

Shire of Tammin



DECLARATION

I declare that the minutes of the:

Ordinary Council Meeting held on 27<sup>th</sup> February 2019 was confirmed at the Ordinary Council Meeting held on 28<sup>th</sup> March 2019.

Name:

MICHAEL DAVID GREENWOOD

Signed:

Being the person presiding at the meeting at which these minutes were confirmed.

Date: 28-03-2019

# Shire of Tammin

## ORDINARY COUNCIL MEETING

### MINUTES



### NOTICE OF MEETING

The ordinary meeting of the Shire of Tammin was held on **Wednesday 27 February 2019** in the Council Chambers, 1 Donnan St, Tammin, commencing at **5:10pm**.

Neville Hale  
Chief Executive Officer

### MISSION STATEMENT

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

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## **AGENDA**

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

The Shire President declared the meeting open at 5:10pm.

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

#### **Present:**

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

#### **In Attendance:**

Neville Hale	Chief Executive Officer
Kelsey Pryer	Manager Finance & Administration

#### **Members of the Public:**

Joan Button  
Mary Harrison  
Ypie Thomson

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

Cr Daniels	Member
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#### **Apologies:**

Nil

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

Nil

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

Joan Button, Mary Harrison and Ypie Thomson presented Council with some concerns and suggestions they have regarding the Tamma Village, Australia Day Breakfast, ramp access to the Town Hall and Post Office and solar lightening around the townsite. Council advised, staff would follow up there concerns and discuss their ideas with the Community Development Officer.

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

Nil

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

Cr Greenwood	Item 11.2	Interest affecting impartiality	Family Association
Cr Thomson	Item 11.1	Interest affecting impartiality	Family Association
Cr Batchelor	Item 11.1 & 11.2	Interest affecting impartiality	Family Association

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

**7.1 Ordinary Council Meeting Minutes – 18 December 2018**

**TSC 02/19 MOTION**

That the Minutes of the Ordinary Council Meeting held on 18 December 2018 be confirmed as a true record of proceedings.

Moved: Cr Thomson

Seconded: Cr Batchelor

Vote: Simple Majority

Carried: 4/0

**7.2 Special Council Meeting Minutes – 31 January 2019**

**TSC 03/19 MOTION**

That the Minutes of the Special Council Meeting held on 31 January 2019 be confirmed as a true record of proceedings.

Moved: Cr Batchelor

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 4/0

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

Nil

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

Nil

## 10. MATTERS FOR CONSIDERATION – FINANCE

### 10.1 List of Payments for December 2018

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Date:</b>	15 February 2019
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	FIN05
<b>Attachment/s:</b>	Attachment Item 10.1 - December 2018 Payment List Attachment Item 10.1 - Credit Card Statement 30.10.18-28.11.18

#### Background

Accounts paid for December 2018 totaling \$258,458.86 are listed below:

Cheque numbers	6716 - 6717	\$8,910.57
Direct debit payments	01/12/18 – 31/12/18	\$26,933.89
Licensing transfers	01/12/18 – 31/12/18	\$2,266.10
Bank fees	01/12/18 – 31/12/18	\$137.69
VISA payments	01/12/18 – 31/12/18	\$150.54
EFT payments	EFT2662 – EFT2715	\$193,833.71
Salaries and wages	01/12/18 – 31/12/18	\$26,253.36
<b>Total payments</b>	<b>01/12/18 – 31/12/18</b>	<b>\$258,485.86</b>

#### Comment

Nil

#### Financial Implications

Directly impacts the Shire of Tammin 2018/2019 Operating Budget

#### Policy Implications

Nil

#### Statutory Implications

*Local Government (Financial Management) Regulations 1996*

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

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

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

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

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

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

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

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

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

**Strategic Plan Implications**

Nil

**Community Consultation**

Nil

**TSC 04/19 MOTION**

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

Municipal Fund payments totaling \$258,485.86 on licensing transactions, bank fees, EFT, Cheques, Visa, Direct Debit and salaries and wages payments.

