

Consultation

WALGA – Preferred Supplier options

Statutory Implications

Local Government Act 1995 (As Amended)

Section 3.57

- 1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services to a value greater than \$150,000.
- 2) Regulations may make provision about tenders.

Local Government (Function and General) Regulations 1996

Regulations 11 to 24 deals with tenders for providing goods and services in detail.

Policy Implications

Shire of Tammin Policy

3.1 Purchasing – Framework including schedules

Financial Implications

Council has budgeted \$180,000 for the 2019/20 financial year for the purchase of a wheel-loader. The recommended tendered amount of \$184,000 is 2.22% above budget.

Strategic Implications

The purchase is part of long term replacement strategy for plant and assets.

Civic Leadership

Outcome 6.2 An efficient and effective organisation

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

TSC 119/19 MOTION

That Council:

- 1. Accept the tender of \$184,000 (excl. GST) for the supply and delivery of a Liugong 856 H Loader from Baxter Rural Pty Ltd. Not including options.**
- 2. Authorise the Shire President and the Chief Executive Officer to affix the Common Seal of the Shire and sign the offer of Acceptance between the applicant and the Shire of Tammin for the purchase of the above mentioned wheel loader.**

Moved: Cr Caffell

Seconded: Cr Nicholls

Vote: Simple Majority

Carried: 5/0

12.5 Asbestos Management and Asbestos Management Plan

Location:	Shire of Tammin
Applicant:	Local Government Insurance Services (LGIS)
Date:	21 November 2019
Author:	Neville Hale
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.5 – Tammin Asbestos Management Plan

Proposal/Summary

For Council to adopt a new policy in respect to Occupational Health and Safety requirements in respect to the management of asbestos in Shire owned buildings.

Background

Over the past six months the LGIS Regional Risk Coordinator has undertaken assessment of various Shire owned buildings in respect to asbestos containing materials. As a result, an Asbestos Register has been prepared and an associated Asbestos Management Plan, including Policy, has been developed.

In accordance with the requirements of WorkSafe, a register is also to be kept in each building which is to be updated whenever work is to be undertaken in that building.

Comments

This plan has been developed to assist the Shire of Tammin comply with legislative requirements in the management of asbestos containing materials (ACM) in shire owned or controlled buildings and workplaces. The ultimate goal is for all shire owned or controlled buildings and workplaces to be free of ACM. Accordingly, consideration should be given to the removal of ACM during renovation, refurbishment and/or maintenance processes in preference to other control measures such as encapsulation, enclosure or sealing.

The Policy outlines its undertakings in respect to the management of asbestos containing materials and works associated with future works. The Management Plan outlines the legislative requirements, responsibilities of staff and contractors and the processes associated with the management of asbestos containing materials.

Consultation

Local Government Insurance Services – Regional Risk Coordinator
Manager Works & Services

Statutory Implications

Occupational Safety and Health Act 1984 (WA)
Occupational Safety and Health Regulations 1996 (WA)

Policy Implications

New Policy 9.4 – Asbestos Management
As attached

Financial Implications

N/A

Strategic Implications

Extract from Strategic Community 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

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

TSC 120/19 MOTION

That Council:

- 1. Adopt the attached Policy 9.4 – Asbestos Management; and,**
- 2. Authorise the Chief Executive Officer to update Council's Policy Manual with the inclusion of this policy.**

Moved: Cr Thomson

Seconded: Cr Daniels

Vote: Simple Majority

Carried: 5/0

13. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

14. MATTERS FOR CONSIDERATION – TOWN PLANNING

Nil

15. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

TSC 121/19 MOTION

- 1. That Council change its previously advertised Ordinary Meeting date from Tuesday 17 December 2019 to Thursday 19 December 2019; and,**
- 2. That local public notice of the change be given.**

Moved: Cr Nicholls

Seconded: Cr Daniels

Vote: Simple Majority

Carried: 5/0

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

Nil

17. CLOSURE OF MEETING

There being no further business the Acting Shire President declared the meeting closed at 6:38pm.