

Minutes of the Shire of Tammin Ordinary Council Meeting held at Council Chambers,  
1 Donnan Street Tammin, on Thursday 21 March 2013.

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

The Shire President Cr Uppill declared the meeting open at 4.02 pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

**Attendance**

Cr S.A Uppill	President
Cr M.D. Greenwood	Member
Cr C.D.M. McCreery	Member
Cr D. Thomson	Member
Cr P. Bell	Member
Ian Bodill	Chief Executive Officer

**Apologies**

Cr Carol Crane	Deputy President
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**Leave of Absence**

Nil

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

Nil

**4. PUBLIC QUESTION TIME**

There were no members of the public present during question time.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

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

Nil

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

**7.1 Ordinary Council Meeting Minutes – 21 February 2013**

**STATUTORY ENVIRONMENT**

Section 5.22(2) of the *Local Government Act* provides that minutes of all meetings to be kept and submitted to the next full Council meeting for confirmation.

**STAFF RECOMMENDATION**

That the minutes of the Ordinary Council meeting held on 21 February 2013, be confirmed as a true and correct record.

Simple Majority Required

**MIN 033/13 Motion – Moved Cr Bell seconded Cr McCreery**

That the minutes of the Ordinary Council meeting held on 21 February 2013, be confirmed as a true and correct record.

CARRIED 5/0

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

Nil

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

9.1.1 PROPOSED BOUNDARY REALIGNMENT – LOTS 51 & 17658 BUNGULLA NORTH ROAD, NORTH TAMMIN

**10. REPORTS OF COMMITTEES / COUNCILLORS**

**President**

Attended and participated in an RTG meeting held in Tammin with the CEO on the 5<sup>th</sup> March 2013.

The meeting included a presentation from The Chairperson of the Local Government advisory Board Cr Mel Congerton and Mr Ross Earnshaw from the Department of Local Govt.

Next RTG meeting will be in York on the 4th April.

I attended an Audit Committee meeting with Cr Greenwood, Cr Thomson, CEO and SFO. I am very pleased with SFO (Myra Henry's) budget review and she provided Councillors with excellent information and insight.

I continue to have weekly meetings with the CEO and am impressed with the progress and direction he has implemented since arriving in Tammin. It will enable Shire of Tammin being a stronger productive council in all aspects.

**Cr. Pat Bell**

Requested that the following WALGA surveys be followed up by the Community Development Officer:

- Calthrop weed survey.
- Rainbow lorikeet and Corella survey
- Hot water systems

**Cr. McCreery**

Reuse of town water. We need to go into the next round of funding and speak to Don Woodcock regarding the matter.

**11. AGENDA ITEMS**

- 11.1 List of Payments February 2013 (FIN-05)
- 11.2 Financial Report to 28 February 2013 (FIN-05)
- 11.3 Youth Development Officer Position (PERS-39)
- 11.4 Annual Electors Meeting – Submission in writing from a Community member
- 11.5 Australian Local Government General Assembly 2013
- 11.6 Interface Agreement - Public Road and Rail Crossing
- 11.7 Addition to Delegations Manual

**12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

- 13.1 Audit Committee held 18<sup>th</sup> March 2013
- 13.2 Sale of excess plant (TEND-41)
- 13.3 Proposed extractive industry & class I inert landfill
- 13.4 Electrician report

**14. CLOSURE OF MEETING**

## 9. OFFICER'S REPORTS

### 9.1 DEVELOPMENT REPORTS

#### 9.1.1 PROPOSED BOUNDARY REALIGNMENT – LOTS 51 & 17658 BUNGULLA NORTH ROAD, NORTH TAMMIN

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

FILE NO: ASS-173  
COUNCIL DATE: 21 March 2013  
REPORT DATE: 1 March 2013  
LOCATION/ADDRESS: Lots 51 & 17568 Bungulla North Rd, North Tammin  
APPLICANT: Paul Kraft & Associates  
SENIOR OFFICER: I Bodill, CEO  
REPORTING OFFICER: J Jurmann, MPS (SoY)  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: 1 – Location Plan  
2 – Plan of Subdivision  
DOCUMENTS TABLED: Nil

#### Summary:

The Western Australian Planning Commission has received an application for planning approval to realign the boundaries between Lots 51 and 17568 Bungulla North Road, North Tammin.

As part of their assessment process, the WAPC have referred the application to the Shire for information, comment and to recommend any appropriate conditions.

It is recommended that the Shire raise no objections to the realignment of the boundaries subject to the conditions recommended at the end of this report.

#### Background:

The subject properties are located on Bungulla North Road in North Tammin and are currently 41.673 hectares and 4,607m<sup>2</sup> in area. It is proposed to realign the northern boundary between the two properties to create Lot A with an area of 41.8172 hectares (an increase of 1,442m<sup>2</sup>) and Lot B with an area of 2628m<sup>2</sup> (a decrease of 1979m<sup>2</sup>).

The boundary realignment will result in the existing shed on Lot 17658 being included in Lot 2745 and Lot 17658 becoming a vacant lot with the potential for the construction of a dwelling.

#### Consultation:

There are no consultation requirements for the Shire of Tammin. The WAPC are the approval authority for subdivisions, including boundary adjustment proposals.

#### Statutory Environment:

##### The Tammin Town Planning Scheme No. 1

The subject lots are zoned Rural under the provisions of TPS1 and the objective of the zone is “to provide appropriately zoned land to permit a wide range of rural/agricultural uses to satisfy the objectives in a long term environmentally acceptable and sustainable manner”.

There are no other provisions in the Scheme applicable to this proposal.

It is considered that the proposed boundary adjustment is consistent with the zone objectives. The current size of Lot 17658 does not permit a wide range of agricultural or rural uses and therefore, the further reduction in the lot size will not alter this situation. However, it is recommended that a notification be placed on the Certificate of Title advising future purchasers that the lot is located in the Rural zone and may be impacted by the use of neighbouring land for rural/agricultural pursuits.

#### State Planning Policy 2.5 – Agricultural and Rural Land Use Planning

The SPP recommends that provisions are included in Schemes to prevent land use conflict with land zoned General Agriculture (or Rural as is the case in TPS1). As mentioned earlier in this report, a notification should be placed on the title of the smaller lot to prevent any potential for land use conflict and to ensure that rural and agricultural activities are the priority in the area.

#### Development Control Plan 3.4 – Subdivision of Rural Land

DCP 3.4 guides the subdivision of rural land to achieve the four key objectives of State Planning Policy 2.5 Agriculture and Rural Land Use Planning (SPP2.5) to protect agricultural land, plan for rural settlement, minimise land use conflict and manage natural resources.

The general policy requirement of the WAPC is that the subdivision of rural and agricultural land for closer settlement (rural-residential and rural smallholdings) and more intensive agricultural uses should be properly planned through the preparation of regional and local planning strategies and provided for in local planning schemes prior to subdivision. Although, Tammin does not have a Local Planning Strategy, the proposed subdivision will not detrimentally affect neighbouring land uses or increase the potential for land use conflict.

#### *Clause 4.5 – Boundary realignments*

The DCP states “Lot boundaries which are poorly aligned with natural or constructed features and/or which result in encroachments may be corrected through minor boundary realignments.” This proposal seeks to realign the boundary to enable the transfer of the existing shed onto the larger lot and therefore complies with this requirement.

It is considered that the proposal is not inconsistent with the objectives of the Policy.

#### **Policy Implications:**

There are no policy implications for the Shire of Tammin.

#### **Financial Implications:**

There are no financial implications for the Shire of Tammin. The applicant (and landowners) is responsible for the costs associated with the subdivision.

## **Strategic Implications:**

The Shire of Tammin's Community Strategic Plan identifies the following goals:

### 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 and 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.

The proposal is consistent with the goals of the Plan and will assist in providing a variety of housing options in a rural environment.

## **Voting Requirements:**

**Absolute Majority Required: No**

## **Site Inspection:**

**Site Inspection Undertaken: Not required**

## **Triple bottom Line Assessment:**

### **Economic Implications:**

There are no economic implications associated with this proposal.

### **Social Implications:**

There are no social implications associated with this proposal.

### **Environmental Implications:**

There are no environmental implications associated with this proposal. The land size is sufficient to cater for on-site sewerage disposal.

## **Comment:**

The proposed subdivision comprises a minor boundary adjustment between two (2) lots with both owners' consent. There are no policy or other implications associated with the proposal and therefore the Shire should not raise any objections to the proposal.

## **OFFICER RECOMMENDATION**

### **“That Council:**

*RESOLVE S to advise the Western Australian Planning Commission that no objections are raised to the approval of Application No. 147405 for the proposed subdivision (boundary realignment) between Lots 51 and 17568 Bungulla North Road, North Tammin, subject to the imposition of the following conditions:*

- 1. A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate of title of proposed lot B advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*

*“This lot is located in an agricultural area and may be adversely affected by virtue of odour, noise, dust and/or light emissions from that land use.”*

- 2. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.”*

## **MIN 034/13 Motion – Moved Cr Bell seconded Cr Thomson**

### **“That Council:**

*RESOLVES to advise the Western Australian Planning Commission that no objections are raised to the approval of Application No. 147405 for the proposed subdivision (boundary realignment) between Lots 51 and 17568 Bungulla North Road, North Tammin, subject to the imposition of the following conditions:*

- 1. A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate of title of proposed lot B advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*

*“This lot is located in an agricultural area and may be adversely affected by virtue of odour, noise, dust and/or light emissions from that land use.”*

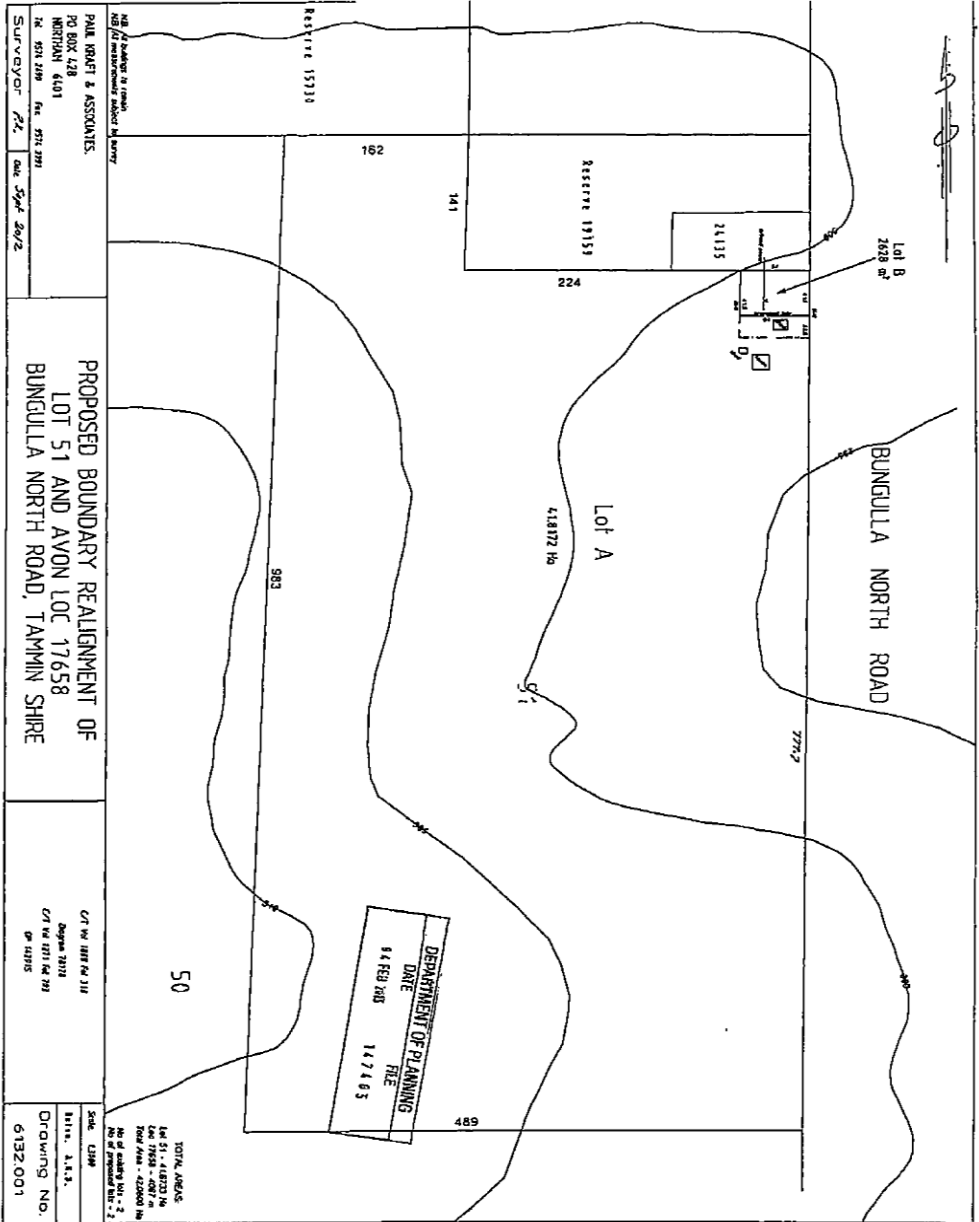
- 2. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia.”*

CARRIED 5/0

APPENDIX 1 – LOCATION PLAN



**APPENDIX 2 – PLAN OF SUBDIVISION**





## **11.1 List of Payments February 2013 (FIN-05)**

Author – Jenny Gemund, Admin Officer, 14 March 2013, Interest – Nil

### **BACKGROUND**

Accounts paid for February 2013 is listed totalling:

Cheque numbers	5919 – 6001 + 6010 *	\$348,407.91
Direct debit payments	01.02. – 28.02.2013	\$68.52
Licensing transfers	01.02. – 28.02.2013	\$9,504.40
Bank fees	01.02. – 28.02.2013	\$244.29
VISA payments	01.02. – 28.02.2013	\$488.79
EFT payments	01.02. – 28.02.2013	51,580.64
Total payments	01.02. – 28.02.2013	\$410,294.55

\* Cheque 5950 was included in January's payments list.

### **COMMENT**

No abnormal expenditure has occurred.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY ENVIRONMENT**

Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that:

*(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

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That the list of payments made for February 2013 be endorsed as follows:

Accounts paid for February 2013 is listed totalling:

Cheque numbers	5919 – 6001 + 6010 *	\$348,407.91
Direct debit payments	01.02. – 28.02.2013	\$68.52
Licensing transfers	01.02. – 28.02.2013	\$9,504.40
Bank fees	01.02. – 28.02.2013	\$244.29
VISA payments	01.02. – 28.02.2013	\$488.79
EFT payments	01.02. – 28.02.2013	51,580.64
Total payments	01.02. – 28.02.2013	\$410,294.55

\* Cheque 5950 was included in January's payments list.

