

# Shire of Tammin

## ORDINARY COUNCIL MEETING

### MINUTES



#### NOTICE OF MEETING

The ordinary meeting of the Shire of Tammin was held on **Tuesday 18<sup>th</sup> December, 2018** in the Council Chambers, 1 Donnan St, Tammin, at **5:01pm**.

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 Shire President declared the meeting open at 5:01pm.

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

#### **Present:**

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

#### **In Attendance:**

Neville Hale	Chief Executive Officer
Kelsey Pryer	Manager 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**

Veronica De Vis presented Council with her "Brainstorming Ideas for Tammin" publication and sought Councillor comment. Council advised Ms De Vis that it would take her ideas on notice for future discussion.

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

Council was informed by Cr Thomson and Cr Daniels that they were unable to attend the Ordinary Council Meeting scheduled for 28<sup>th</sup> February 2019. Council agreed to consider a motion to change the February 2019 meeting date to enable Cr Thomson to attend.

**TSC 111/18 MOTION**

That the scheduled meeting for February 2019 be held on Wednesday 27<sup>th</sup> February 2019 at 5:30pm, in the Council Chambers at 1 Donnan Street, Tammin and that local public notice be given of this change in accordance with s1.7 of the Local Government Act , 1995.

Moved: Cr Thomson

Seconded: Cr Batchelor

Vote: Simple Majority

Carried: 5/0

**TSC 112/18 MOTION**

That Leave of Absence is granted to Cr Daniels for the Ordinary Council Meeting to be held on Wednesday 27<sup>th</sup> February 2019.

Moved: Cr Batchelor

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

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

Cr Greenwood            Item 13            Interest affecting impartiality  
Husband employed by the Shire of Tammin

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**7.1 Ordinary Council Meeting Minutes – 22<sup>nd</sup> November 2018**

**TSC 113/18 MOTION**

That the Minutes of the Ordinary Council Meeting held on 22<sup>nd</sup> November 2018 be confirmed as a true record of proceedings.

Moved: Cr Batchelor

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

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

**Notice of Motion for Item 13 – Bonus payment for staff**

**9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

**Nil**

## 10. MATTERS FOR CONSIDERATION – FINANCE

### 10.1 List of Payments for November 2018

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Date:</b>	1 <sup>st</sup> December 2018
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	FIN05
<b>Attachment/s:</b>	Attachment Item 10.1 - Credit Card Statement 29.09.18 – 29.10.18 Attachment 10.1 - Payment List for November 2018

#### Background

Accounts paid for November 2018 is listed totaling:

Cheque numbers	6715	\$178.69
Direct debit payments	01/11/18 – 30/11/18	\$3,870.10
Licensing transfers	01/11/18 – 30/11/18	\$7,677.95
Bank fees	01/11/18 – 30/11/18	\$268.23
VISA payments	01/11/18 – 30/11/18	\$605.26
EFT payments	EFT2591 – EFT2661	\$111,911.38
Salaries and wages	01/11/18 – 30/11/18	\$29,367.13
<b>Total payments</b>	<b>01/11/18 – 30/11/18</b>	<b>\$153,878.74</b>

#### Comment

Nil

#### Financial Implications

Directly impacts the Shire of Tammin 2018/2019 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 114/18 MOTION**

**That Council notes that during the month of November 2018, the Chief Executive Officer has made the following payments.**

**Municipal Fund payments totaling \$153,878.74 on licensing transactions, bank fees, EFT, Cheques, Visa, Direct Debit and salaries and wages payments.**