Moved: Cr Thomson

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 4/0



Payment List for December 2018

Ref	Date	Creditor Name	Description	Amount
<b>Licensing Transactions</b>				
42	12/12/2018	Department of Transport	Daily licensing transactions	\$ 1,732.55
42	13/12/2018	Department of Transport	Daily licensing transactions	\$ 428.65
30	22/12/2018	Department of Transport	Daily licensing transactions	\$ 104.90
<b>Subtotal</b>				<b>\$ 2,266.10</b>

<b>Bank Fees</b>				
42	03/12/2018	MERCHANT FEES	MERCHANT FEES	\$ 62.89
42	05/12/2018	BANK FEES	TRANSACT FEE	\$ 7.00
42	12/12/2018	BANK FEES	CREDIT LISTING BOOK FEE	\$ 5.00
42	31/12/2018	BANK FEES	ACCOUNT FEE	\$ 42.80
42	31/12/2018	BANK FEES	ACCOUNT FEE	\$ 20.00
<b>Subtotal</b>				<b>\$ 137.69</b>

<b>EFT Payments</b>				
EFT2662	06/12/2018	AMPAC Debt Recovery (WA) Pty Ltd	Debt recovery for outstanding rates	\$ 4,076.90
EFT2663	06/12/2018	Avon Valley Glass	Various repairs to Tamma Village units	\$ 1,624.00
EFT2664	06/12/2018	Conway Highbury Pty Ltd	Consultancy fees for September and November 2018	\$ 679.25
EFT2665	06/12/2018	Courier Australia	Various freight expenses	\$ 15.02
EFT2666	06/12/2018	Farmways Kellerberrin	Various consumables	\$ 738.48
EFT2667	06/12/2018	IT Vision	Monthly Synergysoft fee for November 2018	\$ 2,065.80
EFT2668	06/12/2018	LGRCEU	Payroll deductions	\$ 61.50
EFT2669	06/12/2018	Perfect Computer Solutions	Computer maintenance and IT support	\$ 340.00
EFT2670	06/12/2018	STS West	Tyre repair for TN6	\$ 200.00
EFT2671	06/12/2018	Shire of Cunderdin	Private works to install traffic counters at Goldfields Rd & Bungulla Rd	\$ 253.36
EFT2672	06/12/2018	Synergy	Electricity charges for various buildings	\$ 2,124.75
EFT2673	06/12/2018	Wheatbelt Office and Business Machines	Photocopy expenses from 7/11/18 - 4/12/18 for the photocopier	\$ 391.87
EFT2674	06/12/2018	Wheatbelt Plumbing & Gas	Supply & install 4 x new toilet suites to renovated public toilets	\$ 5,529.65
EFT2675	13/12/2018	Adapt Electrical Solutions	Install sharp collection tins and handdryers in public toilets	\$ 947.45
EFT2676	13/12/2018	Ag Implements	Tyre and wheel assembly for John Deere ride on slasher	\$ 417.23
EFT2677	13/12/2018	Ag Implements - Quairading	Repair airconditioning fault in Community Bus	\$ 1,799.64
EFT2678	13/12/2018	Australia Post	Postage expenses for the month of November 2018	\$ 147.89
EFT2679	13/12/2018	Avon Waste	Rubbish collection for the month of November 2018	\$ 2,685.53
EFT2680	13/12/2018	Bunnings Group Ltd	Vacuum bags	\$ 23.96
EFT2681	13/12/2018	Cunderdin Farmers Co-op	Various consumables	\$ 27.15
EFT2682	13/12/2018	DKT Rural Agencies	Various consumables	\$ 77.45
EFT2683	13/12/2018	Donald Thomson	Deputy President Allowance from June to November 2018	\$ 300.00
EFT2684	13/12/2018	Fairfax Media Publications Pty Limited	Advertising costs in local phone directory	\$ 1,288.49
EFT2685	13/12/2018	Farmways Kellerberrin	Various consumables	\$ 50.15
EFT2686	13/12/2018	Fulton Hogan	10 tonne of cold mix asphalt	\$ 2,090.00
EFT2687	13/12/2018	Hydro-Plan Pty Ltd	Consultancy services for Tamma Village reticulation	\$ 1,980.00
EFT2688	13/12/2018	Kellerberrin Farmers Co-Operative	Council Meeting food and refreshments for November OCM	\$ 187.94