Simple Majority Required

**MIN 035/13 Motion – Moved Cr Thomson seconded Cr Greenwood**

That the list of payments made for February 2013 be endorsed as follows:

Accounts paid for February 2013 is listed totalling:

Cheque numbers	5919 – 6001 + 6010 *	\$348,407.91
Direct debit payments	01.02. – 28.02.2013	\$68.52
Licensing transfers	01.02. – 28.02.2013	\$9,504.40
Bank fees	01.02. – 28.02.2013	\$244.29
VISA payments	01.02. – 28.02.2013	\$488.79
EFT payments	01.02. – 28.02.2013	51,580.64
Total payments	01.02. – 28.02.2013	\$410,294.55

\* Cheque 5950 was included in January's payments list

CARRIED 5/0

## **11.2 Financial Report to 28 February 2013 (FIN-05)**

Author – MT Henry, Senior Finance Officer, 14 March 2013 Interest – Nil

### **BACKGROUND**

The Monthly Financial Report to 28 February 2013 is attached.

### **COMMENT**

The Financial Report has been prepared in the format requested by Council.

The effect of the Council's Policy decision on reporting variances is shown in the far right column – being the calculated variance between the Actual Column and the YTD Budget column figures where the variance is greater than 10% and \$5,000.

### **FINANCIAL IMPLICATIONS**

No significant implications.

### **POLICY IMPLICATIONS**

Council resolved (Item 6 – 31 August 2012) that in accordance with section 34(5) of the *Local Government (Financial Management) Regulations 1996* a variance percentage of 10% and \$5,000 be adopted for reporting material variances.

### **STATUTORY ENVIRONMENT**

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires a Statement of Financial Activity to be prepared each month, which is to contain the following details:

- (a) annual budget estimates;
- (b) budget estimates to the end of the month;
- (c) actual amount of expenditure and revenue;
- (d) material variances between comparable amounts in (b) and (c) above; and
- (e) the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).

The Statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;
- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

### **STRATEGIC PLAN IMPLICATIONS**

Nil

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **STAFF RECOMMENDATION**

That the Financial Report for February 2013 be received.

Simple Majority Required

### **MIN 036/13 Motion – Moved Cr McCreery seconded Cr Bell**

That the Financial Report for February 2013 be received

CARRIED 5/0

### **11.3 Youth Development Officer Position PERS-39**

Author – Ian Bodill, CEO, 26 February 2013

#### **DECLARATION OF INTEREST**

Nil

#### **PREVIOUS REFERENCE**

MIN 120/12 MOTION – MOVED Cr Uppill seconded Cr Greenwood

That:

1. The Youth Development Officer's position become a 22.5 hr week position with flexible working hours once the Traineeship is completed;
2. The Youth Development Officer be encouraged to implement her ideas to reduce the cost of the after school care and school holiday programs;
3. The Youth Development Officer be encouraged to trial a restructured School Holiday Program where activities are spread throughout the school holiday period.

CARRIED 5/0

It was suggested that to help keep the cost of the programs to a minimum that the Youth Development Officer seek more parent help and write letters to local businesses seeking sponsorship for the Youth Programs.

#### **BACKGROUND**

Preliminary discussions have led to the CEO providing council with information regarding the After School Care Programme and whether it should continue or not.

In November Council discussed the matter and resolved to continue with it. Recently, the CEO questioned the effectiveness of the programme and sent out a flyer to the school in which it was mentioned that consideration was being given to cancelling the service at the end of March.

Since then four people have responded with all of four being against the idea of cancelling the programme. A petition was also started in order for not only the parents who use the service but the general public to voice their opinion, in all 20 signatures were gathered.

Their main reason for voicing their disapproval is because it is believed that without after school care, the level of town vandalism and general anti-social behaviour will return to the same as seen before. Working parents have also expressed that having the programme available ensures that they have a safe and fun place for their children to attend while they work. Some other comments also stated that this programme is a valuable asset for the shire and that shire is envied by neighbouring communities who do not provide this service. The shire are also providing a great service to a younger generation in regards to offering them 'with activities and excursions that they may not be able to experience' if this programme was not run.

#### **COMMENT**

The After School Care programme and the School Holiday Programme attract an average number of children as follows: Mondays 15, Tuesdays 21, and Wednesdays 14.

The cost of providing a service to the community on annual basis is:

Youth Development Officer Salary per annum.	23 678
Equipment	1 000
Food	1 000
CDO or Admin Assistance when numbers exceed 12	4 680
Total	<b>30 358</b>

As far as obtaining help from parents is concerned, the YDO advises that she has been able to get parent help for the school holiday programme and for specific events but she has been unable to get parent helpers during the week.

At the start of this year the YDO sent out a letter asking parents to send their children with a piece fruit which was to be cut up for a share-bowl each day. However, only just over half of the parents are doing this. The YDO does not allow children who don't bring to share the bowl of fruit. The CEO believes that this is damaging to those who are being left out.

It is considered by the CEO that if the community wants the shire to continue with this service that the community should become more involved in it. The shire should not have to disrupt its administration service by having staff to take off work in order to comply with the requirement of having two people present when the numbers reach 12 or more. There should be a roster of parents who are available to assist when needed.

#### **FINANCIAL IMPLICATIONS**

Approximately \$30 358 per annum

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

The Education and Service National Law Act 2012

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Flyers were sent to the school requesting parents to comment on the proposal to cancel the After School Care Programme. Four submissions were received. Also a petition was organised in which 20 signatures were gathered.

#### **OFFICER'S RECOMMENDATION**

That Council

- A) Rescinds its motion **MIN 120/12 MOTION** as follows:

***The Youth Development Officer's position becomes a 22.5 hr week position with flexible working hours once the Traineeship is completed;***

***The Youth Development Officer be encouraged to implement her ideas to reduce the cost of the after school care and school holiday programs;***

***The Youth Development Officer be encouraged to trial a restructured School Holiday Program where activities are spread throughout the school holiday period.***

- B) That because of the apparent lack of interest from parents regarding the programme that Council ceases the programme effective 31 March 2013.

Simple Majority Required

**MIN 037/13 Motion – Moved Cr Greenwood seconded Cr Bell**

1. That Council agrees to continue with the service until 30<sup>th</sup> June 2013 and that those listed in the petition and letters be requested to promote volunteer service to cover the 2nd staff member when numbers exceed 12.
2. Council reserves the right to review the service on 30<sup>th</sup> June 2013.

CARRIED 5/0

#### **11.4 Annual Electors Meeting – Submission in writing from a Community member**

Author – Ian Bodill, CEO, 27<sup>th</sup> February 2013

##### **DECLARATION OF INTEREST**

Nil

##### **PREVIOUS REFERENCE**

Nil

##### **BACKGROUND**

At the Annual Meeting of Electors held February 2013, Mrs Margaret Wheeldon provided Council with a letter containing a number of ideas and suggestion for consideration as follows:

***“A few ideas for Tammin Main Street etc:***

- ***A large rectangular pergola with table in centre and seating. Room for small buses and cars to pull in off the Highway and alongside the building to allow passengers to have lunch or teas. A toilet along the main street or a large notice board to the present toilets People can never find toilets.***
- ***A Caravan park especially near the Roadhouse a must. People need to stock up and get a ready meal after pulling in. A R.V. (toilet disposal) is an essential along the Highway only Southern Cross Northam and Quairading have one.***
- ***I wouldn't like to see the Tennis courts done away with as they still get used. An upgrade might help. Plant bushy shrubs from Tennis courts to Bowling Club.***
- ***Plant dwarf or small bougainvilleas along south side Main street. They are low maintenance and once established do not need water. Very colourful.***
- ***See that all dead trees, bushes and branches are removed from around the town. Especially from surrounds of Tammin Village.”***

The President responded that the CEO would submit the matters presented by Margaret Wheeldon to the March round of meetings for discussion by council and provide a response to Margaret as soon as possible afterwards.

##### **COMMENT**

It would be appropriate for the Caravan Park and Streetscape Committee to deal with some of these items.

The CEO has dealt with the last item with the works crew.

- ***A large rectangular pergola with table in centre and seating. Room for small buses and cars to pull in off the Highway and alongside the building to allow passengers to have lunch or teas. A toilet along the main street or a large notice board to the present toilets People can never find toilets.***
- ***A Caravan park especially near the Roadhouse a must. People need to stock up and get a ready meal after pulling in. A R.V. (toilet disposal) is an essential along the Highway only Southern Cross Northam and Quairading have one.***
- ***I wouldn't like to see the Tennis courts done away with as they still get used. An upgrade might help. Plant bushy shrubs from Tennis courts to Bowling Club.***
- ***Plant dwarf or small bougainvilleas along south side Main street. They are low maintenance and once established do not need water. Very colourful.***

- ***See that all dead trees, bushes and branches are removed from around the town. Especially from surrounds of Tammin Village.”***

**FINANCIAL IMPLICATIONS**

There will be a cost associated with all these suggestions. Council will need to include them in its budget deliberations for the following financial year if approved.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Streetscape and beautification Programme.

**COMMUNITY CONSULTATION**

These requests were brought to the attention of Council through the Annual meeting of electors.

**OFFICER’S RECOMMENDATION**

That Council:

Agrees to have the Caravan Park and Streetscape Committee deal with these items and make a recommendation to Council for adoption where appropriate.  
That Mrs Margaret Wheeldon be advised of this decision.

Simple Majority Required

**MIN 038/13 Motion – Moved Cr McCreery seconded Cr Greenwood**

That Council:

Agrees to have the Caravan Park and Streetscape Committee deal with these items and make a recommendation to Council for adoption where appropriate.  
That Mrs Margaret Wheeldon be advised of this decision.

CARRIED 5/0

**Moved Cr Uppill seconded Cr Thomson**

That the meeting be adjourned

CARRIED 5/0

**Moved Cr Uppill seconded Cr Thomson**

That the meeting be resumed.

CARRIED 5/0



## **11.5 Australian Local Government General Assembly 2013**

Author – Ian Bodill, CEO, 27<sup>TH</sup> February 2013

### **DECLARATION OF INTEREST**

The CEO will be attending the General Assembly

### **PREVIOUS REFERENCE**

Nil

### **BACKGROUND**

The NGA is the premier local government event bringing together more than 700 mayors, councillors and senior officers from councils across Australia to develop local government policy ideas, meet with key federal politicians and hear from renowned experts on the key issues affecting local government in Australia.

The conference will be held at the National Convention Centre in Canberra from 16-19 June 2013.

climate this year focuses attention on our future as a nation.

The keynote speakers at this year's NGA are well known and highly respected Australians Fred Chaney AO, Geraldine Doogue AO and Peter FitzSimons AM. These speakers will join a number of other subject matter experts in steering the discussions at the NGA.

### **COMMENT**

The matter of attending the ALGA General Assembly was discussed informally at the last Council meeting.

It was agreed that the CEO includes this item in the March agenda for Council deliberation.

The CEO believes that at least, the President, CEO and a second elected member should attend.

### **FINANCIAL IMPLICATIONS**

The cost of the conference is \$899 per person - Early bird Registration

Accommodation is \$345 per night per person for five nights each.

Flights equal 520 return.

Total per person equals

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY IMPLICATIONS**

Nil

### **STRATEGIC PLAN IMPLICATIONS**

Nil

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

**OFFICER'S RECOMMENDATION**

That Council

Agrees that the CEO, Shire President and Councillor/s .....attend the ALGA General Assembly to be held in Canberra on the 16<sup>th</sup> -19<sup>th</sup> June.

Absolute Majority Required

**MIN 039/13 Motion – Moved Cr McCreery seconded Cr Bell**

That Council

Agrees that the CEO, Shire President and Councillor Crane attend the ALGA General Assembly to be held in Canberra on the 16<sup>th</sup> -19<sup>th</sup> June.

CARRIED by absolute majority 5/0

## **11.6 Interface Agreement - Public Road and Rail Crossing - Agreement File (Safe)**

Author – Ian Bodill, CEO, 27<sup>th</sup> February 2013

### **DECLARATION OF INTEREST**

Nil

### **PREVIOUS REFERENCE**

Nil

### **BACKGROUND**

The Shire of Tammin has been requested to enter into an Interface Agreement between the Shire, Main Roads WA, and Brookfield Rail Pty Ltd.

### **COMMENT**

Road Managers and Rail Infrastructure Managers are required under sections 64 and 65 of the *Rail Safety Act 2010* to identify and assess risks to safety associated with interfaces and enter into an *Interface Agreement* for the purpose of managing those risks.

In the case of this Shire the parties to such an agreement are Shire of Tammin, Main Roads WA and Brookfield Rail Pty Ltd.

The parties to the Agreement recognise the need for an open and collaborative approach to identify, assess and manage risks to safety associated with road-rail crossings and commit to fully co-operate in all aspects of that need.

This Agreement:

- Provides a framework within which the parties shall commit to co-operatively manage the identified safety risks.
- Describes the responsibilities of the parties relating to the interface.
- Provides the mechanism to jointly manage risks for the safe operation of rail and road movements at the interface.

In the case of this agreement, the shire of Tammin will be responsible for the section listed on page 8 of the attached agreement as follows:

#### ***Road Manager – Local Government***

***The Road Manager (Local Government) shall:***

- ***Notify the Rail Infrastructure Manager of any road works planned, either of a temporary or permanent nature, in the vicinity of a crossing.***
- ***Maintain the approaching local road surface in a reasonable condition beyond the rail reserve in accordance with normal maintenance scheduling in context of the entire local road network.***
- ***Maintain adequate line-of-sight distances for approaching drivers on local roads by removing vegetation and other visibility obstructions within the road reserve (and adjacent private property if required).***
- ***Report damaged and unserviceable line marking and signage associated with a rail crossing to MRWA identified during inspection in accordance with normal maintenance regimes.***

The CEO believes that this is a normal agreement with appropriate responsibilities being given to the shire and that he should be granted authority to sign it on behalf of the Shire of Tammin..

**FINANCIAL IMPLICATIONS**

Normal Shire Responsibilities at the interface of rail and road.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Rail Safety Act 2010

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**OFFICER'S RECOMMENDATION**

That Council acknowledges its responsibilities in the Interface Agreement between Main Roads WA and Brookfield Rail Pty Ltd .and authorises the CEO to sign the agreement on behalf of the Shire.

Simple Majority Required

**MIN 040/13 Motion – Moved Cr Thomson seconded Cr Greenwood**

That Council acknowledges its responsibilities in the Interface Agreement between Main Roads WA and Brookfield Rail Pty Ltd .and authorises the CEO to sign the agreement on behalf of the Shire.

