

Shire of Tammin  
ORDINARY COUNCIL MEETING  
Thursday 23<sup>rd</sup> November, 2017

MINUTES

The ordinary meeting of the Shire of Tammin was held on **Thursday November 23<sup>rd</sup>, 2017** in the Council Chambers, 1 Donnan St, Tammin, commencing at **5:03pm**.



Stephen Tindale  
Acting Chief Executive Officer

MISSION STATEMENT

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

## **Contents**

<u>AGENDA</u> .....	3
1. <u>DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS</u> .....	3
2. <u>RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE</u> .....	3
3. <u>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</u> .....	3
4. <u>PUBLIC QUESTION TIME</u> .....	3
5. <u>APPLICATIONS FOR LEAVE OF ABSENCE</u> .....	3
6. <u>DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS</u> .....	3
7. <u>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</u> .....	4
7.1 <u>ORDINARY COUNCIL MEETING MINUTES- (26<sup>th</sup> October 2017)</u> .....	4
8. <u>ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION</u> .....	4
9. <u>PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSION</u> .....	4
10. <u>AGENDA ITEMS</u> .....	5
10.1 <u>List of Payments for October 2017</u> .....	5
10.2 <u>Financial Management Report for the month of October 2017</u> .....	8
10.3 <u>Manager of Works and Services Report</u> .....	10
10.4 <u>Extension Request – Extractive Industry &amp; Class I Inert Landfill (Tyre Disposal) at Avon Location 12967 (Lot 12967) Yorkrakine Rd, Tammin.</u> .....	13
11. <u>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN</u> .....	15
12. <u>MATTERS FOR WHICH THE MEETING MAY BE CLOSED</u> .....	15
12.1 <u>Property Appraisal Report – Tammin Townsite Residential Lot</u> .....	15
13. <u>CLOSURE OF MEETING</u> .....	15
14. <u>REFERENCES</u> .....	16

## **AGENDA**

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

The President declared the meeting open at 5:03 pm.

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

#### **Attendance:**

Cr M Greenwood	Shire President
Cr D Thomson	Deputy President
Cr G Batchelor	Member
Cr N Caffell	Member
Cr T Daniels	Member
Stephen Tindale	Acting Chief Executive Officer
Kelsey Pryer	Manager Finance & Administration
Greg Stephens	Manager Works & Services

#### **Leave of Absence:**

Cr C Crane	Member
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#### **Apologies:**

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

Nil

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

Nil

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

Nil

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

The Shire President, Cr Greenwood declared an interest affecting impartiality in Item 12.1 – Property Appraisal Report – Tammin Townsite Residential Lot.

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

**7.1 ORDINARY COUNCIL MEETING MINUTES- (26<sup>th</sup> October 2017)**

**MIN 96/17 MOTION:**

**That the Minutes of the Ordinary Council meeting held on 26<sup>th</sup> October be confirmed as a true record of proceedings.**

Moved: Cr Batchelor

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

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

Nil

**9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSION**

Nil

## 10. AGENDA ITEMS

### 10.1 List of Payments for October 2017

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	8 <sup>th</sup> November 2017
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachments (7 pages)

### **BACKGROUND**

Accounts paid for October 2017 is listed totaling:

Cheque numbers	6675 - 6677	\$2,775.39
Direct debit payments	01/10/17 – 31/10/17	\$15,148.50
Licensing transfers	01/10/17 – 31/10/17	\$7,579.60
Bank fees	01/10/17 – 31/10/17	\$1,367.93
VISA payments	01/10/17 – 31/10/17	\$4,130.47
EFT payments	EFT 1772 - 1835	\$165,090.18
Salaries and Wages	01/10/17 – 31/10/17	\$36,050.11
<b>Total payments</b>	<b>01/10/17 – 31/10/17</b>	<b>\$232,142.18</b>

### **COMMENT**

Nil

### **FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

Shire of Tammin 2017/2018 Operating Budget

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY IMPLICATIONS**

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

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

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

- a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and

- b) Petty cash systems.
- (1) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (2) Payments made by a local government —
  - a) Subject to sub-regulation (4), are not to be made in cash; and
  - b) Are to be made in a manner which allows identification of —
    - (i) The method of payment;
    - (ii) The authority for the payment; and
    - (iii) The identity of the person who authorised the payment.
- (3) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