EFT2689	13/12/2018	Kellerberrin Pipeline Newsletter	Advertisement charges for the Administration/ Finance Position	\$ 23.00
EFT2690	13/12/2018	Komatsu Australia Pty Ltd	Belt for Komatsu grader (TN6)	\$ 112.05
EFT2691	13/12/2018	LGRCEU	Payroll deductions	\$ 61.50
EFT2692	13/12/2018	Michael Greenwood	President allowance from June to November 2018	\$ 1,200.00
EFT2693	13/12/2018	Shire of Cunderdin	Private works for capex works program - Chappell Wheeldon Rd	\$ 14,447.13
EFT2694	13/12/2018	Synergy	Electricity charges for various buildings	\$ 2,014.85
EFT2695	13/12/2018	Tammin Senior Citizens Committee	Donation towards Australia Day breakfast 2019	\$ 1,000.00
EFT2696	13/12/2018	Telstra	Phone charges for the month of November 2018	\$ 999.61
EFT2697	13/12/2018	Wheatbelt Plumbing & Gas	Unblock drain at public toilets and replace cistern in male staff toilet	\$ 488.40
EFT2698	13/12/2018	Wheatbelt Safetywear	Barrier mesh, traffic cones & plastic bollards	\$ 649.00
EFT2699	13/12/2018	Wright Express Australia Pty Ltd (Puma)	Fuel expenses for the month of November 2018	\$ 6,565.57
EFT2700	13/12/2018	Wurth Australia Pty Ltd	Pump Spray Bottle 1 ltr	\$ 85.14
EFT2701	21/12/2018	Adapt Electrical Solutions	Inspect and repair retic system and septic pump	\$ 99.00
EFT2702	21/12/2018	Ant Scutter	Pump out septic tank at Tamma Village	\$ 1,320.00
EFT2703	21/12/2018	Courier Australia	Freight expenses	\$ 10.73
EFT2704	21/12/2018	Covs Parts Pty Ltd	205L Drum of premium gold oil	\$ 929.50
EFT2705	21/12/2018	Daves Tree Service	Tree Pruning near powerlines with in the Tammin residential area	\$ 2,860.00
EFT2706	21/12/2018	Farmways Kellerberrin	Various consumables	\$ 24.00
EFT2707	21/12/2018	J Blackwood & Son Pty Ltd	Various cleaning products and consumables	\$ 85.23
EFT2708	21/12/2018	Kidsafe WA	Attend LGIS Playground Safety Workshop	\$ 200.00
EFT2709	21/12/2018	Komatsu Australia Pty Ltd	Belt 6732-82-3780	\$ 140.10
EFT2710	21/12/2018	LGRCEU	Payroll deductions	\$ 61.50
EFT2711	21/12/2018	Nancy Henry	Reimbursement of bond	\$ 300.00
EFT2712	21/12/2018	Regional Concrete & Plumbing	Various plumbing works	\$ 914.10
EFT2713	21/12/2018	Shire of Cunderdin	Shared Services from July 2018 - December 2018	\$ 128,567.88
EFT2714	21/12/2018	Tammin Post Office	Christmas lights and batteries	\$ 56.96
EFT2715	21/12/2018	Wheatbelt Renovations	Remove damaged roof sheets from Shire Office and replace	\$ 495.00
<b>Subtotal</b>				<b>\$ 193,833.71</b>

<b>Cheque Payments</b>				
6716	13/12/2018	Aust Communications & Media Authority	License renewal notice for Fire & Emergency Services	\$ 111.00
6717	21/12/2018	Water Corporation	Water charges for various standpipes and buildings	\$ 8,799.57
<b>Subtotal</b>				<b>\$ 8,910.57</b>

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

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

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

Total for Municipal Account \$153,878.74

## 10.2 List of Payments for January 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance & Administration
<b>Date:</b>	15 February 2019
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	FIN05
<b>Attachment/s:</b>	Attachment Item 10.2 - January 2019 Payment List Attachment Item 10.2 - Credit Card Statement 29.11.18-28.12.18