CARRIED 5/0

# **Interface Agreement**

*Rail Safety Act 2010*

---

## **Public Road and Rail Crossing At Grade or Grade Separated Interface**

**BETWEEN**

Brookfield Rail Pty Ltd

**AND**

Shire of Tammin

**AND**

Main Roads Western Australia

February 2013

## EXECUTION PAGE

This Interface Agreement is signed and witnessed on behalf of Brookfield Rail Pty Ltd by the following authorised representative(s):

SIGNED: \_\_\_\_\_ WITNESSED: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Title: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

This Interface Agreement is signed and witnessed on behalf of the Shire of Tammin by the following authorised representative(s):

SIGNED: \_\_\_\_\_ WITNESSED: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Title: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

This Interface Agreement is signed and witnessed on behalf of Main Roads Western Australia by the following authorised representative:

SIGNED: \_\_\_\_\_ WITNESSED: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Title: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

## DOCUMENT CONTROL

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1.0			

AMENDMENTS		
Document Version	Date of Amendment	Amendment Details

Term of Interface Agreement

The parties agree this Interface Agreement will be reviewed within 5 years from the date of Execution, unless any of the parties notify the other parties of a need to amend the Agreement sooner based on a change in circumstances relating to the crossing or the interested parties.

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## PURPOSE

Road Managers and Rail Infrastructure Managers are required under sections 64 and 65 of the *Rail Safety Act 2010* to identify and assess risks to safety associated with interfaces and enter into an *Interface Agreement* for the purpose of managing those risks.

The parties to the Agreement recognise the need for an open and collaborative approach to identify, assess and manage risks to safety associated with road-rail crossings and commit to fully co-operate in all aspects of that need.

This Agreement:

- Provides a framework within which the parties shall commit to co-operatively manage the identified safety risks.
- Describes the responsibilities of the parties relating to the interface.
- Provides the mechanism to jointly manage risks for the safe operation of rail and road movements at the interface.

## DEFINITIONS

The following definitions shall apply to this Agreement:

<b>ALCAM</b>	Australian Level Crossing Assessment Model – a tool used in the risk assessment of a level crossing.
<b>At-grade crossing</b>	Means where a road, pedestrian path or cycle path crosses a rail line at the same level.
<b>Corrective Action Report</b>	A report that details specific actions designed to reinstate or maintain safety at a crossing and identifies which entity is responsible for the identified actions.
<b>Grade-separated crossing</b>	Means where a road, pedestrian path or cycle path crosses a rail line at different levels because of a bridge, tunnel or overpass.
<b>Interface</b>	For the purposes of this Agreement, an interface is the point where a rail line intersects or interacts with a road, pedestrian path or cycle path whether it be at-grade or grade-separated.
<b>Interface Agreement</b>	An agreement between two or more parties (at least one of which is a rail infrastructure manager and one is a road manager) that details the responsibilities of each party for managing risks associated with safety at a rail crossing interface.
<b>Infrastructure boundary</b>	The point either side of which each party is responsible for infrastructure maintenance.
<b>Mid-block crossing</b>	An at-grade or grade-separated pedestrian crossing not associated with a road.
<b>Pedestrian crossing</b>	An at-grade pedestrian rail crossing adjacent to a public road level crossing.

<b>Public Road</b>	<p>A public road includes:</p> <p><b>Local Road</b> is a road under the care and control of a Local Government.</p> <p><b>State Road</b> is a road (being a highway or main road) under the care and control of Main Roads WA.</p> <p><b>National Highway</b> is a road under (being a national road) under the care and control of Main Roads WA.</p>
<b>Rail Infrastructure</b>	<p>The infrastructure that forms part of the railway lines including the stations, signalling systems and level crossings. Bridge, tunnels and other physical structures that contain railway lines also form the railway infrastructure.</p>
<b>Rail Infrastructure Manager</b>	<p>In relation to rail infrastructure of a railway, means the person who has effective management and control of the rail infrastructure, whether or not the person —</p> <ol style="list-style-type: none"> <li>a) Owns the rail infrastructure; or</li> <li>b) Has a statutory or contractual right to use the rail infrastructure or to control, or provide, access to it.</li> </ol>
<b>Road Infrastructure</b>	<p>The infrastructure which forms part of a road, footpath or shoulder, including —</p> <ol style="list-style-type: none"> <li>i. Structures forming part of the road, footpath or shoulder; or</li> <li>ii. Materials from which a road, footpath or shoulder is made;</li> </ol> <p>The road-related infrastructure including infrastructure which is installed or constructed to —</p> <ol style="list-style-type: none"> <li>i. Facilitate the operation or use of the road or footpath; or</li> <li>ii. Support or protect the road or footpath;</li> </ol> <p>All bridges, viaducts, tunnels, culverts, grids, approaches and other things appurtenant to the road or footpath or used in connection with the road or footpath;</p>
<b>Road Manager</b>	<p>In relation to a public road means a Local Government or the Commissioner of Main Roads.</p> <p>In relation to a road other than a public road means the owner of, or person responsible for the road.</p>
<b>Types of Rail Crossing</b>	<p><b>Public</b> – Crossings at public roads.</p> <p><b>Private</b> – Crossing provided at the discretion of the railway owner/operator where a proponent seeks access across the railway for any purpose.</p> <p><b>Occupational</b> – Crossing provided for the purpose of access across the rail line by the property owner or user (occupant) where a railway/railway reserve divides a property (title). [Refer to Section 102 of <i>Public Works Act 1902</i>]</p> <p><b>Service</b> – Crossing located within a designated rail corridor or railway yard or complex where usage is restricted to the Rail Infrastructure Manager.</p>



<b>Public Road</b>	<p>A public road includes:</p> <p><b>Local Road</b> is a road under the care and control of a Local Government.</p> <p><b>State Road</b> is a road (being a highway or main road) under the care and control of Main Roads WA.</p> <p><b>National Highway</b> is a road under (being a national road) under the care and control of Main Roads WA.</p>
<b>Rail Infrastructure</b>	<p>The infrastructure that forms part of the railway lines including the stations, signalling systems and level crossings. Bridge, tunnels and other physical structures that contain railway lines also form the railway infrastructure.</p>
<b>Rail Infrastructure Manager</b>	<p>In relation to rail infrastructure of a railway, means the person who has effective management and control of the rail infrastructure, whether or not the person —</p> <ol style="list-style-type: none"> <li>a) Owns the rail infrastructure; or</li> <li>b) Has a statutory or contractual right to use the rail infrastructure or to control, or provide, access to it.</li> </ol>
<b>Road Infrastructure</b>	<p>The infrastructure which forms part of a road, footpath or shoulder, including —</p> <ol style="list-style-type: none"> <li>i. Structures forming part of the road, footpath or shoulder; or</li> <li>ii. Materials from which a road, footpath or shoulder is made;</li> </ol> <p>The road-related infrastructure including infrastructure which is installed or constructed to —</p> <ol style="list-style-type: none"> <li>i. Facilitate the operation or use of the road or footpath; or</li> <li>ii. Support or protect the road or footpath;</li> </ol> <p>All bridges, viaducts, tunnels, culverts, grids, approaches and other things appurtenant to the road or footpath or used in connection with the road or footpath;</p>
<b>Road Manager</b>	<p>In relation to a public road means a Local Government or the Commissioner of Main Roads.</p> <p>In relation to a road other than a public road means the owner of, or person responsible for the road.</p>
<b>Types of Rail Crossing</b>	<p><b>Public</b> – Crossings at public roads.</p> <p><b>Private</b> – Crossing provided at the discretion of the railway owner/operator where a proponent seeks access across the railway for any purpose.</p> <p><b>Occupational</b> – Crossing provided for the purpose of access across the rail line by the property owner or user (occupant) where a railway/railway reserve divides a property (title). [Refer to Section 102 of <i>Public Works Act 1902</i>]</p> <p><b>Service</b> – Crossing located within a designated rail corridor or railway yard or complex where usage is restricted to the Rail Infrastructure Manager.</p>



- **Main Roads WA**

The Commissioner of Main Roads is responsible for the following:

- Approving the level of control on public roads as empowered under Regulation 297 (1) of the *Road Traffic Code 2000*.
- Displaying, installing and maintaining the appropriate regulatory signs, warning signs, road markings on the approaches to crossings on public roads outside 3 metres from the external rail. (This excludes signing affixed to railway hardware, which are the responsibility of the Rail Infrastructure Manager).

- **Rail Infrastructure Manager**

The Rail Infrastructure Manager is responsible for operating and maintenance costs to manage risk in relation to the level crossing in accordance with any maintenance agreement with Main Roads WA, including:

- Displaying, installing and maintaining flashing lights at crossings; and include any signing affixed to these devices within 3 metres of the external rail.
- Maintaining line-of-sight by clearing vegetation and/or removing other physical obstructions within the railway reserve to provide adequate driver visibility on the approaches to railway crossings within 3 metres of the external rail.
- Maintaining in good order and condition all traffic signs, road markings and other devices provided for railway crossing protection within 3 metres of the external rail.
- Erecting gates in accordance with the Government of Railways Act 1904.
- Maintaining rail over road bridges.

- **Road Manager – Local Government**

The Road Manager (Local Government) shall:

- Notify the Rail Infrastructure Manager of any road works planned, either of a temporary or permanent nature, in the vicinity of a crossing.
- Maintain the approaching local road surface in a reasonable condition beyond the rail reserve in accordance with normal maintenance scheduling in context of the entire local road network.
- Maintain adequate line-of-sight distances for approaching drivers on local roads by removing vegetation and other visibility obstructions within the road reserve (and adjacent private property if required).
- Report damaged and unserviceable line marking and signage associated with a rail crossing to MRWA identified during inspection in accordance with normal maintenance regimes.

- **Road Manager – Main Roads WA**

The Road Manager (Main Roads WA) shall

- Maintain the approaching state and national road surface in a reasonable condition beyond three metres of the rail line.
- Maintain adequate line-of-sight distances for approaching drivers on state and national roads by removing vegetation and other visibility obstructions within the road reserve (and adjacent private property if required).
- Maintain line marking and signage associated with a rail crossing on national, state and local roads.

## AGREEMENT OF PARTIES

Each party agrees to:

- Commit to the highest standards of safety in performing its functions or conducting its business so far as is reasonably practicable;
- Work co-operatively with the other party(s), and with third party entities whose activities may give rise to risks at or near road-rail crossings, to identify and assess risks at road-rail crossings, and develop, implement and monitor measures to manage the risks;
- Carry out the identification, assessment, allocation and management of risk in accordance with accepted risk management practice;
- Commit to continued management of the interface;
- Conform to the appropriate standards, policies and guidelines relevant to their respective operations some of which are listed at Appendix B; and
- Provide funding in accordance with current agreements for existing rail crossings and in accordance with any future agreements for future rail crossings.

### Interfaces to which this Agreement applies

The Interfaces to which this Agreement applies are:

- Specified in Schedule 1; and
- Such other interfaces as the parties may identify from time to time

## IDENTIFICATION, ASSESSMENT AND MANAGEMENT OF RISK

The parties shall identify and assess risks to safety, so far as is reasonably practicable, that may arise in relation to the rail/road crossing(s) subject to this Agreement:

- a. During the life cycle of the rail or road crossing infrastructure.
- b. Arising from change in the use or application of rail or road crossing infrastructure.

The parties shall audit or cause an audit of the rail and road crossing(s) subject to this Agreement. The audit report shall, among other things:

- Identify the location of the rail and road crossing(s);
- Identify the risks to safety at the crossing;
- Identify measures to mitigate the identified risks; and
- Assign responsibility to each of the parties to ensure the risks to public safety are minimised or eliminated via a Corrective Action Report or similar.

For the purpose of identifying and assessing the risks to safety at an interface, the parties may:

- a. By itself identify and assess those risks; or
- b. Identify and assess those risks with the other party; or
- c. Adopt the identification and assessment of those risks carried out by the other person.

## INCIDENT MANAGEMENT

Rail Infrastructure Managers and Road Managers shall manage incidents wholly within their area of responsibility in accordance with each party's incident management plan.

The established information sharing protocols shall be followed during an emergency incident.



## ROAD WORKS

Road works conducted in the vicinity of level crossings can adversely affect the level of safety at the crossing.

In any case where road works are likely to impact on the safety of rail operations, the Road Manager shall notify the Rail Infrastructure Manager of road works planned, either of a temporary or permanent nature, in the vicinity of a level crossing.

The need for such notification will depend on the level of risk of the work to be undertaken and the proximity of the work activity to the crossing. As a general guide, the following table shows the minimum distances from the railway within which any road works should not proceed without prior notification to the Rail Infrastructure Manager. Contact details are provided in the Rail Infrastructure Manager Specific Information section.

Speed Limit Km/h	Distance from railway (m)
<70	150
70 to 90	200
>90	300

## CHANGE OF OWNERSHIP

A party to the Agreement undergoing a change in ownership shall notify the other parties as soon as practicable.

The change of ownership of either a Rail Infrastructure Manager or Road Manager shall require the re-negotiation of the Agreement to identify the new owners and inform them of their responsibilities.

Rail Infrastructure Managers are obliged to meet all regulatory requirements including those in the *Rail Safety Act 2010* in particular sections 56, 57 and 58.

## AUDITING AND COMPLIANCE

### Responsibility for Maintaining and Monitoring Compliance

The parties shall be jointly responsible through their nominated representatives for maintaining and monitoring compliance with this Agreement.

In the event of an emergency, and it is not possible to comply with this Agreement, every effort shall be made by the non-complying party to consult with other parties to the Agreement to determine the best course of action to ensure the safest conduct of activities at the interface.

### Register of Interface Agreements

Each party shall register an Interface Agreement to which they are a party using their existing internal information and/or document management systems in accordance with the requirements of section 70 of the *Rail Safety Act 2010*.



### **Reporting Instances of Non-Compliance**

Instances of non-compliance shall be brought to the attention of relevant compliance officers of each party to be dealt with in accordance with their internal procedures.

### **Safety Auditing Compliance**

The Rail Infrastructure Manager shall conduct regular safety audits to ensure compliance with its requirements for accreditation.

The Road Manager shall conduct regular safety audits to ensure the safety performance of the approach roads to an interface are assessed as part of maintenance responsibilities.

The parties shall jointly reassess the risk to safety of a road and rail crossing after a major incident or as requested by either party.

### **Review of Compliance Requirements**

Review of compliance requirements shall be conducted in association with a review of this Agreement.

### **Reciprocal Inspections and Audits**

In the event the parties agree there is an issue adversely affecting interface safety, the parties shall allow the conduct of relevant reciprocal inspections or audits to facilitate remedial action.

## **COMMUNICATION AND MEETINGS**

The parties shall promptly notify each other of any occurrence or incident in connection with safety of the interface(s) subject of this Agreement.

The parties shall meet annually or at such other times as agreed to review the provisions of this Agreement and the adequacy of safety risk identification, assessment and management concerning the rail/road interface subject of this Agreement. Agendas and minutes of such meetings shall be kept by the party hosting the meeting. Meeting minutes shall be circulated to other parties within ten working days of the meeting.

## **DISPUTE RESOLUTION**

Parties agree to resolve all disputes in good faith.