**Moved: Cr Thomson**

**Seconded: Cr Daniels**

**Vote: Simple Majority**

**Carried: 5/0**



**Payment List for November 2018**

Ref	Date	Name	Description	Amount
<b>Licensing Transactions</b>				
41	01/11/2018	Department of Transport	Daily licensing transfer	\$ 1,565.05
41	02/11/2018	Department of Transport	Daily licensing transfer	\$ 150.35
41	05/11/2018	Department of Transport	Daily licensing transfer	\$ 78.10
41	06/11/2018	Department of Transport	Daily licensing transfer	\$ 106.30
41	07/11/2018	Department of Transport	Daily licensing transfer	\$ 396.75
41	08/11/2018	Department of Transport	Daily licensing transfer	\$ 304.15
41	09/11/2018	Department of Transport	Daily licensing transfer	\$ 171.25
41	12/11/2018	Department of Transport	Daily licensing transfer	\$ 2,367.60
41	13/11/2018	Department of Transport	Daily licensing transfer	\$ 273.85
41	14/11/2018	Department of Transport	Daily licensing transfer	\$ 50.00
41	15/11/2018	Department of Transport	Daily licensing transfer	\$ 26.85
41	16/11/2018	Department of Transport	Daily licensing transfer	\$ 411.90
41	19/11/2018	Department of Transport	Daily licensing transfer	\$ 219.70
41	20/11/2018	Department of Transport	Daily licensing transfer	\$ 44.05
41	21/11/2018	Department of Transport	Daily licensing transfer	\$ 44.05
41	22/11/2018	Department of Transport	Daily licensing transfer	\$ 35.40
41	23/11/2018	Department of Transport	Daily licensing transfer	\$ 144.25
41	26/11/2018	Department of Transport	Daily licensing transfer	\$ 17.70
41	28/11/2018	Department of Transport	Daily licensing transfer	\$ 695.50
41	29/11/2018	Department of Transport	Daily licensing transfer	\$ 124.35
41	30/11/2018	Department of Transport	Daily licensing transfer	\$ 450.80
			<b>Subtotal</b>	<b>\$ 7,677.95</b>
<b>Bank Fees</b>				
41	01/11/2018	MERCHANT FEES	MERCHANT FEES	\$ 22.00
41	05/11/2018	MERCHANT FEES	MERCHANT FEES	\$ 60.94
41	08/11/2018	BANK FEES	NAB TRANSACT FEE	\$ 7.00
41	09/11/2018	BANK FEES	NAB CONNECT FEE	\$ 35.25
41	30/11/2018	MERCHANT FEES	MERCHANT FEES	\$ 22.00
41	30/11/2018	BANK FEES	NAB CONNECT FEE	\$ 44.74
41	30/11/2018	BANK FEES	ACCOUNT FEE	\$ 56.30
41	30/11/2018	BANK FEES	ACCOUNT FEE	\$ 20.00
			<b>Subtotal</b>	<b>\$ 268.23</b>
<b>EFT Payments</b>				
EFT2591	01/11/2018	Adapt Electrical Solutions	Supply and install 3 x Dyson Airblade V & new light in males toilet	\$ 5,430.48
EFT2592	01/11/2018	Asset Infrastructure Management	Development of four asset management plans	\$ 10,725.00
EFT2593	01/11/2018	Avon Valley Glass	Repair sliding windows and install stainless steel security mesh	\$ 1,480.40
EFT2594	01/11/2018	Baxter's Rural Centre	Filters for TN251	\$ 327.17
EFT2595	01/11/2018	Conplant Pty Ltd	Various parts for TN205	\$ 1,489.74
EFT2596	01/11/2018	Courier Australia	Freight expenses	\$ 58.91
EFT2597	01/11/2018	Covs Parts Pty Ltd	Allemlube Oil catch Kit	\$ 438.46
EFT2598	01/11/2018	Donald Thomson	Sitting fee and travel reimbursement for the October OCM	\$ 124.84
EFT2599	01/11/2018	Dowerin Community Resource Centre	Advertising for Seniors Luncheon on 13/09/18 & 27/09/18	\$ 90.00
EFT2600	01/11/2018	Farmways Kellerberrin	Various consumables	\$ 503.20
EFT2601	01/11/2018	Filters Plus	Filters for Toro Reel Mower	\$ 183.15
EFT2602	01/11/2018	JA & NA Snooke	21 x floral centre pieces for Seniors Luncheon 2018	\$ 525.00
EFT2603	01/11/2018	Jason Signmakers	Various road signs	\$ 2,451.90
EFT2604	01/11/2018	Katherine Kickett	Reimbursement of hall hire bond	\$ 300.00
EFT2605	01/11/2018	Komatsu Australia Pty Ltd	Parts for grader (TN 6)	\$ 160.06
EFT2606	01/11/2018	LGRCEU	Payroll deductions	\$ 61.50
EFT2607	01/11/2018	Michael Greenwood	Sitting fee and travel reimbursement for the October OCM	\$ 231.34
EFT2608	01/11/2018	Nicholas Caffell	Sitting fee and travel reimbursement for the October OCM	\$ 119.11
EFT2609	01/11/2018	Perfect Computer Solutions	Computer support	\$ 510.00
EFT2610	01/11/2018	T & T Wilkins	Renovate public toilets (part payment)	\$ 4,400.00
EFT2611	01/11/2018	Tania Daniels	Sitting fee and travel reimbursement for the OCM	\$ 119.11
EFT2612	01/11/2018	Telstra	Telecommunication charges	\$ 599.05
EFT2613	01/11/2018	Triset Boss Business Forms	20 x private work 3 part books numbered 0001 to 1000	\$ 758.00
EFT2614	16/11/2018	APRA Ltd	Licence fees for 2018/19	\$ 676.73
EFT2615	16/11/2018	Advanced Autologic Pty Ltd	Oil and solvent for Depot	\$ 2,530.00
EFT2616	16/11/2018	Ag Implements	Lawn Mower Blades	\$ 322.87
EFT2617	16/11/2018	Australia Post	Account charges for October 2018	\$ 144.65
EFT2618	16/11/2018	Autopro Northam	RSK25C Ryco 4WD Service Kit	\$ 680.12
EFT2619	16/11/2018	Avon Waste	Account charges for October 2018	\$ 2,149.79