### Background

Accounts paid in January 2019 totaling \$258,458.86 are listed below:

Cheque numbers	6718	\$128.70
Direct debit payments	01/01/19 – 31/01/19	\$4,876.49
Licensing transfers	01/01/19 – 31/01/19	\$362.90
Bank fees	01/01/19 – 31/01/19	\$171.32
VISA payments	01/01/19 – 31/01/19	\$437.54
EFT payments	EFT2716 – EFT2770	\$67,626.83
Salaries and wages	01/01/19 – 31/01/19	\$25,731.61
<b>Total payments</b>	<b>01/01/19 – 31/01/19</b>	<b>\$99,335.39</b>

### Comment

Nil

### Financial Implications

Directly impacts the Shire of Tammin 2018/2019 Operating Budget

### Policy Implications

Nil

### Statutory Implications

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

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

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

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

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

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

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

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

## **13. Lists of accounts**

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

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

**Strategic Plan Implications**

Nil

**Community Consultation**

Nil

**TSC 05/19 MOTION**

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

Municipal Fund payments totaling \$99,335.39 on licensing transactions, bank fees, EFT, Cheques, Visa, Direct Debit and salaries and wages payments.

Moved: Cr Batchelor

Seconded: Cr Greenwood

Vote: Simple Majority

Carried: 4/0



**Payment List for January 2019**

Ref	Date	Creditor Name	Description	Amount
<b>Licensing Transactions</b>				
43	16/01/2019	Department of Transport	Daily Licensing transactions	\$ 208.45
43	17/01/2019	Department of Transport	Daily Licensing transactions	\$ 79.70
43	31/01/2019	Department of Transport	Daily Licensing transactions	\$ 74.75
			<b>Subtotal</b>	<b>\$ 362.90</b>
<b>Bank Fees</b>				
43	02/01/2019	MERCHANT FEES	MERCHANT FEES	\$ 22.00
43	03/01/2019	MERCHANT FEES	MERCHANT FEES	\$ 51.48
43	03/01/2019	BANK FEES	NAB TRANSACT FEE	\$ 6.65
43	29/01/2019	BANK FEES	NAB CONNECT FEE	\$ 37.99
43	31/01/2019	BANK FEES	ACCOUNT FEES	\$ 33.20
43	31/01/2019	BANK FEES	ACCOUNT FEES	\$ 20.00
			<b>Subtotal</b>	<b>\$ 171.32</b>
<b>EFT Payments</b>				
EFT2716	10/01/2019	AMPAC Debt Recovery (WA) Pty Ltd	Debt recovery commission for the month of December	\$ 132.00
EFT2717	10/01/2019	Australia Post	Postage & other office related charges for December	\$ 91.20
EFT2718	10/01/2019	Avon Waste	Rubbish collection for the month of December 2018	\$ 2,332.93
EFT2719	10/01/2019	Courier Australia	Freight charges	\$ 60.02
EFT2720	10/01/2019	Crowe Certification	Second Quarter payment for building & environmental health	\$ 2,750.00
EFT2721	10/01/2019	Donald Thomson	November 2018 Councillor meeting - sitting & travel fee	\$ 249.68
EFT2722	10/01/2019	Glenice Batchelor	November 2018 Councillor meeting - Sitting & travel fee	\$ 210.00
EFT2723	10/01/2019	Glenwarra Development Services	2nd Quarter 2018/19 -services town planning consultancy	\$ 2,200.00
EFT2724	10/01/2019	IT Vision	Monthly Synergy Soft Fee for December 2018	\$ 2,065.80
EFT2725	10/01/2019	Kellerberrin Farmers Co-Operative	November Councillor meeting, refreshments	\$ 20.20
EFT2726	10/01/2019	Kellerberrin Medical Centre	Preemployment medical	\$ 132.00
EFT2727	10/01/2019	Kleenheat Gas	LPG usage Tammin Village for the month of December	\$ 116.24
EFT2728	10/01/2019	LGIS Risk Management	LGIS WA Great Eastern Regional Risk Coordination Programme	\$ 1,502.60