Should a dispute arise between the parties in connection to this Agreement, a party may issue a written notice of dispute to the other party.

Within a reasonable period of receipt of a dispute notice, senior officers of each party shall meet or communicate to resolve the dispute.

If the senior officers are unable to resolve the dispute, Chief Executive Officers of the parties shall meet or communicate as soon as is practicable to attempt to resolve the dispute.

This Agreement remains in force until the dispute is resolved.

## **RAIL INFRASTRUCTURE MANAGER SPECIFIC INFORMATION**

Brookfield Rail Pty Ltd

## **ROAD MANAGER SPECIFIC INFORMATION**

<In this section the Road Manager can detail any specific information relevant to their needs associated with the Interface Agreement>

## SCHEDULE 1

### LIST OF RAIL AND ROAD INTERFACES

No	Name of rail or road crossing	Road Name and MRWA SLK and number	Rail Line and km of Level Crossing or Bridge	Description of crossing	Rail Infrastructure Manager responsible	Road Manager responsible	Risk Assessment report available (YES/NO)	Corrective Action Report or other documents available (YES/NO)
1	Barracks Road Access		Line 1 – 199.350km	Boom gates	Brookfield Rail	Shire of Tammin	No	No
2	Station Road	425 0001	Line 1 – 201.428km	Boom gates	Brookfield Rail	Shire of Tammin	No	No
3	Pedestrian Crossing	Mid-Block	Line 1 – 201.75km	Mazes	Brookfield Rail	Shire of Tammin	Yes	Yes
4	Little Underwood Road	425 0084	Line 1 – 202.858km	Flashlights	Brookfield Rail	Shire of Tammin	No	No
5	Underwood Road	425 0033	Line 1 – 206.275km	Flashlights	Brookfield Rail	Shire of Tammin	No	No
6	Leslie Road	425 0017	Line 1 – 210.631km	Flashlights	Brookfield Rail	Shire of Tammin	No	No
7	Goldsfields Road	425 0002	Line 1 – 212.58km	Flashlights	Brookfield Rail	Shire of Tammin	No	No
8	Bungulla Siding Road	425 0078	Line 1 – 214.710km	Boom gates	Brookfield Rail	Shire of Tammin	No	No

## **SCHEDULE 2**

### **EXAMPLE AUSTRALIAN LEVEL CROSSING ASSESSMENT MODEL (ALCAM) REPORT**

(Contact MRWA for further information regarding a specific ALCAM report subject to this Interface Agreement)

**SCHEDULE 3**

**EXAMPLE CORRECTIVE ACTION REPORT OR RELEVANT RISK ASSESSMENT DOCUMENT**





# APPENDIX A

## AREAS OF DEMARCATION AND EXPLANATORY NOTES

AREA OF RESPONSIBILITY		Road		ACCESS
Main Roads WA Local Government Authority Private owner as applicable				Free access  Persons operating machinery in this area require a flag person to attend during operations
Brookfield Rail, Public Transport Authority and other rail infrastructure managers as applicable				Appropriate track access permit is required in this area by all persons for any purpose.  Temporary exemption from accreditation may be granted by Chief Executive Officer PTA or General Manager Brookfield Rail
Main Roads WA Local Government Authority Private owner as applicable				Persons operating machinery in this area require a flag person to attend during operations  Free access

**PUBLIC ROAD LEVEL CROSSINGS**

Level Crossings located on local roads, main roads and highways

AGENCY	RESPONSIBILITIES	LEVEL CROSSING PROTECTION	FACILITATORS
Main Roads WA	<p>(a) Installing and maintaining the appropriate regulatory signs, warning signs, road markings and advance flashing warning panels on public road approaches to level crossings – excludes signing affixed to railway hardware.</p> <p>(b) Undertaking and maintaining any vegetation clearing and/or removal of other physical obstructions on public roads (including on adjacent private properties if required) to provide requisite driver visibility sightlines on the approaches to railway level crossings.</p> <p>(c) Maintaining the roadway outside the rail reserve of greater than three metres (3m) from the outside running rail if a highway or main road.</p>	<p>a) Determines/approves levels of protection.</p> <p>b) Interface Agreement signatory on state and federal roads.</p> <p>c) Assists Interface Agreements preparation on Local Government roads or public roads under control of private companies.</p> <p>d) Undertakes field assessments.</p> <p>e) Maintains and distributes the ALCAM model software.</p> <p>f) Develops and maintains level crossing database.</p>	Road Safety Manager Regional Manager
Brookfield Rail, Public Transport Authority and other rail infrastructure managers as applicable	<p>a) Installing and maintaining flashing lights and boom barriers, warning bells and pedestrian mazes, gates and paths at crossings including any signing affixed to these devices. Providing control devices for advance warning signs.</p> <p>b) Undertaking and maintaining any vegetation clearing and/or removal of other physical obstructions within the rail reserve to provide adequate visibility on the approaches to railway level crossings.</p> <p>c) Maintaining the roadway within the rail reserve of within three metres (3m) of the outside running rail.</p> <p>d) Erecting gates in accordance with the Government of Railways Act 1904.</p>	<p>a) Determines/approves levels of protection.</p> <p>b) Undertakes field assessments.</p> <p>c) Develops and maintains level crossing database.</p>	Manager Planning and Projects Development
Local Government Authority	<p>e) Maintaining rail over road bridges.</p> <p>a) Maintaining the roadway outside the rail reserve or greater than three metres (3m) from the outside running rail if a local road.</p> <p>b) Undertaking and maintaining any vegetation clearing and/or removal of other physical obstructions on public roads (including on adjacent private properties if required) to provide requisite driver visibility sightlines on the approaches to railway level crossings.</p>	<p>a) Sightline vegetation clearance</p>	Local Government Authority, Road Manager

## APPENDIX B

### REFERENCE DOCUMENTS

Reference documents include, but are not limited to:

*Rail Safety Act 2010*

*Rail Safety Regulations 2011*

*Government Railways Act 1904*

AS 1742.7: 2007 – Manual of Uniform Traffic Control Devices - Railway Crossings

AS 1742.3: 2009 – Manual of Uniform Traffic Control Devices – Traffic control for works on roads

AS 4292.2: 2006 – Railway Safety Management – track, civil and electrical infrastructure

Main Roads WA – Railway Crossing Protection in WA – Policy and Guidelines

*Road Traffic Code 2000*

*Road Traffic Act 1974*

*Main Roads Act 1930*

*Public Works Act 1902* – Section 102

AS/NZS ISO 31000: 2009 – Risk Management – Principles and guidelines

ALCAM assessment

AS/NZISO 4801:2001 - OSH

Main Roads WA – Traffic Management for Works on Roads – Code of Practice

Rail Infrastructure Manager Operating Rules

Copies of most documents are available from the State Law Publisher website or from the Road Safety Branch, MRWA – phone 9323 4111.



## APPENDIX C

### CONTACT DETAILS

#### **Rail Infrastructure Manager**

Brookfield Rail Pty Ltd  
2-10 Adams Drive  
Welshpool WA 6106  
Telephone: 08 9212 2800

#### **Road Manager**

The Shire of Tammin  
1 Donnan Street  
Tammin WA 6409  
Telephone: 08 9637 1101

## **11.7 Addition to Delegation Manual**

Author – Myra Henry, SFO, 14 March 2013, Interest - Nil

### **REVIIOUS REFERENCE**

Item 11.4 - 20 December 2012 refers.

### **BACKGROUND**

The Local Government Act 1995 requires local governments to review their delegation of powers/authority to the Chief Executive Officer at least once in every twelve months and then for the Chief Executive Officer to review his delegation of authority within the same review period. The last review was conducted in December 2012.

Due to the fact that the Health Act 1911 is now obsolete regarding the food industry. Additional delegation of power/authority under the Food Act 2008 needs to be made to the Chief Executive Officer in order to give the Chief Executive Officer the authority of approving meat inspectors within the Shire of Tammin.

### **COMMENT**

A copy of the revised Delegations Manual is attached. The purpose of delegations is to allow for the smooth and efficient running of the Council's operations on a day to day basis and to save Council time and money by not requiring every minor decision required to be referred to a Council meeting for a determination. I believe the current delegations appears to satisfactorily meet all requirements and therefore suggest that no changes beside the addition of the Food Act delegation be made.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

Section 5.42 provides that:

- (1) *A local government may delegate (by absolute majority) to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

*Section 5.43 provides that a local government cannot delegate to a CEO any of the following powers or duties —*

- (a) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (h) *any power or duty that requires the approval of the Minister or the Governor; or*
- (i) *such other powers or duties as may be prescribed.*

Section 5.44 provides that:

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
  - (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
  - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.*
- (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) "conditions" includes qualifications, limitations or exceptions.*

Section 5.45 provides that:

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
  - (a) *a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
  - (b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing —*
  - (a) *a local government from performing any of its functions by acting through a person other than the CEO; or*
  - (b) *a CEO from performing any of his or her functions by acting through another person.*

Section 5.46(2) of the Local Government Act provides that:

- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*

#### Bush Fires Act 1954

Section 17(10) provides that a local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).

Section 17(7)(a) provides that subject to paragraph (b), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —

- (i) *shortening, extending, suspending or reimposing a period of prohibited burning times; or*
- (ii) *imposing a further period of prohibited burning times.*
- (b) *A variation of prohibited burning times shall not be made under this subsection if that variation would have the effect of shortening or suspending those prohibited burning times by, or for, more than 14 successive days.*

Section 17(8) provides that where, under subsection (7), a local government makes a variation to the prohibited burning times in respect of its district or a part of its district the following provisions shall apply —

- (a) the local government —

- (i) shall, by the quickest means available to it and not later than 2 days before the first day affected by the variation, give notice of the variation to any local government whose district adjoins that district;
- (ii) shall, by the quickest means available to it, give particulars of the variation to the Authority and to any Government department or instrumentality which has land in that district under its care, control and management and which has requested the local government to notify it of all variations made from time to time by the local government under this section or section 18;
- (iii) shall, as soon as is practicable publish particulars of the variation in that district;
- (b) the Minister, on the recommendation of the Authority, may give notice in writing to the local government directing it —
  - (i) to rescind the variation; or
  - (ii) to modify the variation in such manner as is specified in the notice;
- (c) on receipt of a notice given under paragraph (b) the local government shall forthwith —
  - (i) rescind or modify the variation as directed in the notice; and
  - (ii) publish in that district notice of the rescission or particulars of the modification, as the case may require.

Section 17(9) For the purposes of subsections (7) and (8) “publish” means to publish in a newspaper circulating in the district of the local government, to broadcast from a radio broadcasting station that gives radio broadcasting coverage to that district, to place notices in prominent in that district, or to publish by such other method as the Authority may specify in writing.

Food Act 2008

*Part 2 — Interpretation*

*8. Terms used in this Act*

*In this Act, unless the contrary intention appears —*

*“advertisement” means —*

- (a) any words, whether written or spoken;
- (b) any pictorial representation or design; or
- (c) any other representation by any means at all, used or apparently used to promote, directly or indirectly, the sale of food;

*“analysis” includes any examination or testing of food or any other thing;*

*“animal” includes an amphibian, bird, crustacean, fish, mollusc and reptile;*

*“appropriate enforcement agency”, in relation to the provision in which the expression is used, means the enforcement agency prescribed by the regulations for the purposes of that provision;*

*“approved analyst” means a person approved under Part 7 Division 4;*

*“approved form” means the form approved from time to time by the CEO;*

*“approved laboratory” means a laboratory approved under Part 7 Division 3;*

*“authorised officer” means a person appointed under Part 10 Division 3;*

*“CEO” means the chief executive officer of the department of the Public Service principally assisting in the administration of this Act;*

*“court” means the Magistrates Court;*

*“emergency order” means an order under Part 4;*  
*“enforcement agency” means —*  
*(a) the CEO;*  
*(b) a local government; or*  
*(c) a person or body, or a person or body within a class of persons or bodies, prescribed by the regulations for the purposes of this definition;*  
*“equipment” means the whole or part of —*  
*(a) any utensil, machinery, instrument, device, apparatus or appliance that is used, or that is designed or intended for use, in or in connection with the handling of food; or*  
*(b) any substance, utensil, machinery, instrument, device, apparatus or appliance that is used, or that is designed or intended for use, in cleaning anything referred to in paragraph (a);*  
*“examine” includes weigh, count, test and measure;*  
*“food” has the meaning given by section 9;*  
*“food business” has the meaning given by section 10;*  
*“food safety auditor” means a person approved under Part 8 Division 1;*  
*“Food Safety Standards” means the standards contained in Chapter 3 of the Food Standards Code;*  
*“Food Standards Australia New Zealand” has the same meaning as it has in the Commonwealth Food Standards Australia New Zealand Act 1991;*  
*“Food Standards Code” means the Australia New Zealand Food Standards Code as defined in the Commonwealth Food Standards Australia New Zealand Act 1991 and as adopted or incorporated by the regulations;*  
*“food transport vehicle” means a vehicle used for the transport of food for sale;*  
*“handling”, of food, includes the making, manufacturing, producing, collecting, extracting, processing, storing*  
*transporting, delivering, preparing, treating, preserving, packing, cooking, thawing, serving and displaying of food;*  
*“improvement notice” means an improvement notice issued under Part 6 Division 1;*  
*“label” includes any tag, brand, mark or statement in writing or any representation or design or other descriptive matter on or attached to or used or displayed in connection with or accompanying any food or package;*  
*“member of staff ” means an officer of the department of the Public Service principally assisting in the administration of this Act;*  
*“package” includes any container or wrapper in or by which food intended for sale is wholly or partly encased, covered, enclosed, contained or packed and, in the case of food carried or sold or intended to be carried or sold in more than one package, includes every such package;*  
*“police officer” means a person appointed under the Police Act 1892 Part I to be a member of the Police Force of Western Australia;*

*“premises” includes —*

- (a) land (whether or not vacant);*
- (b) the whole or any part of a building, tent, stall or other structure (whether of a permanent or temporary nature);*
- (c) a pontoon; or*
- (d) a vehicle (other than a food transport vehicle while it is engaged in the transport of food);*

*“primary food production” has the meaning given by section 11;*

*“prohibition order” means a prohibition order under Part 6 Division 2;*

*“proprietor”, of a food business, means —*

- (a) the person carrying on the food business; or*
- (b) if that person cannot be identified — the person in charge of the food business;*

*“public institution” means —*

- (a) a prison as defined in the Prisons Act 1981;*
- (b) a detention centre as defined in the Young Offenders Act 1994;*
- (c) a public hospital as defined in the Hospitals and Health Services Act 1927; or*
- (d) an institution, or an institution within a class of institutions, prescribed by the regulations for the purposes of this definition;*

*“recall order” means an emergency order requiring the recall or disposal, or both, of any food;*

*“remote communication” means any way of communicating at a distance, including by telephone, fax, email and radio;*

*“sell” includes —*

- (a) barter, offer or attempt to sell;*
- (b) receive for sale;*
- (c) have in possession for sale;*
- (d) display for sale;*
- (e) cause or permit to be sold or offered for sale;*
- (f) send, forward or deliver for sale;*
- (g) dispose of by any method for valuable consideration;*
- (h) dispose of to an agent for sale on consignment;*
- (i) provide under a contract of service;*
- (j) supply food as a meal or part of a meal to an employee, in accordance with a term of an award governing the employment of the employee or a term of the employee’s contract of service, for consumption by the employee at the employee’s place of work*
- (k) dispose of by way of raffle, lottery or other game of chance;*
- (l) offer as a prize or reward;*
- (m) give away for the purpose of advertisement or in furtherance of trade or business;*
- (n) supply food under a contract (whether or not the contract is made with the consumer of the food), together with accommodation, service or entertainment, in consideration of an inclusive charge for the food supplied and the accommodation, service*

or entertainment;

(o) supply food (whether or not for consideration) in the course of providing services to patients or inmates in public institutions; and

(p) sell for the purpose of resale;

“unsafe”, in relation to food, has the meaning given by section 12;

“unsuitable”, in relation to food, has the meaning given by section 13;

“vehicle” means any means of transport, whether self-propelled or not, and whether used on land or sea or in the air.