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

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

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

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

## **13. Lists of accounts**

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
  - a) The payee's name;
  - b) The amount of the payment;
  - c) The date of the payment; and
  - d) Sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
  - a) For each account which requires council authorisation in that month —
    - (i) The payee's name;
    - (ii) The amount of the payment; and
    - (iii) Sufficient information to identify the transaction; and
  - b) The date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub-regulation (1) or (2) is to be —
  - a) Presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - b) Recorded in the minutes of that meeting.

## **STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**MIN 97/17 MOTION:**

**That Council notes that during the month of October 2017, the Chief Executive Officer has made the following payments.**

- 1. Municipal Fund payments totaling \$232,142.18 on licensing transactions, bank fees, EFT, Cheque, Visa, Direct Debit and salaries and wages payments.**

Moved: Cr Daniels

Seconded: Cr Thomson

Simple Majority Required

Carried: 5/0

## 10.2 Financial Management Report for the month of October 2017

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of Tammin
<b>Date:</b>	15 <sup>th</sup> November 2017
<b>Author:</b>	Kelsey Pryer, MFA
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	N/A
<b>File Reference:</b>	N/A
<b>Attachment/s:</b>	Attachments (19 Pages)

### **BACKGROUND**

Enclosed is the Monthly Financial Report for the month of October 2017.

### **FINANCIAL IMPLICATIONS (ANNUAL BUDGET)**

Financial Management of 2017/2018

### **STATUTORY IMPLICATIONS**

Local Government (Financial Management) Regulations 1996

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

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
- a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - b) budget estimates to the end of the month to which the statement relates;
  - c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
  - c) such other supporting information as is considered relevant by the local government.



- (3) The information in a statement of financial activity December be shown —
- a) according to nature and type classification; or
  - b) by program; or
  - c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
- a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
  - b) recorded in the minutes of the meeting at which it is presented.

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

### **COMMENT**

Nil

### **POLICY IMPLICATIONS**

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

### **STRATEGIC PLAN IMPLICATIONS**

Nil

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **MIN 98/17 MOTION:**

- (1) That the Financial Report for the month of October 2017 comprising;**
- a) Statement of Financial Activity**
  - b) Note 1 to Note 12**
- be adopted.**

Moved: Cr Daniels

Seconded: Cr Thomson

Simple Majority Required

Carried: 5/0

### 10.3 Manager of Works and Services Report

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Works and Services
<b>Date:</b>	16 <sup>th</sup> November 2017
<b>Author:</b>	Greg Stephens
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Nil

#### PROPOSAL/SUMMARY

Tammin Shire Council	<b>WORKS REPORT</b> Thursday 16 <sup>th</sup> November 2017	Works and Services Department
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#### **ADMINISTRATION, MEETINGS AND INSPECTIONS DURING THIS REPORTING PERIOD**

- Customer enquiries
- Staff works program
- Capital Works Program
- Staff and Plant records
- Ordering parts and materials
- Long Term Financial Planning
- Depot General Duties - phone, emails
- Meetings - Admin, Works, Depot, Staff
- Site Inspections Road signage Bitumen Roads - Rural Roads Area 1 Area 2 and Area 3 inspections
- Multi-Purpose Courts - Site meetings, earthworks design, remove grass, Erect Lighting Towers and cabling (Contractor) — other works are due to start week commencing 20<sup>th</sup> November.