EFT2729	10/01/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT2730	10/01/2019	Michael Greenwood	November 2018 Councillor meeting - sitting & travel fee	\$ 469.74
EFT2731	10/01/2019	Navsdron Pty Ltd ATF Navsdron Trust	General accounting assistance from the 1/9/18 to 21/12/18	\$ 12,320.00
EFT2732	10/01/2019	Nicholas Caffell	November 2018 Councillor meeting - sitting & travel fee	\$ 242.04
EFT2733	10/01/2019	Officeworks	Stationary and other office expenses	\$ 238.84
EFT2734	10/01/2019	Perfect Computer Solutions	Upgrade Synergysoft	\$ 977.50
EFT2735	10/01/2019	Primrose Passion	Flower arrangement	\$ 75.00
EFT2736	10/01/2019	STS West	2 x 185R tyres fitted - 1TPJ006 (Trailer)	\$ 105.00
EFT2737	10/01/2019	Shire of Quairading	CESM Shared billing July 2018 to September 2018	\$ 3,369.24
EFT2738	10/01/2019	Tania Daniels	November 2018 Councillor meeting - sitting & travel fee	\$ 247.78
EFT2739	10/01/2019	Telstra	Telstra phone usage charges	\$ 1,576.20
EFT2740	10/01/2019	WA Contract Ranger Services Pty Ltd	Ranger services for Nov - Dec 2018	\$ 1,519.37
EFT2741	10/01/2019	WALGA	Future of Local Government State-wide Forum	\$ 130.00
EFT2742	10/01/2019	Wheatbelt Office and Business Machines	Photocopier expenses for the 04/12/18 - 09/01/2019	\$ 524.55
EFT2743	10/01/2019	Wright Express Australia Pty Ltd (Puma)	Fuel	\$ 3,733.33
EFT2744	17/01/2019	Adapt Electrical Solutions	Electrician charges	\$ 1,255.05
EFT2745	17/01/2019	Ag Implements	Diagnose and repair bucket lift cylinders incl parts	\$ 4,881.53
EFT2746	17/01/2019	Anderson Munro & Wyllie	Interim audit for the year ended 30 June 2018	\$ 6,600.00
EFT2747	17/01/2019	Cannon Hygiene Australia Pty Ltd	Sanitary and sharp container services	\$ 1,354.50
EFT2748	17/01/2019	Coerco	4,000 litre ploy septic tank with internal baffle for RV site	\$ 1,620.30
EFT2749	17/01/2019	Courier Australia	Freight expenses	\$ 10.73
EFT2750	17/01/2019	Cunderdin Farmers Cooperative Company	Consumables	\$ 103.20
EFT2751	17/01/2019	Flys R Gone	Spray for control of flies, spiders, cockroaches	\$ 4,475.50
EFT2752	17/01/2019	IT Vision	Monthly synergysoft fee for January 2019	\$ 2,065.80
EFT2753	17/01/2019	Perfect Computer Solutions	Computer Maintenance	\$ 382.50
EFT2754	17/01/2019	Synergy	Electricity charges	\$ 1,656.40
EFT2755	24/01/2019	Adapt Electrical Solutions	Electrician charges	\$ 148.50
EFT2756	24/01/2019	Autopro Northam	KMM-104 FM Radio with USB	\$ 97.00
EFT2757	24/01/2019	Avon Valley Toyota	Community bus repairs	\$ 81.37
EFT2758	24/01/2019	Combined Tyres Cunderdin	Tyre repair - TN 4	\$ 44.00
EFT2759	24/01/2019	Dennis Heppell	Freight expenses	\$ 55.00
EFT2760	24/01/2019	Eastern District Panel Beaters & Radiator	Supply & fit CX5 windscreen to 1TN	\$ 550.00
EFT2761	24/01/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT2762	24/01/2019	Metal Artwork Creations	Staff Name Badges	\$ 83.00
EFT2763	24/01/2019	Shire of Cunderdin	Hire of General Hand	\$ 1,167.72
EFT2764	24/01/2019	Western Australian Local Government Association	2017/18 Salary and Workforce Survey	\$ 550.00
EFT2765	31/01/2019	Anderson Munro & Wyllie	Audit of the roads to Recovery 2018 acquittal	\$ 1,100.00
EFT2766	31/01/2019	Officeworks	Various Office stationary supplies	\$ 171.54
EFT2767	31/01/2019	Telstra	Telstra Tablet Charges Councillors	\$ 556.06
EFT2768	31/01/2019	WA Contract Ranger Services Pty Ltd	Ranger Services 08/01/2019 - 22/01/2019	\$ 677.87
EFT2769	31/01/2019	Wyalkatchem Weekly	Advertising Comedy Gold & Musical Luncheon	\$ 125.00
EFT2770	31/01/2019	Narelle Robinson	Refund of hall hire bond	\$ 300.00
			<b>Subtotal</b>	<b>\$ 67,626.83</b>