Part 10 Division 3 section 122 provides that:

*Division 3 — Appointment of authorised officers*

*122. Appointment of authorised officers*

(1) An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act if —

(a) the enforcement agency, having regard to any guidelines issued by the CEO under subsection (2), considers the person has appropriate qualifications and experience to perform the functions of an authorised officer; or

(b) the person holds office as an environmental health officer under the Health Act 1911.

(2) The CEO may issue guidelines that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer.

(3) Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency.

Food Regulation 2009

Regulation 5 provides that:

*5. Appropriate enforcement agency: local government (s. 8)*

*For the definition of appropriate enforcement agency in section 8 of the Act, a local government is the appropriate enforcement agency for the purposes of a provision —*

*(a) if the CEO is not the appropriate enforcement agency for the purposes of the provision under regulation 4; and*

*(b) to the extent to which the provision has effect in relation to —*

*(i) a food business that is conducted at premises in the local government’s district; or*

*(ii) animal food processing premises in the local government’s district; or*

*(iii) a retail pet meat shop in the local government’s district.*



Regulation 21 provides that:

*21. Inspection of animals and carcasses at abattoirs*

*(1) Subregulation (2) applies if an adopted standard requires an animal to be inspected before it is slaughtered.*

*(2) The proprietor of an abattoir must ensure that, before an animal is slaughtered, it is inspected by an authorised officer in accordance with the adopted standard.*

*Penalty: a fine of \$5 000.*

*(3) Subregulation (4) applies if an adopted standard requires the carcase to be inspected after an animal is slaughtered.*

*(4) The proprietor of an abattoir must ensure that, after an animal is slaughtered, the carcase is inspected by an authorised officer in accordance with the adopted standard.*

*Penalty: a fine of \$5 000.*

*(5) This regulation does not apply to —*

*(a) the proprietor of an abattoir in the district of Kellerberrin or Kondinin; or*

*(b) the proprietor of an abattoir that is a registered establishment.*

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That the addition (No 45) to the Delegations Manual, as attached, be adopted.

Absolute Majority Required

**MIN 041/13 Motion – Moved Cr Bell seconded Cr Thomson**

That the addition (No 45) to the Delegations Manual, as attached, be adopted.

CARRIED by absolute majority 5/0



## Shire of Tammin

# DELEGATIONS MANUAL

## BACKGROUND

The *Local Government Act* requires local governments to review their delegation of powers/authority to the Chief Executive Officer at least once in every twelve months and then for the Chief Executive Officer to review his delegation of authority within the same review period.

## STATUTORY IMPLICATIONS

Section 5.42 provides that:

- (1) A local government may delegate (by Absolute Majority) to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Section 5.43 provides that a local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

Section 5.44 provides that:

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
  - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
  - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) "conditions" includes qualifications, limitations or exceptions.

Section 5.45 provides that:

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
  - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —

- (a) a local government from performing any of its functions by acting through a person other than the CEO; or
- (b) a CEO from performing any of his or her functions by acting through another person.

Section 5.46(2) provides that:

- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Section 17(10) of the Bush Fires Act provides that a local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).

Section 17(7)(a) provides that subject to paragraph (b), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —

- (i) shortening, extending, suspending or reimposing a period of prohibited burning times; or
  - (ii) imposing a further period of prohibited burning times.
- (b) A variation of prohibited burning times shall not be made under this subsection if that variation would have the effect of shortening or suspending those prohibited burning times by, or for, more than 14 successive days.

Section 17(8) provides that where, under subsection (7), a local government makes a variation to the prohibited burning times in respect of its district or a part of its district the following provisions shall apply —

- (a) the local government —
  - (i) shall, by the quickest means available to it and not later than 2 days before the first day affected by the variation, give notice of the variation to any local government whose district adjoins that district;
  - (ii) shall, by the quickest means available to it, give particulars of the variation to the Authority and to any Government department or instrumentality which has land in that district under its care, control and management and which has requested the local government to notify it of all variations made from time to time by the local government under this section or section 18;
  - (iii) shall, as soon as is practicable publish particulars of the variation in that district;
- (b) the Minister, on the recommendation of the Authority, may give notice in writing to the local government directing it —
  - (i) to rescind the variation; or
  - (ii) to modify the variation in such manner as is specified in the notice;
- (c) on receipt of a notice given under paragraph (b) the local government shall forthwith —
  - (i) rescind or modify the variation as directed in the notice; and
  - (ii) publish in that district notice of the rescission or particulars of the modification, as the case may require.

No	SUBJECT	DETAILS	LEGISLATIVE POWER	DELEGATE
1	Signing of Orders	Authority to sign order forms for the purchase of goods and services within the constraints of the Budget and the Purchasing Policy.	LGA s.3.18 & 5.42	CEO
2	Make Payments	<p>Authority to make payments subject to a list of payments made being presented to the next Ordinary meeting and included in the minutes of that meeting.</p> <p>The vouchers, supporting invoices and other relevant documents be made available for inspection by members at the next Ordinary Council Meeting.</p> <p>Authority is limited to an amount of \$100,000, excluding investments.</p> <p>Cheques to be signed by a Councillor and the CEO (or his delegate).</p>	<p>FMR12 LGA s.5.42</p> <p>FMR13 LGA s.5.42</p>	CEO
3	Debtor Write-Off	Authority to write-off uncollectable or economically uncollectable debts, excluding rates and service charges, up to \$300.	LGA s.6.12	CEO
4	Credit Card / Fuel Card	Authority to use the Shire of Tammin's Credit Card and Fuel Card within the constraints of the Budget or as otherwise directed by Council.	FMR 11(1)(a) LGA s.5.42	CEO
5	Investing Surplus Funds	Authority to invest surplus funds, Trust funds, Loan funds and Reserve funds in accordance with part III of the <i>Trustees Act</i> or in an investment approved by the Minister for Local Government after ensuring that sufficient working capital is to be retained.	FMR19 LGA s.5.42, s.6.14	CEO
6	Electronic Funds Transfer	<p>Authority to EFT between bank accounts</p> <p>Authority to pay creditor accounts to a limit of \$100,000.</p>	FMR11 LGA s.5.42	CEO
7	Common Seal	Authority to affix Common Seal (witnessed by President and CEO) to documents to be executed by the Shire of Tammin where such documents are consistent and in accord with resolutions of Council, subject to Council being notified of executed documents in a timely manner.	LGA s.9.49	CEO
8	Legal Advice	Authority to appoint legal counsel and	LGA s.5.42	CEO

		obtain advice, with all legal advice to be made available at the next Council meeting.		
<b>No.</b>	<b>SUBJECT</b>	<b>DETAILS</b>	<b>LEGISLATIVE POWER</b>	<b>DELEGATE</b>
9	Administration Centre	Authority to permit the use of rooms and areas within the Shire of Tammin Administration Centre to individuals or organisations having an involvement with local government and/or working towards the betterment of the Shire of Tammin.	LGA s.5.42	CEO
10	Notices	Authority to issue notices to owners and occupiers of land requiring certain things to be done by the owner or occupier of that land.	LGA s.3.25, Health Act Parts IV, V, VI, VII, VIIA, VIII, IX, XV	CEO
11	Renewing Licences	Authority to renew all licences provided the circumstances of the original licence has not substantially altered.	Local Government (Miscellaneous Provisions) Act 1960	CEO
12	Building Licences	Authority to approve or refuse plans and specifications relating to applications for building licence and to issue or refuse building licenses, including authority to impose conditions as appropriate.	Local Government (Miscellaneous Provisions) Act 1960 s.374(1b)	CEO (Delegated by CEO to Building Surveyor)
13	Building Licence Extension	Authority to extend initial building licences for a further 6 months to allow completion of construction.	Local Government (Miscellaneous Provisions) Act 1960 s.374(1b)	CEO (Delegated by CEO to Building Surveyor)
14	Building Notices	Authority to issue notices pursuant to Part XV of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> .	LGA s.3.25	CEO (Delegated by CEO to Building Surveyor)
15	Demolition License	Authority to issue demolition licenses and impose conditions as considered appropriate.	Local Government (Miscellaneous Provisions) Act 1960 s.374A	CEO (Delegated by CEO to Building Surveyor)
16	Administration of Health	Authority to exercise and discharge the powers and functions of the Shire of Tammin under the Health Act relating to: <ul style="list-style-type: none"> <li>forming of opinions and making of declarations;</li> <li>the granting and issue of licenses, permits, certificates and approval;</li> </ul>	Health Act	CEO (Delegated by CEO to Environmental Health Officer)

		<ul style="list-style-type: none"> <li>the issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions;</li> <li>the ordering and authorisation of legal proceedings for breaches of the Health Act, all regulations and local laws.</li> </ul>		
<b>No.</b>	<b>SUBJECT</b>	<b>DETAILS</b>	<b>LEGISLATIVE POWER</b>	<b>DELEGATE</b>
17	Development Applications	Authority to issue planning consent to development applications which comply with the Shire of Tammin's Town Planning Scheme.	LGA s.5.42	CEO
18	Subdivision Clearance	Authority to provide the necessary clearance of subdivision conditions when satisfied that suitable arrangements have been made	LGA s.5.42	CEO
19	Liquor Permits	Authority to issue permits for the sale and consumption of liquor on Shire of Tammin property.	LGA s.5.42 Liquor Licensing Act 59 & 119	CEO
20	Secondhand Fencing	Authority to approve the use of secondhand material for fencing.	LGA s.5.42	CEO
21	Wildflower Permits	Authority to issue wildflower picking permit, subject to CALM approval and generally in accordance with conditions set by CALM.	LGA s.5.42	CEO
22	Employers Warrant	Authority to sign an employers warrant for WALGA industrial awards and appear on the Shire of Tammin's behalf.	LGA s.5.42	CEO
23	Plant & Equipment	Authority to approve the use of Shire of Tammin plant and equipment.	LGA s.5.42	CEO
24	Harvest Bans	Authority to impose harvest and vehicle movement bans.	LGA s.5.42 Bush Fire Regulations r.38A, 38C, 39A & 39B	CEO
25	Prohibited & Restricted Burning Times	Authority to suspend or amend Prohibited and Restricted burning times.	LGA s.5.42 Bush Fire Act s.17(7)(a) & s.18(5)(a) & Bush Fire Regulations r.15C	CEO
26	Fires at Tip	Authority to permit persons to set fire to the tip (green waste only)	LGA s.5.42	CEO
27	Fire Breaks	Authority, in liaison with the Chief Bush Fire Control Officer, to resolve fire hazard problems, including where	LGA s.5.42 Bush Fires Act s.33 & s.48	CEO



		considered necessary, to forward letters demanding the construction of fire breaks and where not complied with, the issuing of a contract for the construction of the break at the land owner's expense.		
28	Bush Fires Act	Authority to exercise the functions of the local government under the Bush Fires Act only in an emergency situation and only in conjunction with the Chief Bush Fire Control Officer.  Authority to vary prohibited and restricted burning times. See 25	LGA s.5.42 Bush Fires Act s.48  Sections 17(10) and 18(5)(c) of <i>Bush Fires Act</i>	CEO <b>In consultation with</b>  President & CBFCO jointly
<b>No.</b>	<b>SUBJECT</b>	<b>DETAILS</b>	<b>LEGISLATIVE POWER</b>	<b>DELEGATE</b>
29	Plant & Equipment Hire	Authority to give permission to hire Shire of Tammin buildings, equipment and exchange equipment between buildings.	LGA s.5.42	CEO
30	Replacement Plant Hire	Authority to hire replacement plant.	LGA s.5.42	CEO
31	Rigid and Articulated Vehicle Movements	Authority to approve rigid and articulated vehicle movements, up to a maximum 27.5m.	LGA s.5.42	CEO
32	Appointment of Authorised Persons	Authority to appoint persons or classes of persons in relation to enforcement and legal proceedings	LGA s.9.23; Dog Act; Bush Fires Act; Health Act; Local Laws	CEO
33	Administration of Local Laws	Authority to administer the Shire of Tammin Local Laws and initiate action if considered necessary.	LGA s.5.42	CEO
34	Enter Land in Emergencies	Authority to enter land in emergencies.  Authority to sign and issue notice of entry.  Authority to exercise force to gain entry	LGA s.5.42	CEO
35	Tree Safety	Authority to issue an order to make a tree safe on private land and to enter that property to make a tree safe.	LGA s.5.42	CEO
36	Cost Recovery	Authority to instigate proceedings to recover costs in Court.	LGA s.5.42	CEO
37	Calling Tenders	Authority to call tenders for all budgeted items and to accept tenders to a value of \$100,000 in accordance with the Shire of Tammin Purchasing Policy.	LGA s.5.42	CEO
38	Execution of	Authority to prepare the necessary	LGA s.5.42	CEO

	Documents	documentation taking into account any specific or policy requirements of Council and arrange for execution of the contract documents without further reference to Council.		
39	Destruction of Records	Authority to destroy old accounting books and records in accordance with statutes.	LGA s.5.42	CEO
40	Debt Collection	Authority to collect outstanding debts against the Shire of Tammin, including entering into arrangements, within normal commercial parameters.	LGA s.5.42	CEO
41	Sale of Land	Authority to sell Shire of Tammin owned vacant land at market prices subject to legislative compliance.	LGA s.3.58	CEO
42	Sale of Scrap	Authority to dispose of scrap surplus materials etc. by quotes locally.	LGA s.5.42	CEO
43	Bush Fires Act	Authority to issue and withdraw infringement notices.	Bush Fires Act	CEO
<b>No.</b>	<b>SUBJECT</b>	<b>DETAILS</b>	<b>LEGISLATIVE POWER</b>	<b>DELEGATE</b>
44	Donations of Minor Works to Community Groups	Authority to approve minor works carried out using shire staff, equipment and materials such as delivering a load of sand up to a value of \$500, without charge, to local community groups and the Tammin Primary School, where a formal request has been received.	LGA s.5.42	CEO
45	Food Act 2008	Authority to exercise and discharge the powers and functions of the Shire of Tammin under the Food Act 2008 relating to: <ul style="list-style-type: none"> <li>forming of opinions and making of declarations;</li> <li>the granting and issue of licenses, permits, certificates and approval;</li> <li>the issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions;</li> <li>the ordering and authorisation of legal proceedings for breaches of the Food Act 2008, all regulations and local laws.</li> <li>appoint a person to be an authorised officer for the purpose of inspection of animals before and after slaughter as per regulation 21 of the Regulations</li> </ul>	Food Act 2008	CEO (Delegated by CEO to Authorised Meat Inspector)

*Reviewed by Council 10 August 2005 – Item 11.1.2*  
*Reviewed by Council on 18 May 2006 – Item 11.5*  
*Reviewed by Council on 17 May 2007 – Item 11.7*  
*Reviewed by Council on 20 December 2007 – Item 11.2*  
*Reviewed by Council on 20 November 2008 – Item 11.8*  
*Reviewed by Council on 19 November 2009 – Item 11.11*  
*Reviewed by Council on 15 December 2010 – Item 11.5*  
*Reviewed by Council on 15 December 2011 – Item 11.11*  
*Reviewed by Council on 20 December 2012 – Item 11.4*  
*Reviewed by Council on 21 March 2013 – Item 11.7*

**12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

That items 13.1, 13.2, 13.3 and 13.4 be considered as business of an urgent nature.