EFT2620	16/11/2018	Conplant Pty Ltd	Various parts for TN205 Multityre roller	\$ 402.02
EFT2621	16/11/2018	Courier Australia	Freight charges	\$ 108.38
EFT2622	16/11/2018	DKT Rural Agencies	Various consumables	\$ 525.70
EFT2623	16/11/2018	F-111 Engineering Pty Ltd	3000 Service on Multi Tyre Roller and repair window	\$ 3,521.60
EFT2624	16/11/2018	IT Vision	Monthly SynergySoft fee for October 2018	\$ 2,065.80
EFT2625	16/11/2018	Kellerberrin Farmers Co-Operative	Account charges for October 2018	\$ 28.61
EFT2626	16/11/2018	Kiamia Pty Ltd T/as G.J & J.L. Jasper	Gravel carting from Station Street to Chappell-Wheeldon Rd	\$ 4,900.50
EFT2627	16/11/2018	LGRCEU	Payroll deductions	\$ 61.50
EFT2628	16/11/2018	Officeworks	Various cleaning products	\$ 810.57
EFT2629	16/11/2018	Prestige Alarms	24 Hour monitoring of security alarm system	\$ 143.00
EFT2630	16/11/2018	Public Libraries WA Inc	PLWA 2018/19 Membership	\$ 110.00
EFT2631	16/11/2018	Purslowe Tinetti Funerals	Reimbursement for double paid invoice (Inv #1689)	\$ 850.00
EFT2632	16/11/2018	R J Back	Prepare LTFP, CBP & WP for Shire Council	\$ 6,600.00
EFT2633	16/11/2018	STS West	Tyre fitting on TN302	\$ 1,460.00
EFT2634	16/11/2018	T & T Wilkins	Renovate public toilets - part payment	\$ 4,664.00
EFT2635	16/11/2018	Telstra	Phone and internet charges	\$ 972.27
EFT2636	16/11/2018	Tradesales	Drum rack & stack	\$ 1,962.40
EFT2637	16/11/2018	WA Hino Sales & Service	Various parts for TN302 & TN15	\$ 956.52
EFT2638	16/11/2018	Wheatbelt Office and Business Machines	Fuji Xerox meter reading for October 2018	\$ 757.00
EFT2639	16/11/2018	Wheatbelt Plumbing & Gas	Connect 4 water tanks at various Sites in the Shire of Tammin	\$ 4,658.37
EFT2640	16/11/2018	Wright Express Australia Pty Ltd (Puma)	Account charges for October 2018	\$ 9,502.22
EFT2641	16/11/2018	Quairading District High School	Reimbursement for community bus bond	\$ 200.00
EFT2642	22/11/2018	AMPAC Debt Recovery (WA) Pty Ltd	Commissions and costs for the month of October 2018	\$ 920.35
EFT2643	22/11/2018	Adapt Electrical Solutions	Purchase and install padlock to Tennis Courts switchboard	\$ 141.20
EFT2644	22/11/2018	Ag Implements	Lawn mower materials	\$ 852.25
EFT2645	22/11/2018	Australian Taxation Office - BAS	October 2018 BAS Payment	\$ 2,719.00
EFT2646	22/11/2018	Cannon Hygiene Australia Pty Ltd	Installation of 3 sharps service bins in the public toilets	\$ 115.19
EFT2647	22/11/2018	Combined Tyres Cunderdin	Fit Radial Grader Tyres	\$ 5,060.00
EFT2648	22/11/2018	Conway Highbury Pty Ltd	Consultant fees to undertake Local Law Review	\$ 1,787.50
EFT2649	22/11/2018	Courier Australia	Freight charges	\$ 90.51
EFT2650	22/11/2018	Department of Fire and Emergency Services	ESLB 2nd quarter contribution	\$ 8,552.53
EFT2651	22/11/2018	Officeworks	Toilet rolls	\$ 49.92
EFT2652	22/11/2018	Synergy	Street lighting charges	\$ 1,656.40
EFT2653	22/11/2018	T & T Wilkins	Renovate public toilets - part payment	\$ 4,818.00
EFT2654	22/11/2018	Toodyay Home Traders	Materials for Whipper Snipper	\$ 128.86
EFT2655	22/11/2018	WA Contract Ranger Services Pty Ltd	Ranger services - 23/10/18 & 05/11/18	\$ 514.25
EFT2656	22/11/2018	Wheatbelt Plumbing & Gas	Plumbing maintenance to Donnan Park ablution block	\$ 214.50
EFT2657	28/11/2018	JR & A Hersey Pty Ltd	Various consumables for depot store	\$ 491.16
EFT2658	28/11/2018	MetroCount	Battery pack 6V	\$ 66.00
EFT2659	28/11/2018	Officeworks	Office stationery and 2019 diaries for staff	\$ 196.85
EFT2660	28/11/2018	Primrose Passion	Native wooden box arrangement for staff member	\$ 80.00
EFT2661	28/11/2018	Telstra	Telstra charges for internet and tablet charges	\$ 605.87
<b>Subtotal</b>				<b>\$111,911.38</b>

<b>Cheque Payments</b>				
6715	22/11/2018	Water Corporation	Water charges	\$ 178.69
<b>Subtotal</b>				<b>\$ 178.69</b>

<b>Direct Debit Payments</b>				
DD1058.1	13/11/2018	WA Local Government Superannuation Plan	Payroll deductions	\$ 1,574.62
DD1058.2	13/11/2018	Australian Super	Superannuation contributions	\$ 252.19
DD1065.1	20/11/2018	Messages on Hold	Messages on Hold from 18/11/18 - 17/12/18	\$ 169.00
DD1072.1	27/11/2018	WA Local Government Superannuation Plan	Payroll deductions	\$ 1,620.60
DD1072.2	27/11/2018	Australian Super	Superannuation contributions	\$ 253.69
<b>Subtotal</b>				<b>\$ 3,870.10</b>

<b>NAB Visa Payment</b>				
DD1060.1	05/11/2018	NAB Business Visa	NAB Visa transactions from 29 September 2018 to 29 October 2018	\$ 605.26
<b>Subtotal</b>				<b>\$ 605.26</b>

<b>Salaries &amp; wages</b>				
	13/11/2018	Shire of Tammin	Salaries and wages	\$ 13,888.82
	27/11/2018	Shire of Tammin	Salaries and wages	\$ 15,478.31
<b>Subtotal</b>				<b>\$ 29,367.13</b>

**Total for Municipal Account \$153,878.74**

## 10.2 Financial Management Report for the month of November 2018

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	1 <sup>st</sup> December 2018
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 10.2 - November 2018 Monthly Financial Report

### Background

Enclosed is the Monthly Financial Report for the month of November 2018.