### Payment List for January 2019

Cheque Payment				
6718	24/01/2019	Water Corporation	various standpipe charges	\$ 128.70
			Subtotal	\$ 128.70

Direct Debit Payment				
DD1097.1	08/01/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 1,679.50
DD1097.2	08/01/2019	Australian Super	Superannuation contributions	\$ 102.85
DD1105.1	22/01/2019	Messages on Hold	Messages on Hold from 18/01/2019 - 18/02/2019	\$ 169.00
DD1107.1	22/01/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 1,755.70
DD1107.2	22/01/2019	Australian Super	Superannuation contributions	\$ 93.08
DD1111.1	23/01/2019	Western Australian Treasury Corporation	Government Guarantee Fee for the period ending 31 December 2018	
			<b>Subtotal</b>	<b>\$ 4,876.49</b>

NAB Visa Payment				
DD1099.1	03/01/2019	NAB Business Visa	NAB visa transactions from 29/11/18 to 28/12/18	\$ 437.54
			Subtotal	\$ 437.54

Salaries and Wages				
	08/01/2019	Shire of Tammin	Salaries and Wages	\$ 12,914.49
	22/01/2019	Shire of Tammin	Salaries and Wages	\$ 12,817.12
			Subtotal	\$ 25,731.61

**Total paid from Municipal Account for the month of January** **\$ 99,335.39**

### 10.3 Financial Management Report for the month of December 2018

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	13 February 2019
Author:	Kelsey Pryer
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 10.2 - December 2018 Monthly Financial Report

#### Background

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

#### Financial Implications

Financial Management of 2018/2019

#### Statutory Implications

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

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

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

*(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

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

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

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



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

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

- a) according to nature and type classification; or*
- b) by program; or*
- c) by business unit.*

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

- a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- b) recorded in the minutes of the meeting at which it is presented.*

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

#### **Comment**

Nil

#### **Policy Implications**

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

#### **Strategic Plan Implications**

Nil

#### **Community Consultation**

Nil

#### **TSC 06/19 MOTION**

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

- a) Statement of Financial Activity**
- b) Note 1 to Note 12**

**Moved: Cr Thomson**

**Seconded: Cr Caffell**

**Vote: Simple Majority**

**Carried: 4/0**

## 10.4 Financial Management Report for the month of January 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	13 February 2019
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment 10.2 - January 2019 Monthly Financial Report

### Background

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

### Financial Implications

Financial Management of 2018/2019

### Statutory Implications

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

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

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

*(3) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

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

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

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

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

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

- d) according to nature and type classification; or*
- e) by program; or*
- f) by business unit.*

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

- c) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- d) recorded in the minutes of the meeting at which it is presented.*

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

#### **Comment**

Nil

#### **Policy Implications**

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

#### **Strategic Plan Implications**

Nil

#### **Community Consultation**

Nil

#### **TSC 07/19 MOTION**

**That Council adopt the Financial Report for the month of January 2019 comprising;**

- c) Statement of Financial Activity**
- d) Note 1 to Note 12**

**Moved: Cr Batchelor**

**Seconded: Cr Thomson**

**Vote: Simple Majority**

**Carried: 4/0**

### 10.5 Fees & Charges – Request for Discount of Lesser Hall for Yoga classes

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Samara Wheeldon
<b>Date:</b>	13 February 2018
<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>	Attachment Item 10.5 – Request for Discount from Samara Wheeldon

#### **Proposal/Summary**

To consider a \$20.00 discount for Samara Wheeldon on the Fees & Charges for Hire of the Lesser Hall for Yoga classes.