#### **URBAN - TAMMIN**

<b>Various Streets</b>	Routine Maintenance program <ul style="list-style-type: none"> <li>➤ Town street storm water drainage repairs and maintenance</li> <li>➤ Street cleaning and tree trimming</li> </ul>
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#### **UNSEALED ROADS NETWORK**

<b>Unsealed Roads</b>	General Inspections <ul style="list-style-type: none"> <li>➤ Resheet with Gravel Youering Road (Section)</li> <li>➤ Resheet with Gravel Blakiston Road (Section)</li> </ul> Maintenance Grading <ul style="list-style-type: none"> <li>➤ Mackin Road</li> <li>➤ Blakiston Road</li> <li>➤ Yorkrakine Road (section)</li> <li>➤ Yorkrakine Rock Road</li> <li>➤ McQueen Road</li> <li>➤ Cemetery Road</li> </ul>
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	<ul style="list-style-type: none"> <li>➤ Turon Road (Section)</li> <li>➤ Doongin Peak Road</li> <li>➤ Youering Road (Section)</li> <li>➤ As Required</li> </ul>
<b>SEALED ROAD NETWORK</b>	
<b>Sealed Roads</b>	General Inspections Pot hole patching - Ongoing Guide post replacement - Ongoing
<b>PARKS AND OPEN SPACE AREAS - GARDENS, PARKS, OVALS AND VILLAGE</b>	
<b>Fearson Park</b>	General clean up
<b>Memorial Park</b>	General maintenance, Mowing Weed control ongoing
<b>Heritage Park</b>	General clean up General maintenance Weed control ongoing
<b>Reserves, Open Areas</b>	General clean up Weed control ongoing General maintenance, Mowing, Slashing
<b>Tamma Village</b>	General clean up General maintenance, Mowing Weed control ongoing
<b>Kadjininy Kep</b>	General clean up Repairs to Electrical System General maintenance, Mowing
<b>Tammin Oval (Donnan Park)</b>	General clean up General maintenance, Mowing Weed control ongoing
<b>Town Dam</b> Dam levels are measured on the actual volume that can be held in the cells not the design volume.	Dam Levels 17 <sup>th</sup> November 2017 Rear dam 100% Front dam 100%
<b>BUILDING MAINTENANCE</b>	
<b>All Buildings</b>	General Maintenance as required ➤ Spider, Ant Spraying
<b>Tamma Village Units</b>	General Maintenance
<b>Staff Housing</b>	General Maintenance
<b>Admin and Hall Buildings</b>	General minor maintenance
<b>PUBLIC CONVENIENCES</b>	
<b>Public Ablution Block (Behind Admin)</b>	Cleaned Mondays, Wednesdays and Fridays
<b>Public Ablution Block (At Oval)</b>	Cleaned Mondays, Wednesdays and Fridays
<b>WASTE SITE TAMMIN</b>	
<b>General waste area's</b>	Weekly - waste pushed up and covered
<b>Surrounds</b>	Vegetation control, site clean up as per conditions of license
<b>WATER AND SEWER</b>	
<b>Oval Water System</b>	All O.K
<b>Donnan Park - Change Room and Public Toilets</b>	General repairs and maintenance Repair Showers in change rooms Cleaned Mondays, Wednesdays and Fridays (and after events).
<b>TOWN BLOCKS AND FIRE BREAKS AROUND TOWN</b>	
<b>Fire Control</b>	Ongoing Slashing

<b>VANDALISM</b>	
	Nil
<b>PLANT</b>	
<b>Plant and Vehicle repairs/maintenance</b>	General Maintenance
<b>PRIVATE WORKS</b>	
<b>Town and Rural works</b>	Block Slashing, Sand and Gravel delivery, Excavator, loader Wet Hire for works

**MIN 99/17 MOTION:**

**That Council receives the Manager of Works and Services Report.**

Moved: Cr Caffells

Seconded: Cr Thomson

Vote – Simple majority

Carried: 5/0

#### 10.4 Extension Request – Extractive Industry & Class I Inert Landfill (Tyre Disposal) at Avon Location 12967 (Lot 12967) Yorkrakine Rd, Tammin.