### Financial Implications

Financial Management of 2018/2019

### 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

#### **TSC 115/18 MOTION**

**That Council adopt the Financial Report for the month of November 2018 comprising;**

**a) Statement of Financial Activity**

**b) Note 1 to Note 12**

**Moved: Cr Batchelor**

**Seconded: Cr Thomson**

**Vote: Simple Majority**

**Carried: 5/0**

### 10.3 Withdrawn – Audit Report not yet received.

## 11. MATTERS FOR CONSIDERATION – ADMINISTRATION

### 11.1 Amendments to the Shire of Tammin Fencing Law 2006

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	21 <sup>st</sup> September 2018
<b>Author:</b>	Chris Liversage, Consultant
<b>Item Approved by:</b>	CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	Shire of Tammin Fencing Local law 2006 with proposed changes shown 'marked'. Proposed <i>Shire of Tammin Fencing Amendment Local Law 2018</i> .

#### Proposal/Summary

A recent review of the Shire's local laws as required by s3.16 of the Local Government Act 1995 indicated that a number of amendments to local laws are required, including the *Shire of Tammin Fencing Law 2006*.

It is proposed to make a Fencing Amendment Local Law to bring the changes into effect.

#### Background

The Shire of Tammin Fencing Local Law 2006 was published in the Government Gazette on 7 February 2007. Most matters relating to fencing are dealt with by the Dividing Fences Act 1961, which in essence provides for property owners to build fences and maintain them by agreement. The main role for local government is to prescribe what is considered to be a 'sufficient fence' in the event that owners cannot agree, and to regulate some matters.

A number of minor changes are recommended to the Fencing Local law, summarized as follows:

- Replace 'Building Surveyor' with 'authorised person';
- Replace references to a 'town planning scheme' to 'local planning scheme' to reflect current terminology; and
- Change the modified penalty provisions (on the spot fines) from a uniform \$125 to increased penalties for more serious offences such as using glass or jagged projections in a fence, or erecting and using an electrified fence without a permit.

#### Comments

The proposed amendments are shown 'marked' on the attached copy of the main local law and are self explanatory. Also attached is a proposed amendment local law.

The Local Government Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting, and that the minutes of the meeting include the purpose and effect of the proposed local law:

Purpose:

The purpose of this local law is to amend the Shire of Tammin Fencing Local law 2006 to reflect more up to date terminology and legislative references, and to increase modified penalties for some offences.

Effect:

The Shire of Tammin Fencing Local Law 2006 is amended.

### **Consultation**

Section 3.12(3) of the Local Government Act 1995 requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

In addition, as part of the process, local governments are required to send a copy of proposed local laws to the Minister for Local Government, and in relation to this local law to the Minister for Commerce as well, being the Minister responsible for the Dividing Fences Act.

### **Statutory Implications**

Nil.

### **Policy Implications**

Nil.

### **Financial Implications**

There are costs associated with the making of the Amendment Local Law, its advertising and eventual Gazettal.

### **Strategic Implications**

Amendment of the local law will ensure it is kept up to date and reflects changes to other legislation.

**TSC 116/18 MOTION**

**That Council -**

- 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:
  - a. It is proposed to make a Fencing Amendment Local Law, and a summary of its purpose and effect;**
  - b. Copies of the proposed local law may be inspected at the Shire offices;**
  - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;****
- 2. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Commerce and Local Government;**
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and**
- 4. Notes that that the results will be presented to Council for consideration of any submissions received.**

**Moved: Cr Batchelor**

**Seconded: Cr Caffell**

**Vote: Simple Majority**

**Carried: 5/0**

## 11.2 Amendments to the Shire of Tammin Dog Local Law

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	31 <sup>st</sup> July 2018
<b>Author:</b>	Niel Mitchell, Consultant
<b>Item Approved by:</b>	CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	Shire of Tammin Dogs Local law 2006 with proposed changes shown 'marked'. Proposed <i>Shire of Tammin Dogs Amendment Local Law 2018</i> . List of areas where dogs are prohibited absolutely and where dogs may be exercise off lease under s31(3A) of the Dog Act.

### Proposal/Summary

A recent review of the Shire's local laws as required by s3.16 of the Local Government Act 1995 indicated that a number of amendments to local laws are required, including the *Shire of Tammin Dogs Local Law 2006*. It is proposed to make a Dogs Amendment Local Law to bring the changes into effect.

### Background

The Shire of Tammin Dogs Local Law 2006 was published in the Government Gazette on 7 February 2007. A significant number of activities relating to dogs previously regulated by the local law have been affected by changes to the Dog Act 1976 and the Dogs Regulations 2013, including matters relating to:

- Operation of dog management facilities (pounds), including:
  - Issues in relation to the impounding of dogs;
  - Attendance of a pound keeper at the pound; and
  - The process to release impounded dogs is dealt with by the Dog Act 1976, and in particular section 29.
- Registration fees (although fees for the seizure and impounding of a dog may be set by a local government in its annual budget under section 6.16 of the Local Government Act 1995);
- How off leash dog exercise areas are established;
- Dogs wandering at large;
- Dogs not under control;
- Dog attacks;
- Provisions about assistance animals such as guide dogs;
- Penalties and provisions involving dangerous dogs; and
- Modified penalties applicable for minor offences.



***The only matters that a local government may now make local laws about are listed in section 51 of the Dog Act:***

51. Local law making powers

A local government may so make local laws —

- (a) providing for the registration of dogs;
- [(b) deleted]
- (c) specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;
- (d) requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;
- (e) providing for the establishment and maintenance of dog management facilities and other services and facilities necessary or expedient for the purposes of this Act;
- (f) providing for the detention, maintenance, care and release or disposal of dogs seized;
- (g) as to the destruction of dogs pursuant to the powers hereinbefore conferred;
- [(h) deleted]
- (i) providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.