#### **Background**

Samara has recently started Yoga classes in Tammin and is currently hiring the Lesser Hall for her classes and believes the current fees and charges unacceptable. She is currently taking classes every Monday and Wednesdays. The classes generally attract an average of 10 participants, each paying \$15 per session. Ms Wheeldon currently runs two session per week.

Ms Wheeldon's classes run for 1 hour and the clean up after class is minimal to non-existent and she hasn't used any power consumption as she believes practising Yoga in an environment that replicates nature is important. Ms Wheeldon also states in her letter that the use of the Town Hall toilets isn't needed as the public toilets are available to them.

As a result of the adopted Schedule of Fees & Charges for 2018/19, she feels the \$30.00 per night for Yoga Classes is too high and will be seeking another venue if something can't be arranged.

She is requesting to have the fee of \$30.00 reduced to \$10.00. The Council has previously agreed to reduce the hire rate for the Town Hall from \$30 to \$15 in respect to Zumba classes.

#### **Comment**

It is agreed that Yoga classes are a beneficial activity to the wider community of all ages and should be supported.

It is suggested the discount requested should be supported but the current fees invoiced will remain as is.

#### **Consultation**

Nil

### **Statutory Implications**

*Section 6.12. Power to defer, grant discounts, waive or write off debts*

*(1) Subject to subsection (2) and any other written law, a local government may —*

*(a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*

*(b) waive or grant concessions in relation to any amount of money; or*

*(c) write off any amount of money, which is owed to the local government. \* Absolute majority required.*

*(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*

*(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*

*(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

*[Section 6.12 amended by No. 64 of 1998 s. 39.]*

### **Policy Implications**

Nil

### **Financial Implications**

The fee payable for the hire of the facility in accordance with the 2018/19 Schedule of Fees and Charges is \$30.00 per night is to be reduced to \$10.00 per night.

Council should give consideration to including within its Schedule of Fees and Charges a hire rate based on 1 hour and 3 or more hours sessions

### **Strategic Implications**

Nil

#### **TSC 08/19 MOTION**

That Council:

1. Agree to a reduction in the current hire rate from \$30 to \$15; and
2. That Ms Wheeldon be advised accordingly.

Moved: Cr Thomson

Seconded: Cr Caffell

Vote: Absolute Majority

Carried: 4/0

## 11.1 Tammin Achievement Awards 2018

**Declaration of interest affecting impartiality received from Cr Thomson and Cr Batchelor.**

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Community Development Officer
<b>Date:</b>	13 February 2019
<b>Author:</b>	Samantha Pimlott
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Cr Thomson Cr Batchelor
<b>File Reference:</b>	PUB00
<b>Attachment/s:</b>	Achievement Award Nominations Attached x 13

### Proposal/Summary

Council is asked to consider the nominations received for the Tammin Achievement Awards 2018.

### Background

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

Nominations opened in late December 2018 and a copy of the form was posted to all residents within the Tammin community, advertised on the Shire facebook page, website, tabloid newsletter, Shire newsletter and also forwarded to all local clubs and organisations. An online form was also created to try and make it easier for people to nominate.

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

- a) 2018 Citizen of the Year Award
- b) 2018 Senior Citizen of the Year Award (for a person over 65 years)
- c) 2018 Youth Citizen of the Year Award (for a person under 25 years)
- d) 2018 Recognition Award

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

### Comments

Due to a small number of nominations received by the 11 February 2019, the Shire President agreed to extend the closing date to the 21 February 2019. The awards were promoted extensively and at the close of nomination, 13 nominations were received.

## **Consultation**

Tammin Clubs and Organisation's.