<b>Location:</b>	Avon Location 12967 (Lot 12967) Yorkrakine Rd, Tammin
<b>Applicant:</b>	Tambo Nominees
<b>Date:</b>	13 <sup>th</sup> November 2017
<b>Author:</b>	Jacky Jurmann – Consultant Planner
<b>Item Approved by:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	1 – Applicant's Submission 2 – Development Approval (July 2013) 3 – Notice of Grant of DER License

#### **PROPOSAL/SUMMARY**

Correspondence has been received from the Applicant requesting an extension of the development approval through the modification of condition 3, which states:

*"This approval is time limited and will expire five (5) years from the date of determination. The Applicant may apply for an extension of the approval for further periods."*

The Applicant has requested a further period of 10 years, which will align with their License issued by the Department of Water and Environment Regulation under the provisions of Part V of the *Environmental Protection Act 1986*.

#### **COMMENTS**

An inspection of the site and operations was carried out by the Chief Executive Officer and Manager of Works. No issues were found at the time of inspection.

However, a check of Council records indicates that the reporting requirements of the approval have not been met. It is appropriate to remind the Applicant of the reporting requirements and request that the information be provided to the Shire as soon as practicable.

#### **CONSULTATION**

Extensive consultation was undertaken as part of the original assessment process. There have been no complaints or concerns raised during the operation period of the approval. Accordingly no consultation is deemed necessary or required to modify the subject condition of approval.

#### **STATUTORY IMPLICATIONS**

Planning and Development (Local Planning Schemes) Regulations 2015

Clause 77 of the Regulations enables a condition to be amended or deleted. In this instance, the Applicant has requested amendment of condition 3 to enable the development to operate for a further 10 years.

#### **POLICY IMPLICATIONS**

There are no policy implications associated with this proposal.

### **FINANCIAL IMPLICATIONS**

Condition 11 of the development approval required payment of a rehabilitation bond by the Applicant, which was paid prior to operations commencing. No change to this condition is proposed and consequently, the bond will continue to be held by the Shire.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications associated with this proposal.

#### **RECOMMENDATION:**

**That Council resolves to:**

1. APPROVE the amendment of condition 3 to read: "This approval is time limited and will expire fifteen (15) years from the date of determination. The Applicant may apply for an extension of the approval for further periods."
2. Advise the Applicant that all other conditions and requirements detailed on the original approval dated 2<sup>nd</sup> July 2013 shall remain unless altered by this application.
3. Request the Applicant to submit all outstanding reports to comply with condition 21 and to submit a copy of their current Public Liability Insurance to comply with condition 12.

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

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

Vote – Simple majority

Adoption of the recommendation lapsed for want of a mover and seconder.

#### **MIN 100/17 MOTION:**

**That Council defers the matter to the next Council meeting pending a further staff report on any non-compliance associated with the original approval.**

Moved: Cr Batchelor

Seconded: Cr Daniels

Vote – Simple majority

Carried: 5/0

**11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Having declared an interest affecting impartiality which arises from his employment by the same company that provided the property appraisal report, the Shire President, Cr Greenwood, left the meeting at 5:30pm.

**12.1 Property Appraisal Report – Tammin Townsite Residential Lot**

Council has previously requested a valuation for a residential property within the Tammin Townsite.

Landmark Harcourts have now prepared a property description and current market appraisal for the property (see CONFIDENTIAL attachment) which was presented for Council's consideration and discussion.

The meeting discussed the property appraisal report and the reasons for obtaining it.

The meeting was informed that there was no requirement to make a decision regarding the report.

The Shire President, Cr Greenwood, returned to the meeting at 5:41pm.

**13 CLOSURE OF MEETING**

There being no further business, the Shire President declared the meeting closed at 5:42pm.

## 14 REFERENCES

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

*The Local Government Act (Section 5.60 – 5.62) provides that it is the Councillor's obligation to declare an interest if they believe that they have a financial interest, proximity interest, closely associated persons interest or an interest affecting impartiality in a matter being discussed by Council.*

*The Act provides that the interest may be declared in writing to the CEO prior to the meeting or declared prior to discussion of the agenda item at the meeting. Forms for this purpose are available to Councillors.*

*The Act further provides that the extent of the interest needs to be declared if the Councillor seeks to remain in the Chamber during the discussion, debate or voting on the item.*

*A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.*

### 7.1 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.*

### 11.1 List of Financial Payments Reference -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.*

### 11.2 Financial Report Reference - 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.*