MIN 42/13 MOTION – Moved Cr **Uppill seconded Cr Thomson**

That items 13.1, 13.2, 13.3 and 13.4 be considered as business of an urgent nature.

CARRIED 5/0

### **13.1 Audit Committee held 18<sup>th</sup> March 2013**

Author – Ian Bodill, CEO, 19<sup>th</sup> March 2013

#### **DECLARATION OF INTEREST**

Nil

#### **PREVIOUS REFERENCE**

Nil

#### **BACKGROUND**

The Audit Committee held a meeting on Monday 18<sup>th</sup> March 2013. There are a number of recommendations made by the committee which require discussion and resolving by Council.

#### **COMMENT**

The committee minutes are attached for council's information and deliberations.

#### **FINANCIAL IMPLICATIONS**

Financial implications are in line with council's budget.

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Annual Compliance Audit as required by the Department under the Local Government Act of 1995.

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **OFFICER'S RECOMMENDATION**

That Council deals with each recommendation made by the Audit Committee as follows:

#### **MIN 027/13 MOTION – Moved Cr Greenwood seconded Cr Thomson**

That the minutes of the Audit Committee meeting held on 15<sup>th</sup> March 2012, be confirmed as a true and correct record.

Simple Majority Required  
CARRIED 3/0

#### **MIN 028/13 MOTION – Moved Cr Thomson seconded Cr Greenwood**

That the Audit Committee recommends to Council that Mr Gregory Froomes Wyllie be appointed as its Auditor for the financial years 2013-2014 and 2014-2015.

Absolute Majority Required  
Carried 3/0

**MIN 029/13 Moved Cr Uppill seconded Cr Thomson**

That it be recommended to Council that the 2012 Compliance Audit Return for the Shire of Tammin be adopted by Council.

Simple Majority Required  
Carried 3/0

**MIN 030/13 Moved Cr Greenwood seconded Cr Thomson**

That it be recommended to Council that it:

- a. Adopts the 2012-13 Annual Budget Review as presented in the attachment.
- b. Provides a copy of the adopted 2012-13 Annual Budget Review report together with the attachment to the Department of Local Government.

\*Absolute Majority Required  
Carried 3/0

**Min 032/13 Moved Cr Uppill seconded Cr Greenwood**

That CEO investigates the appropriate staffing levels within the outside staff and fills the required level should it be found that a staff shortage exists.

Carried 3/0

**MIN 042/13 Motion – Moved Cr Uppill seconded Cr Bell**

That CEO investigates the appropriate staffing levels within the outside staff and fills the required level should it be found that a staff shortage exists.

Carried 3/0

CARRIED 5/0

Attachment item 13.1

Minutes of the Shire of Tammin Audit Committee meeting held at Council Chambers, 1 Donnan Street, Tammin, on Monday, 18<sup>th</sup> March 2013.

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

The President, Cr Uppill declared the meeting open at 5.00pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

**Present**

Cr S. Uppill	President (Presiding Person)
Cr M.D. Greenwood	Member
Cr. D Thomson	Member
Mr I.M Bodill	Chief Executive Officer
Mrs M. Henry	Senior Finance and Admin Officer

**Visitors**

Nil

**Apologies**

Nil

**Leave of Absence**

Nil

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

Nil

**4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Minutes of the previous Audit Committee meeting, held on 15<sup>th</sup> March 2012, are attached.

**STATUTORY IMPLICATIONS**

Section 5.22(2) of the *Local Government Act 1995* provides that minutes of all meeting to be kept and submitted to the next full Council meeting for confirmation.

**STAFF RECOMMENDATION**

That the minutes of the Audit Committee meeting held on 15<sup>th</sup> March 2012, be confirmed as a true and correct record.

Simple Majority Required

**MIN 027/13 MOTION – Moved Cr Greenwood seconded Cr Thomson**

That the minutes of the Audit Committee meeting held on 15<sup>th</sup> March 2012, be confirmed as a true and correct record.

CARRIED 3/0

## 5. AGENDA ITEMS

### 5.1 Appointment of Auditor (FIN-01)

Author – Ian Bodill, CEO, 4th<sup>th</sup> March 2013

#### DECLARATION OF INTEREST

Nil

#### PREVIOUS REFERENCE

Audit Committee Meeting 15 March 2012

#### BACKGROUND

Council appointed Mr Gregory Froomes Wyllie as its Auditor for various durations since 2008. As his current appointment will expire on 30<sup>th</sup> June 2013, Council is required to make a new appointment.

Quotes were called earlier and only two quotes were received. The unsuccessful quotes were:

- UHY Haines Norton
- AMD Chartered Accountants declined the request to submit a quote on this occasion - primarily due to the fact they currently have a large number of Local Government tenders they have recently submitted.

The CEO sought tenders for two years on this occasion as the Shire is part of the amalgamation programme being discussed through the SEARTG and audit requirements beyond the next two years might require different consideration.

Mr Wyllie has provided a quote of

<b>Year Ended</b>	<b>Estimated Hours</b>	<b>Tender Fee</b>
<b>30 June 2014</b>	<b>40</b>	<b>\$7950 plus gst</b>
<b>30 June 2015</b>	<b>40</b>	<b>\$8350 plus gst</b>

for the next two years.

## **COMMENT**

Mr Wyllie is a very experienced and thorough Local Government Auditor. He creates minimal disruption while conducting his audit and makes the process much easier by providing staff a list of information that he would like to have ready at the commencement of his audit. Mr Wyllie has worked with the Shire of Tammin for the last 4 year, with his past knowledge and history I believe that this two year term would suffice and carry us into amalgamation.

## **FINANCIAL IMPLICATIONS**

Within Budget allowances.

## **POLICY IMPLICATIONS**

Council's policy is to call tenders for the appointment of the auditor.

## **STATUTORY ENVIRONMENT**

The Local Government Act 1995 in relation to the appointment of an auditor states:

### **7.2. Audit**

*The accounts and annual financial report of a local government for each financial year are required to be audited by an auditor appointed by the local government.*

### **7.3. Appointment of auditors**

*(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.*

*\* Absolute majority required.*

*(2) The local government may appoint one or more persons as its auditor.*

*(3) The local government's auditor is to be a person who is —*

- (a) a registered company auditor; or*
- (b) an approved auditor.*

### **7.6. Term of office of auditor**

*(1) The appointment of a local government's auditor is to have effect in respect of the audit of the accounts and annual financial report of the local government for a term of not more than 5 financial years, but an auditor is eligible for re-appointment.*

*(2) The appointment of an auditor of a local government ceases to have effect if —*

- (a) his or her registration as a registered company auditor is cancelled;*
- (b) his or her approval as an approved auditor is withdrawn;*
- (c) he or she dies;*
- (d) the auditor ceases to be qualified to hold office as auditor or becomes a disqualified person;*
- (e) the auditor resigns by notice in writing addressed to the local government; or*
- (f) the appointment is terminated by the local government by notice in writing.*



(3) *Where —*

- (a) *the registration of a local government's auditor as a registered company auditor is suspended; or*
- (b) *a local government's auditor becomes unable or unwilling to carry out all or part of his or her duties,*

*the local government is to appoint\* a person to conduct the audit or to complete that part of the audit which remains to be conducted, as the case requires.*

*\* Absolute majority required.*

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **OFFICER'S RECOMMENDATION**

That the Audit Committee recommends to Council that Mr Gregory Froomes Wyllie be appointed as its Auditor for the financial years 2013-2014 and 2014-2015.

\* Absolute majority required.

#### **MIN 028/13 MOTION – Moved Cr Thomson seconded Cr Greenwood**

That the Audit Committee recommends to Council that Mr Gregory Froomes Wyllie be appointed as its Auditor for the financial years 2013-2014 and 2014-2015.

Carried by absolute majority 3/0

## **5.2 Compliance Audit Return (FIN-01)**

Author – Ian Bodill, 4th March 2013

### **INTEREST**

Nil

### **PREVIOUS REFERENCE**

Audit Committee 15<sup>th</sup> March 2012

### **ATTACHMENTS**

Copy of 2013 Shire of Tammin Compliance Audit Return

### **BACKGROUND**

Each year, Council is required to complete and submit a Local Government Compliance Audit Return for period 1 January to 31 December. Completing the Return is a statutory requirement under the provisions of the Local Government Act 1995, and associated Regulations.

### **COMMENT**

The Compliance Audit Return (CAR) for the Shire of Tammin for period 1 January 2012 to 31 December 2012 has been completed and a copy is attached to this agenda item.

An analysis of Council's documentation has revealed that council has produced 100% compliancy for the year in question.

The CAR is to be submitted to the Department of Local Government by 31 March in each year. Recent amendments to the Local Government (Audit) Regulations 1996 have changed the process in which the CAR is to be addressed by Council this year.

It is a requirement for the Compliance Audit Return to be:

- a) Submitted to the Audit Committee for review and a report to Council.
- b) Presented to the Council at a meeting of the Council.
- c) Adopted by the Council; and
- d) Recorded in the minutes of the meeting at which it is adopted.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY ENVIRONMENT**

Section 7.13(1) (i) of the Local Government Act 1995 provides Regulations may make provision –

(i) Requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –

- (i) Of a financial nature or not; or
- (ii) Under this Act or another written law

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

#### **14. Compliance audits by local governments**

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

(3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —

- (a) presented to the council at a meeting of the council; and
- (b) adopted by the council; and
- (c) recorded in the minutes of the meeting at which it is adopted.

#### **15. Compliance audit return, certified copy of etc. to be given to Executive Director**

(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —

- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
- (b) any additional information explaining or qualifying the compliance audit,

is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

(2) In this regulation —

**certified** in relation to a compliance audit return means signed by —

- (a) the mayor or president; and
- (b) the CEO.

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That it be recommended to Council that the 2012 Compliance Audit Return for the Shire of Tammin be adopted by Council.

Simple Majority Required

#### **MIN 029/13 Moved Cr Uppill seconded Cr Thomson**

That it be recommended to Council that the 2012 Compliance Audit Return for the Shire of Tammin be adopted by Council.

Carried 3/0

### **5.3 2012-13 ANNUAL BUDGET REVIEW (FIN-04)**

Author – Ian Bodill CEO 4<sup>th</sup> March 2013

#### **DECLARATION OF INTEREST**

Nil

#### **PREVIOUS REFERENCE**

Nil

#### **BACKGROUND**

A Local Government pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996 is required to carry out a review of its Annual Budget.

#### **COMMENT**

A detailed analysis of the 2012-13 Annual Budget has been undertaken (refer attachment) which reveals projected variations against the adopted Budget.

The major variations are:

- Election Expenses, unfavourable variance of \$6,500 resulting from extraordinary election.
- Conference Expenses, unfavourable variance of \$7,110 resulting from councillors attending National General Assembly in Canberra in June, not included in original budget
- Administration Annual Leave, unfavourable variance of \$16,944 resulting from pay out of departing CEO.
- Administration Building Maintenance, favourable variance of \$10,576 resulting from no major maintenance jobs to occur up until the end of the financial year.
- Consultant Fees, favourable variance of \$15,500 resulting from office restructure and jobs to be done internally.
- Reimbursement Abattoir, unfavourable variance of \$12,117 resulting from Shire of Tammin no longer providing the services of a Meat Inspector.
- Tammin Hall, favourable variance of \$12,783 resulting from no major maintenance jobs to occur up until the end of the financial year.
- Kadjininy Kep Maintenance, favourable variance of \$11,205 resulting from Kep not being operational therefore not as much maintenance has been required.
- Electrician private works, unfavourable variance of \$41,582 in income and favourable variance of \$33,000 in expenditure resulting from less private works done.
- Contract - Works Management, favourable variance of \$13,000 resulting from Works Supervisor in Cunderdin resigning.
- Plant depreciation, unfavourable variance of \$20,000 resulting from Plant depreciation not included in original budget.

The overall review reveals a budget surplus of \$9,913 projected to 30 June 2013.

#### **FINANCIAL IMPLICATIONS**

Minor surplus projected.

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY ENVIRONMENT**

- Section 6.2 of the Local Government Act 1995
- Regulation 33A of the Local Government (Financial Management) Regulations 1996

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A Council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*  
*\*Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

#### **STRATEGIC PLAN IMPLICATIONS**

The Shire is able to fund its 2012-13 commitments.

#### **FUTURE PLAN IMPLICATIONS**

Projects identified in the Plan for the future were incorporated in the 2012-13 Annual Budget.

#### **COMMUNITY CONSULTATION**

Nil

#### **OFFICER'S RECOMMENDATION**

That Council

- (a) Adopts the 2012-13 Annual Budget Review as presented in the attachment.
- (b) Provides a copy of the adopted 2012-13 Annual Budget Review report together with the attachment to the Department of Local Government.

*Absolute majority required*

#### **MIN 030/13 Moved Cr Greenwood seconded Cr Thomson**

That it be recommended to Council that it :

- c. Adopts the 2012-13 Annual Budget Review as presented in the attachment.
- d. Provides a copy of the adopted 2012-13 Annual Budget Review report together with the attachment to the Department of Local Government.

Carried by absolute majority 3/0

#### **6. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

#### **7. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

##### **Min 031/13 Moved Cr Uppill seconded Cr Greenwood**

That Business of an urgent nature be introduced.