**Comments**

A set of amendments to the Shire's current Dogs Local Law to remove matters now dealt with by the Dog Act and Regulations is attached and shown 'marked'. Note that this version of the local law also contains text boxes in a number of locations in order to assist use and application. The items do not form part of the local law.

Most are self-explanatory and reflect changes from the Dog Act and Regulations, as noted above.

The required council resolution to establish areas where dogs are prohibited absolutely and where dogs may be exercised off lease under s 31(3A) of the Dog Act is reflected in the recommendation below. These areas are shown attached to this report and are the same as listed in the present local law.

**Consultation**

Section 51 of the Dog Act 1976 provides that a local government may make local laws about dogs using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the Shire of Tammin Dogs Amendment Local Law local law is:

*Purpose*

To remove matters from the *Shire of Tammin Dogs Local Law 2006* that are dealt with by other legislation.

*Effect*

The Shire of Tammin Dogs Local Law 2006 is amended.

The results of the community consultation and feedback from the Minister are to be considered by council before it makes the local law.

In addition, as noted above local public notice is required of areas where dogs are prohibited and where they may be exercised off leash under s 31(3A) of the Dog Act is also required. There is no requirement to receive feedback, simply the giving of notice. A list that reflects the current provisions in the Dogs Local law 2006 is attached to this report.

**Statutory Implications**

Nil.

**Policy Implications**

Nil.

**Financial Implications**

There are costs associated with the making of the Amendment Local Law, its advertising and eventual Gazettal.

**Strategic Implications**

Amendment of the local law will ensure it is kept up to date and reflects changes to other legislation.

**TSC 117/18 MOTION**

**That Council -**

- 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:
  - d. It is proposed to make a Dogs Amendment Local Law, and a summary of its purpose and effect;**
  - e. Copies of the proposed local law may be inspected at the Shire offices;**
  - f. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;****
- 2. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;**
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;**
- 4. Notes that that the results will be presented to Council for consideration of any submissions received; and**
- 5. Gives local public notice under s31(3A) of the Dog Act 1976 of the areas where dogs are prohibited and where dogs may be exercised off leash as attached to the report of the CEO.**

**Moved: Cr Batchelor**

**Seconded: Cr Daniels**

**Vote: Simple Majority**

**Carried: 5/0**

### 11.3 Amendments to Management and Control of Tammin Cemetery Local Law

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	11 <sup>th</sup> September 2018
<b>Author:</b>	Niel Mitchell, Consultant
<b>Item Approved by:</b>	CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	<i>Management and Control of Tammin Cemetery Local Law 2007</i> with proposed changes shown 'marked'. <i>Proposed Shire of Tammin Cemeteries Amendment Local Law 2018.</i>

#### Proposal/Summary

A recent review of the Shire's local laws as required by s3.16 of the Local Government Act 1995 indicated that a number of amendments to local laws are required, including the Management and Control of Tammin Cemetery Law 2006. It is proposed to make an Amendment Local Law to bring the changes into effect.

#### Background

The *Management and Control of Tammin Cemetery Local Law 2007* was published in the Government Gazette on 7 February 2007.

An initial review of the local law indicated some minor amendments are required, to which council resolved to initiate at its meeting held on 29 June 2018.

#### Comments

The suggested amendments are shown 'marked' on the attached copy of the local law and are summarised below:

- Change the title of the local law to reflect its application to both Tammin and Yorkrakine cemeteries;
- Remove the need for annual licensing of funeral directors – a license can simply be granted on a case by case basis; and
- Removal of the need to license monumental masons. (Note that s30 of the Cemeteries Act provides for the Board (ie the Shire) to approve monuments).

A set of proposed amendments to the City's current Local Law is attached and shown 'marked'. Note that this version of the local law also contains some suggested text boxes in a number of locations in order to assist use and application. The items do not form part of the local law.

## **Consultation**

A local government may amend local laws by making a local law using the process set out in section 3.12 of the Local Government Act 1995. In this instance it is necessary to make a local law to amend the principal local law.

Amongst other things the Act requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the *Shire of Tammin Cemeteries Amendment Local Law 2018* is:

### *Purpose*

To broaden the scope of the local law to apply to all cemeteries in the district, to remove unused terms and to remove licensing requirements considered no longer required.

### *Effect*

The Management and Control of Tammin Cemetery local law 2006 is retitled, licensing requirements for funeral directors are simplified, and licensing requirements for monumental masons are removed.

The results of the community consultation and feedback from the Minister are to be considered by council before it makes the local law.

## **Statutory Implications**

Nil.

## **Policy Implications**

Nil.

## **Financial Implications**

There are costs associated with the making of the Amendment Local Law, its advertising and eventual Gazettal.

These costs will be in the order of \$5,000 and are in addition to the consultants fees.

## **Strategic Implications**

Amendment of the local law will ensure it is kept up to date and reflects changes to other legislation.