Carried 3/0

##### **Min 032/13 Moved Cr Uppill seconded Cr Greenwood**

That CEO investigates the appropriate staffing levels within the outside staff and fills the required level should it be found that a staff shortage exists.

Carried 3/0

#### **8. CLOSURE OF MEETING**

There being no further business the President closed the meeting at 19.25 pm.

### **13.2 Sale of excess plant (TEND-41)**

Author – Ian Bodill, CEO, 19<sup>th</sup> March 2013

#### **DECLARATION OF INTEREST**

Nil

#### **PREVIOUS REFERENCE**

Nil

#### **BACKGROUND**

Council previously made the decision to sell plant surplus to its needs.

The plant was advertised this month in the West Australian and offers were only received for three of the four items.

#### **COMMENT**

The shire has received offers for the following plant. The 1994 Caterpillar Road Roller received two offers but only the more favourable offer is listed for Council's information.

<b>Plant description</b>	<b>Offer</b>	<b>Total Offer</b>	<b>Budget</b>	<b>Diff</b>
1989 Multipac VP200 Roller	2100 GST inc	2100	3 000	- 900
2 axle Pig trailer	6710 GST inc	6710	8 000	-1290
1994 Caterpillar Road Roller	13750 GST inc	13750	10 000	+3750
<b>Amounts</b>		22560	21 000	+1560
<hr/>				
Fire Truck	No offer received		4500	

It is suggested that Council accepts the three offers because the total value of all three items exceeds the amount budgeted for by Council . Budget = \$21000. Total Offer = \$22560 realising a surplus of \$1560.

**FINANCIAL IMPLICATIONS**

Satisfies Council's budget requirements.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Satisfies Council's disposal of goods requirements.

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**OFFICER'S RECOMMENDATION**

That Council accepts the offers made for the following three items of surplus plant:

1989 Multipac VP200 Roller	\$2100
2 axle Pig trailer	\$6710
1994 Caterpillar Road Roller	\$13750

Absolute Majority Required

**MIN 043/13 Motion – Moved Cr Greenwood seconded Cr McCreery**

That Council

1. Accepts the offers made for the following three items of surplus plant:

1989 Multipac VP200 Roller	\$2100
2 axle Pig trailer	\$6710
1994 Caterpillar Road Roller	\$13750

2. Retains the tank from the fire truck for future use.
3. Readvertises the fire truck (as scrap) once the tank has been removed.

CARRIED by absolute majority 5/0

### 13.3 Proposed extractive industry & class I inert landfill

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#### 9. OFFICER'S REPORTS – LATE REPORT

##### 9.1 DEVELOPMENT REPORTS

##### 9.1.1 PROPOSED EXTRACTIVE INDUSTRY & CLASS I INERT LANDFILL (TYRE DISPOSAL) AT AVON LOCATION 12967 (LOT 12967) YORKRAKINE RD, TAMMIN

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

**FILE NO:**

**COUNCIL DATE:** 21 March 2013

**REPORT DATE:** 19 March 2013

**LOCATION/ADDRESS:** Avon Location 12967, Lot 12967 of Plan 132424 Yorkrakine Rd, Tammin

**APPLICANT:** Tambo Nominees

**SENIOR OFFICER:** I Bodill (CEO)

**REPORTING OFFICER:** J Jurmann (MPS SoY)

**DISCLOSURE OF INTEREST:** Nil

**APPENDICES:** 1 – Location Plan

2 – Site Plan

3 – DEC Works Approval

**DOCUMENTS TABLED:** Nil

#### **Summary:**

Council at its Ordinary Meeting held on 11 November 2011 considered a report regarding this proposal and resolved as follows:

*“That Council indicates to the applicants Western Maze Pty Ltd that provided all environmental, community and Council concerns over their proposal to store tyre waste in a disused gravel pit on Avon location 12967 can be met, Council would be prepared to give approval to their proposal subject to the submission of a full development application that provides site management details; estimated life of the development; fire management plans; traffic management plans that detail the size, type, frequency, route of vehicles accessing the site; details of water runoff control and groundwater monitoring proposals; proof that their proposal complies with all Department of Environment requirements and other legislation in relation to the storage of waste tyres and any other ancillary information that the Council may determine that it requires after further investigation of the proposal.”*

A planning application has now been received by the Shire requesting consent to use Avon Location 12967 for an Extractive Industry and a Class I Inert Landfill (Noxious Industry). The application must be advertised before being determined in accordance with the provisions of the Tammin Town Planning Scheme No. 1.

The purpose of this report is to outline the assessment process and to recommend Council delegate the determination of the application to the Chief Executive Officer.

#### **Background:**

In November 2011, the owner of the property requested Council provide an ‘in principle’ approval to the development proposal to provide the future purchasers of the property more certainty in their investment.

As indicated in the Summary section of this report, Council resolved to provide ‘in principle’ approval subject to the submission of a planning application and supporting documentation. This application is the subject of this report.



Avon Location 12967 is located at Lot 12967 Yorkrakine Road approximately 12 kilometres from the Tammin town site (refer to Appendix 1 for Location Map). The property is 64 hectares in area, is zoned Rural under the provisions of the Tammin Town Planning Scheme No. 1 and is currently used for agricultural purposes. The property has been previously used for gravel extraction to cater for the property owner's and community's purposes. The nearest sensitive receptor is approximately 3 kilometres to the east. Access to the site is from Yorkrakine Road and Dunn Road, with Yorkrakine Road a heavy haulage route.

It is proposed to extract gravel from the property for commercial sale and to backfill the excavations with used tyres. The extraction will occur in three (3) stages as pits in various locations of the site and each pit is expected to be 15 hectares in area. Tyres will then be buried in bundles up to three (3) metres in height and the locations recorded using GPS technology. Each pit will be covered following filling and rehabilitated.

The Department of Environment and Conservation have issued a Works Approval for the proposal on the basis that the Shire of Tammin have issued an 'in principle' approval for the proposal. The DEC Report indicates that the initial monthly acceptance of tyres will be 300 tonnes monthly for the first six months and then 650 tonnes per month. It is expected that the facility will have a capacity to cater for the disposal of 35,000 tonnes of used tyres and rubber products.

**Consultation:**

Consultation with neighbouring landowners, the community and appropriate government agencies will be conducted in accordance with Clause 6.3 of the Tammin Town Planning Scheme No. 1. Any submissions received will be considered before determining the application.

**Statutory Environment:**

The proposed gravel extraction is defined as an 'Industry – Extractive' and the burying of tyres has been classified as a Class I Inert Landfill and a prescribed premises by the Department of Environment and Conservation, which then defines the use as a 'Industry – Noxious' under the provisions of the Scheme.

The Tammin Planning Scheme No. 1 identifies both uses as a 'SA' use in the Rural Zone, which allows Council to grant planning approval after giving notice in accordance with Clause 6.3.

It is proposed to give notice in accordance with the Scheme to the adjoining landowners directly in writing, in the local newspaper and on site providing a minimum of 21 days to submit any objections in writing. Any submissions will be considered in the assessment of the application together with the matters for consideration as listed in Clause 6.5 of the Scheme.

**Policy Implications:**

When considering a planning application, the purpose and intent of the zone must be considered. The purpose and intent of the Rural Zone *“is to provide appropriately zoned land to permit a wide range of rural/agricultural uses to satisfy the objectives in a long term environmentally acceptable and sustainable manner”*.

The proposal has been considered by the Department of Environment and Conservation and should also be referred to the Environmental Protection Authority as part of the consultation process. If both agencies have no objection to the approval of the application, with conditions, it could then be considered that the proposal is consistent with the objectives of the zone.

**Financial Implications:**

The applicant has paid the application fee in accordance with the *Planning and Development Regulations 2009* and will be responsible for the costs associated with advertising the application.

It may also be applicable for the applicant to contribute to the maintenance of Yorkrakine Road and any other local roads that may be used for heavy haulage in conjunction with the use. This will be assessed during determination of the planning application.

**Strategic Implications:**

The Shire of Tammin’s Community Strategic Plan goals 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 and 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.

The proposal is not inconsistent with the goals of the Plan.

**Voting Requirements:**

**Absolute Majority Required:            No**

**Site Inspection:**

**Site Inspection Undertaken:**            A site inspection will be undertaken as part of the assessment process.

**Triple bottom Line Assessment:****Economic Implications:**

As indicated earlier in this report, consideration should be given to contributions towards road maintenance of haulage routes to ensure that there are no economic implications for the community associated with this proposal.

**Social Implications:**

There are no social implications associated with the proposal.

**Environmental Implications:**

The proposal will be referred to the Environment Protection Authority and the Department of Environment and Conservation. If approval is granted, these authorities will be involved in the licensing and monitoring of the use.

**Comment:**

It is considered appropriate that Council delegate approval to the Chief Executive Officer to determine this planning application as Council has already given 'in principle' approval to the proposal. This delegation is subject to the application being assessed and determined in accordance with the provisions of the Tammin Town Planning Scheme No. 1.

**OFFICER RECOMMENDATION**

***That Council:***

*Delegates determination of the planning application to use Lot 12967 of Plan 132424 Yorkrakine Road, Tammin, known as Avon Location 12967, as an extractive and noxious industry for the purposes of commercial gravel extraction and landfilling of tyres and rubber products, subject to the application being advertised and assessed in accordance with the provisions of the Tammin Town Planning Scheme No. 1."*

MIN 044/13 Motion – Moved Cr Uppill seconded Cr McCreery

That Council:

1. *Delegates determination of the planning application to use Lot 12967 of Plan 132424 Yorkrakine Road, Tammin, known as Avon Location 12967, as an extractive and noxious industry for the purposes of commercial gravel extraction and landfilling of tyres and rubber products, subject to the application being advertised and assessed in accordance with the provisions of the Tammin Town Planning Scheme No. 1."*
2. *Approval is **subject to** the applicant/s addressing council at its next Council meeting to be held on the 18<sup>th</sup> April in order to discuss the following points:*
  - *The applicant's responsibility for providing gravel at no cost to the shire for the purposes of maintaining the roads utilised by trucks travelling to their site, on an annual basis.*
  - *A traffic management plan indicating the exact route to be utilised. Council would like the plan to indicate its preferred option of being Tammin-Wyalkatchem – Hocking – Yorkrakine as being the preferred route..*
  - *Utilising the roads from 9 am to 3pm only due to the school bus using the route during hours before and after these hours.*
  - *Negotiating a continuous supply of gravel for other shire use at a rate that would suit both the Applicant/s and the shire.*

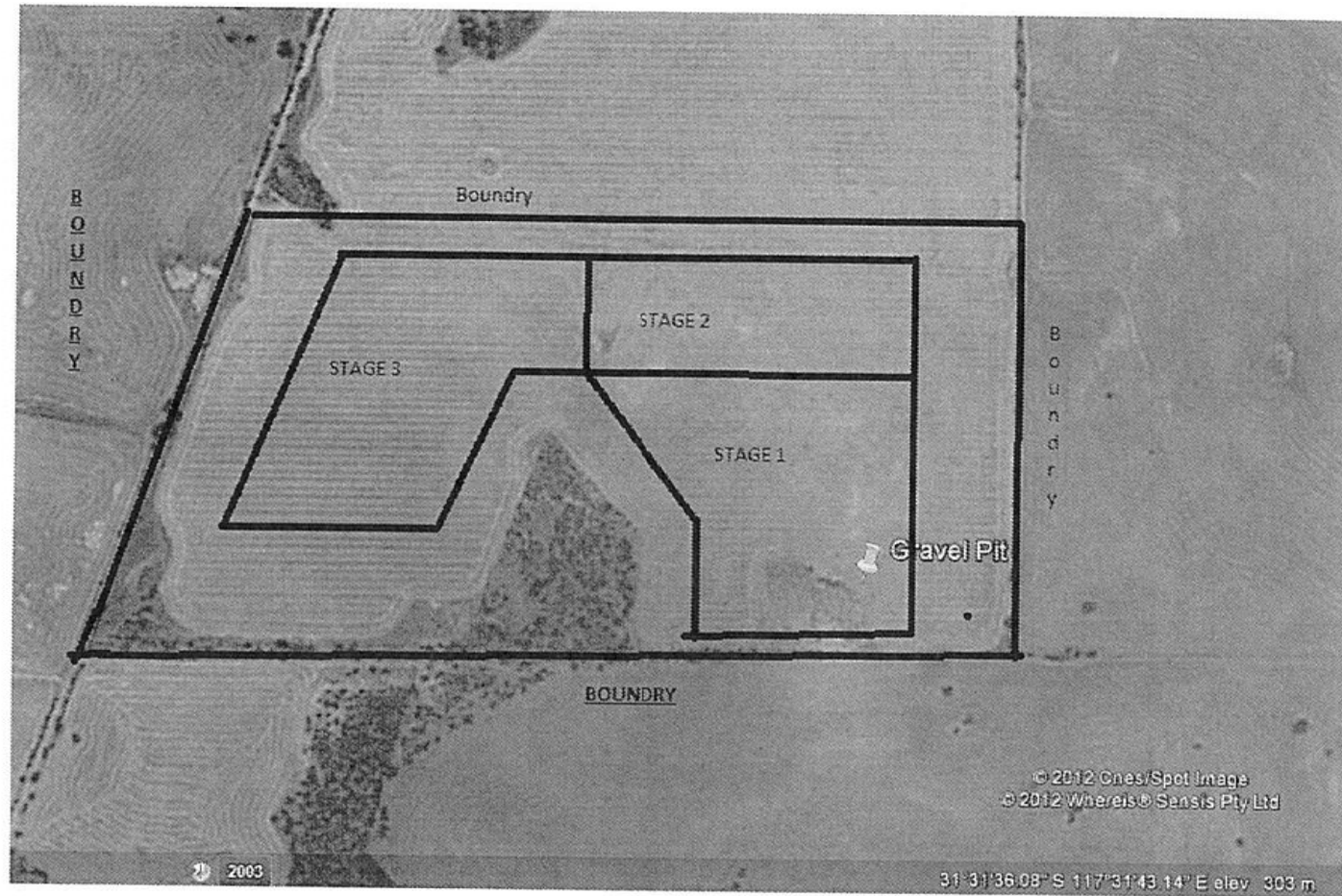
CARRIED 4/1

**APPENDIX 1 – LOCATION PLAN**





APPENDIX 2 – SITE PLAN



## Appendix H



Drill 1 – 7m to rock. 1.5 gravel at 5.5m

Drill 2 – 2.5m to rock

Drill 3 – 8m to rock 4.0m gravel at 3.5m

Drill 4 – 3.5m to rock 2.0m gravel at 1.5m

Drill 5 – 8m to rock 3.0m gravel at 3m

Drill 6 – 6m to rock. No moisture

15

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### APPENDIX 3 – DEC WORKS APPROVAL

Attachment item "Appendix J"