**TSC 118/18 MOTION**

**That Council -**

- 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:
  - g. It is proposed to make a Shire of Tammin Cemeteries Amendment Local Law, and a summary of its purpose and effect;**
  - h. Copies of the proposed local law may be inspected at the Shire offices;**
  - i. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;****
- 2. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;**
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and**
- 4. Notes that that the results will be presented to Council for consideration of any submissions received.**

**Moved: Cr Greenwood**

**Seconded: Cr Batchelor**

**Vote: Simple Majority**

**Carried: 5/0**

## 11.4 Amendments to Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	2 <sup>nd</sup> August 2018
<b>Author:</b>	Niel Mitchell, Consultant
<b>Item Approved by:</b>	CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006 with proposed changes shown 'marked'. <i>Proposed Shire of Tammin Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2018.</i>

### Proposal/Summary

A recent review of the Shire's local laws as required by s3.16 of the Local Government Act 1995 indicated that a number of amendments to local laws are required, including the Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006. It is proposed to make an Amendment Local Law to bring the changes into effect.

### Background

The Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006 was published in the Government Gazette on 7 February 2007.

An initial review of the local law indicated it should either be replaced with one that combines it with the Shire of Tammin Local Government Property Local Law, or some changes undertaken to ensure it remains relevant. At its meeting held on 29 June 2018 Council resolved to undertake minor amendments.

### Comments

The suggested amendments are shown 'marked' on the attached copy of the local law and are summarised below:

- Amend a number of definitions in clause 1.2 to ensure they refer to updated legislation such as the Planning and Development Act and the Liquor Control Act;
- In clause 3.5(g) increase the time allowed to remove an election sign from 24 hours to 72 hours, given the area of the Shire;
- Delete provisions in Part 4 regulating use of shopping trolleys in the Shire as the provisions have never been used;

- The modified penalties (on the spot fines) in Schedule 1 for offences under clauses 5.11, 5.13, 5.17 and 5.19 are \$600. This exceeds the maximum allowed by the Local Government Act (\$500). It is unclear how these were originally approved but if not corrected are likely to draw attention; in addition if the Shire were to issue any on the spot fines and challenged it would be forced to withdraw them.

A set of proposed amendments to the City's current Local Law is attached and shown 'marked'. Note that this version of the local law also contains some suggested text boxes in a number of locations in order to assist use and application. The items do not form part of the local law.

### **Consultation**

A local government may amend local laws by making a local law using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the *Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2018* is:

#### *Purpose*

To update references to legislation, remove provisions about shopping trolleys and amend some modified penalties in the Shire of Tammin Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2006.

#### *Effect*

The Shire of Tammin Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2018 is amended.

The results of the community consultation and feedback from the Minister are to be considered by council before it makes the local law.

### **Statutory Implications**

Nil.

### **Policy Implications**

Nil.

### **Financial Implications**

There are costs associated with the making of the Amendment Local Law, its advertising and eventual Gazettal.

### **Strategic Implications**

Amendment of the local law will ensure it is kept up to date and reflects changes to other legislation.



**TSC 119/18 MOTION**

**That Council -**

- 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:
  - j. It is proposed to make a Shire of Tammin Activities on Thoroughfares and Public Places and Trading Amendment Local Law, and a summary of its purpose and effect;**
  - k. Copies of the proposed local law may be inspected at the Shire offices;**
  - l. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;****
- 2. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;**
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and**
- 4. Notes that that the results will be presented to Council for consideration of any submissions received.**

**Moved: Cr Daniels**

**Seconded: Cr Thomson**

**Vote: Simple Majority**

**Carried: 5/0**

## 11.5 Proposed Shire of Tammin Meeting Procedures Local Law

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	20 <sup>th</sup> September 2018
<b>Author:</b>	Chris Liversage, Consultant
<b>Item Approved by:</b>	CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	Proposed <i>Shire of Tammin Meeting Procedures Local Law 2018</i> .

### Proposal/Summary

A recent review of the Shire's local laws as required by s3.16 of the Local Government Act 1995 indicated that a number of new and/amendments to local laws are required, including a meeting procedures local law.

### Background

The Shire of Tammin does not have a meeting procedures (also known as 'standing orders') local law. It is not mandatory to have one, with many issues about calling meetings, minutes and the like dealt with in the Local Government Act 1995 and its associated Regulations. Where the Act and/or Regulations are silent the common law of meetings applies.

This works well in general but requires knowledge of the various legislative provisions that apply and poses a risk that the Shire may inadvertently breach a provision, which if serious enough could result in a council decision being made invalid or set aside.

### Comments

A draft Shire of Tammin Meeting Procedures local law is attached. It is based on one recently Gazetted by the Shire of Victoria Plains.

Note that there are extensive references to provisions in the Local Government Act 1995 and the Local Government (Administration) Regulations 1996, shown in text boxes and shaded. These do not form part of the local law and will be deleted from any official versions but are intended to at least give the reader the ability to obtain any required information without having to refer to multiple sources and can be changed in future without a formal amendmen to the local law if the source reference changes or if more information needs to be added.

Other features are that:

- Many similar local laws provide that councillors may not speak twice on a matter before the meeting; there is no prohibition on speaking more than once on a matter in the draft local law;

- Similarly, there is no requirement for a councillor to stand when addressing the meeting;
- The order of business reflects the requirements of the Act and Regulations with respect to declarations of interest and public question time (both of which are to take place before the meeting conducts any business) and current practices of the Shire:

1. Declaration of Opening
  - 1.1 Opening
  - 1.2 Announcements by presiding member
2. Record of attendance –
  - 2.1 Members present
  - 2.2 Staff attending
  - 2.3 Apologies
  - 2.4 Approved leave of absence
  - 2.5 Observers
3. Disclosures of interest –
  - 3.1 Financial
  - 3.2 Proximity
  - 3.3 Impartiality
4. Public Question Time –
  - 4.1 Response to previous public questions taken on notice
  - 4.2 Public questions without notice
5. Presentations and Deputations –
  - 5.1 Presentations
  - 5.2 Deputations
6. Applications for leave of absence
7. Confirmation of minutes
8. Reports requiring decision
9. Member motions of which previous notice has been given
10. New business of an urgent nature requiring decision introduced by decision of the meeting
11. Meeting closed to public –
  - 13.1 Matters for which the meeting may be closed
  - 13.2 Public reading of resolutions made during a closed meeting
12. Closure of meeting

Other provisions are self-explanatory. Note too that the provisions apply at committee meetings (if the Shire uses them) and to electors meetings.

### **Consultation**

A local government may make local laws using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the Shire of Tammin Meeting Procedures Local Law local:

*Purpose*

To set out the rules for council, committee and electors meetings not otherwise dealt with by other legislation.

*Effect*

Rules for council, committee and electors meetings are established.

The results of the community consultation and feedback from the Minister are to be considered by council before it makes the local law.

**Statutory Implications**

Nil.

**Policy Implications**

Nil.

**Financial Implications**

There are costs associated with the making of the Local Law, its advertising and eventual Gazettal.

**Strategic Implications**

Adoption of the local law will ensure meetings of the council are held and run in accordance with legislative requirements.

**OFFICERS RECOMMENDATION**

That Council -

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:
  - m. It is proposed to make a Meeting Procedures Local Law, and a summary of its purpose and effect;
  - n. Copies of the proposed local law may be inspected at the Shire offices;
  - o. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. Notes that that the results will be presented to Council for consideration of any submissions received.

**TSC 120/18 MOTION**

**Moved: Cr Thomson**

**Seconded: Cr Batchelor**

**That this item lay on the table.**

**Vote: Simple Majority**

**Carried: 5/0**

## 11.6 Restricted Access Vehicle Network Upgrade

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Acting Manager of Works and Services
<b>Date:</b>	12 <sup>th</sup> December 2018
<b>Author:</b>	Fabian Houbrechts
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

### Proposal/Summary

Council is requested to consider the proposed RAV upgrade of the Shire of Tammin road network as detailed below

### Background

Heavy Vehicle Services (HVS) has received applications to add the following section of road onto the Restricted Access Vehicle (RAV) Network:

Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
4250084	Little Underwood Rd	C.B.H.Access Rd (0.06)	Great Eastern Hwy (0.16)	7	N7.3

### **AMMS**

Accredited Mass Management Scheme (AMMS) is a concessional loading scheme, similar to the schemes it replaced, i.e. the Certified Weighbridge Mass Management Scheme (CWMMS) and the Concessional Loading Bulk Products Scheme (CLBPS). Other existing concessional loading schemes include the Concessional Livestock Scheme and the Import/ Export Containerised Cargo Concessional Scheme.

### **AMMS Mass Levels**

There are three (3) approved mass levels under AMMS, as shown in the table.

	Single Steer Axle	Tandem Axle Group	Tri Axle Group
Level 1	6.0 -7.0 t	17.0t	21.5t
Level 2	6.0 -7.0 t	17.0t	22.5t
Level 3	6.0 -7.0 t	17.5t	23.5t

Any of the three levels are available to transport operators provided appropriate loading control methods are in place to ensure compliance with the allowable mass limits. The decision which level to apply for is determined by the mass requirements of the operator.

Heavy Vehicle Services is committed to providing efficient service to its customers by finalising route assessment applications within reasonable timeframes and ensures both applicants and road owners are kept informed of progress or delays at regular intervals.

\*More information is supplied on the attachment and additional information on the Main Roads website

### **Comments**

Main Roads HVS have asked if the Shire will support amending the classification of this road under the Restricted Access Vehicle (RAV) Network.

For the process to move ahead the Shire will need:

- Support to have the roads assessed with the view to upgrading the RAV classification of this road; or
  - Decline the request.
1. If the Shire is in favour of supporting the request, HVS will assess the mentioned road and a condition report will be send to the Shire on its findings.
  2. If the road is suitable and are to the RAV requirements they then will be added to the network as per the requested RAV rating.
  3. Any roads that require maintenance or works will not be added to the network until the condition of the road is to the requirements of the assessment (noting that either the applicant or the Shire will need to get the road to the required standard) for it to be upgraded to the RAV rating.

Any upgrade will or may require increased on-going maintenance.

### **Consultation**

Main Roads Heavy Vehicle Service (HVS)

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Cost of road upgrading if required (to the applicant) and ongoing road maintenance

### **Strategic Implications**

Infrastructure – appropriate for local business operations

#### **OFFICERS RECOMMENDATION**

**That Council:**

**Agree to the amendment of the RAV rating of current approved road in the Restricted Access Vehicle (RAV) Network**

<b>Road No.</b>	<b>Road Name</b>	<b>From Location (SLK)</b>	<b>To Location (SLK)</b>	<b>Current Network</b>	<b>Requested Network</b>
<b>4250084</b>	<b>Little Underwood Rd</b>	<b>C.B.H.Access Rd (0.06)</b>	<b>Great Eastern Hwy (0.16)</b>	<b>7</b>	<b>N7.3</b>

**subject to:**

**Advise Main Roads – Heavy Vehicle services that Council supports having it assess the above mentioned roads.**

**Any roads that require maintenance or works, not be added to the network until the condition of the road is to the requirements of the assessment.**

**Require the applicant to fund the necessary works (point 3) if they wish the upgrade to proceed and be added to the network for the applied RAV rating.**