**SCAN AND COPY IN!!!!**

### 13.4 Electrician report

	A	B	C
1		<b>13.4 Electricians report</b>	
2		Job	Invoiced
3		February	
4	1	Completed sealing preparation in Kep pond	
5	2	Installed Airconditioner K Tiller - Kellerberrin	Y
6	3	Install stove and gpo's in kitchen	
7	4	Assisted with diagnostics of reticulation systems	
8	5	Completed fan installations G Packham	Y
9	6	Upgraded caravan gpo circuit breakers	
10	7	Signed up apprentice with CCI Apprentiship Solutions	
11	8	Paving at 12 Russell Street	
12	9	Met with Peter Herrington from IP Cameras Aust. For security camera proposal	
13	10	Paving at 12 Russell Street	
14	11	Repace faulty gpo's and extract fan - Val Martin Kellerberrin	Y
15	12	Repace faulty batten holder Teresa Brindley Stevens - Kellerberrin	Y
16	13	Upgrade Meter Box with RCD's and CB's, fit smoke alarm Terry O'Dae	Y
17	14	Reassemble Fan Deck Gavin Charlton	N
18	15	Complete various works at Chatfields	Y
19		March	
20	16	Commence installation of floodlight poles for Oval I would like to replace the pole	
21			
22			
23			
24	17	Refurbish Kep Lighting and upgrade power supply for future events. I would like to	
25		replace with a better type of downlight due to the high incidence of vandalism	
26		and the difficulty in repairing the existing due to corrosion etc. Cost inc labour in	
27		region of \$9000 including GST	
28	18	Install 3 hot water systems in Kellerberrin for Stueys Plumbers	Y
29	19	Replace vandalosed light between Hall and Lesser Hall	
30	20	Fabricate stronger posts and guards for bridge lights due to vandalism	
31	21	Repair side walk at 12 Russell, left over from when house was built	
32	22	Commenced new works for Shire of Cunderdin	N
33	23	Completed overhead line repairs for Scott Uppill	Y
34	24	Completed electrical works at Frank Cookes house	Y
35	25	Install junction boxes in ceiling and secure stove gpo for Jim Stokes	Y
36	26	Commence multi split aircon install for Peg Duncan Kellerberrin - Final value	N
37		in region of \$7000-00	
38		Invoicing value from 19/02/2013 to 18/03/2013	\$ 11,550.04

**MIN 045/13 Motion – Moved Cr Greenwood seconded Cr Thomson**  
That the electricians report be accepted.

CARRIED 5/0

**14. CLOSURE OF MEETING**

There being no further business the President closed the meeting at 6.36 pm.

Tabled before the Ordinary Council Meeting on 18 April 2013.

Cr S Uppill, President





## PAYMENTS LIST FEBRUARY 2013

Date	Reference	Supplier Name	Details	Amount
<b>Cheque Payments</b>				
01/02/2013	5951	BT Lifetime - Personal Super	Superannuation	149.67
01/02/2013	5952	Colonial First State	Superannuation	47.06
01/02/2013	5953	Hostplus - Super	Superannuation	133.85
01/02/2013	5954	LGRCEU	Union fee	58.20
01/02/2013	5955	Prime Super	Superannuation	47.99
01/02/2013	5956	The Industry Superannuation Fund	Superannuation	99.86
01/02/2013	5957	WALG Superannuation	Superannuation	7,585.23
04/02/2013	5919	Actrol	Pavilion - fan motor, Electrician - material	223.77
04/02/2013	5920	Babich Training & Inspection Services	Relief meat inspection service - 05/12 - 20/12/2012	3,205.50
04/02/2013	5921	Patricia Bell	Sitting fee & travel reimbursement	105.00
04/02/2013	5922	Bunnings	Retic Supplies, expendable tools, grinding discs, wire brush, plants, fertilisers, retic parts, Christmas lights	528.46
04/02/2013	5923	Carol Crane	Sitting fee & travel reimbursement, partial Deputy President allowance	280.86
04/02/2013	5924	Cunderdin Contract Grading	Contract grading - Ridley Street & Tammin-Wyalkatchem	8,008.00
04/02/2013	5925	F-111 Engineering Pty Ltd	12 Russell St - pavers	2,035.00
04/02/2013	5926	Goodfields Quality Meats	Australia Day - sausages & bacon	107.52
04/02/2013	5927	MD Greenwood	Sitting fee & travel reimbursement	306.32
04/02/2013	5928	D. Heppell	Side tipper hire	2,574.00
04/02/2013	5929	Stephen Jefferies	Sitting fee & travel reimbursement	355.00
04/02/2013	5930	Kellerberrin Tyre Service	Tyre repair TN203	44.00
04/02/2013	5931	Major Motors Pty Ltd	Parts & repair TN302	968.45
04/02/2013	5932	Dustin McCreery	Sitting fee & travel reimbursement	1,274.23
04/02/2013	5933	Metal Artwork Creations	Name badges, desk plaques, honour board plates	225.50
04/02/2013	5934	Midalia - Onesteel Distribution	Private works - colorbond sheets	234.43
04/02/2013	5935	Not Too Dusty Plant Hire	Hire of water truck	6,996.00
04/02/2013	5936	Peter J Jackson Funerals	Bond reimbursement	300.00
04/02/2013	5937	Shire of York	Health & ranger services	372.82
04/02/2013	5938	TR & BM Silver	Grave digging M. Tangye & P. O'Loughlin	517.00
04/02/2013	5939	Synergy	Electricity 20/11/2012 - 11/01/2013	3,420.80
04/02/2013	5940	Tammin Hardware	Electrician - material, degreaser, couplings	55.50
04/02/2013	5941	Telstra	Internet library 18/12/12 - 17/01/13 CEO, WS & E mobile 18/12/12 - 17/01/13 Internet wireless CEO 22/12/12 - 21/01/13	202.69
04/02/2013	5942	Donald Thomson	Sitting fee & travel reimbursement	140.19
04/02/2013	5943	Scott Uppill	Sitting fee & travel reimbursement partial President allowance	649.38
04/02/2013	5944	Richard Wheeldon	Gravel Royalties	3,305.00
04/02/2013	5945	Zacks Commercial Artist	Business cards Ian Bodill	128.50
07/02/2013	5946	Synergy	Electricity 20/11/2012 - 11/01/2013	424.35
07/02/2013	5947	Shire of Tammin	Petty cash recoup	260.70
08/02/2013	5948	City & Regional Waste Management	Waste management	1,939.56
08/02/2013	5949	Jeff Dunning	9 & 11 Nottage - supply & install security doors	2,365.00
14/02/2013	5958	BT Lifetime - Personal Super	Superannuation	117.12
14/02/2013	5959	Hostplus - Super	Superannuation	133.85
14/02/2013	5960	LGRCEU	Union fee	58.20
14/02/2013	5961	Prime Super	Superannuation	46.31
14/02/2013	5962	The Industry Superannuation Fund	Superannuation	99.86
14/02/2013	5963	WALG Superannuation	Superannuation	2,941.84
18/02/2013	5964	Australia Post	Postage & freight	115.54
18/02/2013	5965	Bitutek Pty Ltd	Bitumen sealing T-Wyalkatchem & T South Rd Ralston Rd & Ridley St	161,667.80
18/02/2013	5966	Bunnings	Electrician - material purchases, Tamma Village - batteries & water connectors	224.38
18/02/2013	5967	Courier Australia	Freight	59.66
18/02/2013	5968	Cunderdin Farmers Co-operative Co Ltd	Holiday program supplies, Australia Day - groceries, Pavilion - telescopic arm, valve	574.13
18/02/2013	5969	DKT Rural Agencies	Tamma Village - valve for HWS U7, retic controller box, toilet cistern U8 & 9, solenoid valve, sprinkler timer	821.95
18/02/2013	5970	Electrical Distributors of WA Pty Ltd	Electrician - material purchase, EW jobs,	647.58
18/02/2013	5971	Gull Tammin Roadhouse	Feb 2013 - catering, drinks, papers	228.75
18/02/2013	5972	Hanson Construction Materials Pty Ltd	Blue metal - Tammin - Wyalkatchem Rd, Ridley Street & Tammin South Rd	31,011.48
18/02/2013	5973	Kellerberrin Tyre Service	Repairs TN2	26.00
18/02/2013	5974	LGIS Risk Management	Emergency Risk Mgmt - AWARE Project Safety Representatives Course	9,864.02
18/02/2013	5975	LGISWA	Workers Compensation adjustment	1,936.80

18/02/2013	5976	Mastec Australia Pty Ltd	Supply of recycling bins	2,095.50
18/02/2013	5977	Peerless Jal Pty Ltd	Hall / oval & public toilets - paper towels & disinfectant	102.99
18/02/2013	5978	Radio West	Area promotion	110.00
18/02/2013	5979	Regional Concrete & Plumbing	Town Hall - investigate & repair water hammer, Install gas stoves at 9 & 11 Nottage Way & Unit 3, Tamma Village - supply and install lever taps	5,966.44
18/02/2013	5980	Roads 2000	Supply & lay asphalt, traffic controller	11,564.08
18/02/2013	5981	Rural Traffic Services	Accommodation & meals traffic controllers	277.53
18/02/2013	5982	Sunny Sign Company Pty Ltd	Grader ahead, Harris & Goldfields Rd, Floodway & Cross road signs	617.51
18/02/2013	5983	Synergy	Electricity 27/11/2012 - 29/01/2013	5,445.00
18/02/2013	5984	Tammin Post Office	Stationery	39.65
18/02/2013	5985	Telstra	Telephone & internet 23/12/12 - 22/01/13	730.49
18/02/2013	5986	Western Australian Local Government Assoc	Bitumen Sealing Tender Advertising	519.16
20/02/2013	5987	Wheatbelt Office and Business Machines	New Fuji Xerox Photocopier and booklet finisher	8,001.00
20/02/2013	5988	Fire & Emergency Services Authority of WA	ESL January 2013	202.61
27/02/2013	5989	Patricia Bell	Sitting fee & travel reimbursement	210.00
27/02/2013	5990	Brighthouse	Masterplan and business case - final draft	8,826.62
27/02/2013	5991	Carol Crane	Sitting fee & travel reimbursement	230.86
27/02/2013	5992	MD Greenwood	Sitting fee & travel reimbursement	128.69
27/02/2013	5993	Kleenheat Gas	Tamma Village - bulk gas	159.50
27/02/2013	5994	Dustin McCreery	Sitting fee & travel reimbursement	240.12
27/02/2013	5995	McLeods Barristers and Solicitors	Legal cost easement Lot 52 Tammin - Wyalkatchem	877.41
27/02/2013	5996	Prestige Alarms	Security alarm system quarterly fee	143.00
27/02/2013	5997	Rural Press Regional Media (WA) Pty Ltd	Advertising - apprentice electrician & plant operator	1,816.66
27/02/2013	5998	Donald Thomson	Sitting fee & travel reimbursement	280.38
27/02/2013	5999	Scott Uppill	Sitting fee & travel reimbursement	449.38
27/02/2013	6000	WALGA	Advertising election results & electors meeting	1,405.72
28/02/2013	6001	Shacks Holden	Purchase of new Holden Caprice	6,472.75
28/02/2013	6010	Australian Taxation Office	February 2013 BAS	31,245.00
			<b>Sub-total</b>	<b>348,407.91</b>
<b>Direct Debit payments</b>				
01/02/2013	Debit	Commonwealth Bank of Australia	CBA Merchant Fee	36.50
05/02/2013	Debit	Commonwealth Bank of Australia	EFTPOS fee	32.02
			<b>Sub-total</b>	<b>68.52</b>
<b>Licensing Transfer</b>				
01/02/2013	J5566	Department of Transport	Licensing 01/02/2013	137.40
04/02/2013	J5567	Department of Transport	Licensing 04/02/2013	461.10
05/02/2013	J5568	Department of Transport	Licensing 05/02/2013	220.10
06/02/2013	J5584	Department of Transport	Licensing 06/02/2013	102.40
07/02/2013	J5585	Department of Transport	Licensing 07/02/2013	734.70
08/02/2013	J5586	Department of Transport	Licensing 08/02/2013	399.55
11/02/2013	J5612	Department of Transport	Licensing 11/02/2013	87.90
12/02/2013	J5616	Department of Transport	Licensing 12/02/2013	1,571.90
13/02/2013	J5617	Department of Transport	Licensing 13/02/2013	70.00
14/02/2013	J5623	Department of Transport	Licensing 14/02/2013	1,014.90
15/02/2013	J5624	Department of Transport	Licensing 15/02/2013	265.80
18/02/2013	J5625	Department of Transport	Licensing 18/02/2013	72.35
19/02/2013	J5626	Department of Transport	Licensing 19/02/2013	490.45
20/02/2013	J5627	Department of Transport	Licensing 20/02/2013	17.90
21/02/2013	J5628	Department of Transport	Licensing 21/02/2013	344.10
22/02/2013	J5631	Department of Transport	Licensing 22/02/2013	482.10
25/02/2013	J5632	Department of Transport	Licensing 25/02/2013	1,959.45
26/02/2013	J5633	Department of Transport	Licensing 26/02/2013	461.70
28/02/2013	J5636	Department of Transport	Licensing 28/02/2013	610.60
			<b>Sub-total</b>	<b>9,504.40</b>
<b>Bank Fees</b>				
18/02/2013	Debit	National Australia Bank	NAB Connect Fee	94.90
28/02/2013	J5648	National Australia Bank	Account Fees for February 13 for DPI Account	20.38
28/02/2013	J5649	National Australia Bank	Account Fees for February 13 for Muni Account	108.41
28/02/2013	J5650	National Australia Bank	Account Fees for February 13 for Trust Account	20.60
			<b>Sub-total</b>	<b>244.29</b>

<b>VISA Payments</b>				
04/02/2013	VISA	Engineering Supplies	Material EW Job	69.19
04/02/2013	VISA	Gull Service Stations	Fuel	47.30
04/02/2013	VISA	In touch	TN221 - Antenna & lead	90.00
04/02/2013	VISA	Jaycar	Electrician - monitor, lead test set, clip alligator	212.85
04/02/2013	VISA	Westnet	Internet Service - Depot	69.45
			<b>Sub-total</b>	<b>488.79</b>
<b>EFT Payments</b>				
05/02/2013	EFT	John Greenw ood	Reimbursement - Electrician - material	131.25
12/02/2013	EFT	Shire of Tammin	Salaries & w ages	21,464.19
20/02/2013	EFT	Motorcharge Limited	Fuel & oils	3,977.97
21/02/2013	EFT	National Sheds Mandurah	Final Payment of Shed	2,905.16
26/02/2013	EFT	Shire of Tammin	Salaries & w ages	23,102.07
			<b>Sub-total</b>	<b>51,580.64</b>
			<b>Total</b>	<b>410,294.55</b>

Attachment item 11.2 Financial Report to 28 February 2013