**TSC 121/18 MOTION**

**That Council:**

**Agree to the amendment of the RAV rating of current approved road in the Restricted Access Vehicle (RAV) Network**

<b>Road No.</b>	<b>Road Name</b>	<b>From Location (SLK)</b>	<b>To Location (SLK)</b>	<b>Current Network</b>	<b>Requested Network</b>
<b>4250084</b>	<b>Little Underwood Rd</b>	<b>C.B.H.Access Rd (0.06)</b>	<b>Great Eastern Hwy (0.16)</b>	<b>7</b>	<b>N7.3</b>

**subject to:**

- 1. Advise Main Roads – Heavy Vehicle services that Council supports having it assess the above mentioned roads.**
- 2. Any roads that require maintenance or works, not be added to the network until the condition of the road is to the requirements of the assessment.**
- 3. Require the applicant to fund the necessary works (point 3) if they wish the upgrade to proceed and be added to the network for the applied RAV rating.**
- 4. The above mentioned section of road is to be resurfaced with 50mm thick asphalt AC14 intersection mix.**

**Moved: Cr Caffell**

**Seconded: Cr Batchelor**

**Vote: Simple Majority**

**Carried: 5/0**

**Council included point 4 to address the higher impact of larger vehicles**

## 12 MATTERS FOR CONSIDERATION – BUILDING / ENVIRONMENTAL HEALTH

### 12.1 Request for use of Tamma Village Sewage Line - 11 Booth Street, Tammin

<b>Location:</b>	11 Booth Street, Tammin
<b>Owner:</b>	Shire of Tammin
<b>Date:</b>	11 <sup>th</sup> December 2018
<b>Author:</b>	Tim Jurmann, Building Surveyor & EHO
<b>Item Approved by:</b>	Neville Hale, CEO
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	A368/ A66
<b>Attachment/s:</b>	Attachment Item 12.1 - Letter of request for utilisation of Tamma Village, effluent disposal infrastructure

#### Proposal/Summary

The purpose of this report is for Council to review the request from Mr Graham Gregory, on behalf of Twinkle Nominees, for the Tammin Hotel, to utilise a portion of the Tamma Village Effluent disposal system.

The Tamma Village and Tammin Hotel, both discharge their effluent into the same effluent evaporation pond located on Shire land, on the Western side of Station Rd, Tammin, (Lot 19, Station Rd), through separate lines and systems.

#### Background

The request to utilise the Tamma Village infrastructure has been made because there are functional issues with the Tammin Hotel line which can cause it to fail and discharge into the stormwater drainage channels within the town.

Due to the unreliability of the system, the Tammin Hotel has been pumping out their effluent, via pump out truck contractors at considerable expense.

To approve the proposed dual usage of infrastructure, the proposal would have to be referred to the WA Department of Health, (DOH) for approval.

Initial verbal enquiries with WA DOH indicate that it is unlikely such a system would be approved, as systems must function independently for separate premises.

#### Comment

Notwithstanding the comments for the WA DOH, dual usage of a pump out tank and lines would reduce the reliability of any system, and times of need for disposal/use of the line may conflict with each premises need, resulting in a risk to public health.

There would also be an increased reliance on the Shire of Tammin to maintain the Tamma Village line for a third party that may be beyond the Shire of Tammin core activities.

With this in mind there would be an increased risk to the Shire of Tammin that is difficult to justify.

There may be an ability to give permission for the Tammin Hotel to install a separate pump pit and pump on the Tamma Village ground adjacent to the existing system, at the cost and expense of the Tammin Hotel, however usage of power and implications if a failure were to occur at the Tamma Village grounds is unknown.

This would need a full design and assessment and also require approval from the WA Department of Health and may not be approved, or could trigger DOH upgrades.

Conversely, not allowing the dual usage of Tamma Village infrastructure may reduce the viability and operations of the Tammin Hotel.

### **Consultation**

Informal discussions have been made with the WA Department of Health, indicating that such a proposal would not be approved.

### **Statutory Implications**

There are no statutory implications associated with this report.

### **Policy Implications**

There are no policy implications associated with this report.

### **Financial Implications**

There would be potential costs in maintaining the Tamma Village system if the proposal were accepted.

Allowing the use of Tamma Village infrastructure would create additional potential for liability.

### **Strategic Implications**

The Tammin Strategic Community Plan sets out the vision for the Shire's future and captures the community's aspirations and vision. The goals to achieve this are:

#### **Social**

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

#### **Environmental**

- Provide leadership and promote local regional sustainability principles and practices. Enhance local natural areas and open spaces;

#### **Economic**

- Strengthen local business and employment capacity. Support and encourage sustainable business growth;

On balance, strategically, not allowing dual use of the Tamma Village infrastructure, would be beneficial to the community and consistent with the goals of the SCP.

**TSC 122/18 MOTION**

**That Council decline the request for the Tammin Hotel to use Tamma Village effluent disposal infrastructure.**

**Moved: Cr Greenwood**

**Seconded: Cr Batchelor**

**Vote: Simple Majority**

**Carried: 5/0**

**13 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Fabian Houbrechts, Kelsey Pryer and Michael Greenwood left the room at 6pm.

**TSC 123/18 MOTION**

**That Council endorse a one-off bonus of \$200 to all staff in recognition of achievement during a year of change**

**Moved: Cr Caffel**

**Seconded: Cr Batchelor**

**Vote: Simple Majority**

**Carried: 4/0**

Fabian Houbrechts, Kelsey Pryer and Michael Greenwood returned at 6:08pm

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

**15 CLOSURE OF MEETING**

**There being no further business the Shire President declared the meeting closed at 6:10pm.**