## **Statutory Implications**

Nil

## **Policy Implications**

### **7.1 Tammin Achievement Awards**

#### **POLICY STATEMENT**

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

#### **APPLICATION**

2. Categories
  - a) These include, but are not limited to –
    - arts and culture,
    - sports and recreation,
    - environment,
    - education,
    - civic duty,
    - community volunteerism and
    - youth or seniors' leadership.
  - b) Sporting Awards, as recommended by each respective Tammin Sports Club, for example –
    - best & fairest winners,
    - club champion,
    - team achievement,
  - c) Nominees will have made a significant contribution through a unique achievement or outstanding service –
    - as a volunteer;
    - in the course of their work, or
    - in any area that provides a benefit to the Tammin community.
3. Nominations and eligibility
  - a) All Tammin clubs and organisations will be invited to nominate members and/or teams for an award. The nominees do not have to be the winner or champions of their respective sport. Who is nominated is entirely at the discretion of the respective club.

- b) To nominate, a completed nomination form including a description of why the person and or team should be considered for an award, is to be submitted within the deadline.
- c) No awards will be granted without a duly completed nomination and nominations received which do not meet the criteria will not be accepted.

4. When

The presentation should be held on last Thursday of March of each year

5. Venue

Tammin Bowling Club

6. Invitees

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

7. Format

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

**OBJECTIVE**

To recognise achievements by members of the community

**STATUTORY CONTEXT**

None

**CORPORATE CONTEXT**

Annual Budget

**HISTORY**

Former Policy	7.3
Adopted	28 June 2018

**REFERENCES**

None

**Financial Implications**

2018/19 Budget - \$1,500.00

**Strategic Implications**

Nil



**TSC 09/19 MOTION**

**Council resolved to make awards to various community members for each of the four categories for which nominations were received and these will be announced in due course.**

**Moved: Cr Greenwood**

**Seconded: Cr Batchelor**

**Vote : Simple Majority**

**Carried: 4/0**

## 11.2 Appointment of Committee of Council – Tamma Village Joint Allocation Panel

**Declaration of interest affecting impartiality received from Cr Greenwood and Cr Batchelor.**

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Rates Officer
<b>Date:</b>	14 February 2019
<b>Author:</b>	Brooke Jasper
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Michael Greenwood Glenice Batchelor
<b>File Reference:</b>	A1076
<b>Attachment/s:</b>	Attachment Item 11.3 - Joint Venture Agreement Attachment Item 11.3 - Letter to the Tammin Senior Citizens Committee - Joint Venture Agreements Tamma Village Attachment Item 11.3- Letter from the Senior Citizens Committee - Joint Venture Agreement

### **Proposal/Summary**

To appoint a Committee of Council being the Tamma Village Joint Allocation Panel Committee, with delegated authority.

### **Background**

A Joint Venture Agreement was signed in 1995 for the Tamma Village units, between Homeswest and the Shire of Tammin. The document outlines the requirements and responsibilities of the Shire of Tammin (the Organization) and also the Tammin Senior Citizens Committee (the Management Committee).

Item 10 of the schedule of the document requires the appointment of a Joint Allocation Panel, consisting of two members of the organization on the management committee and the Area Manager of Homeswest.

A letter was sent to the Tammin Senior Citizens Committee on the 22<sup>nd</sup> November 2018, reconfirming the requirements of the Joint Venture agreement and advising that a Joint Allocation Panel would be assembled.

### **Comments**

The Tammin Senior Citizens Committee have replied to the Shire's letter of the 22<sup>nd</sup> November 2018 and agreed to the establishment of a Joint Allocation Panel and have appointed two members; Joan Button, the President of the Tammin Senior Citizens Committee and Beryl Greenwood, a resident of Tamma Village.

Joan Button has indicated that the Tammin Seniors wish to always have a member on the panel who is a resident of the village.

### **Consultation**

Tammin Senior Citizens Committee

### **Statutory Implications**

*Joint Venture Agreement*  
*Local Government Act 1995:*

#### **5.16. Delegation of some powers and duties to certain committees**

- (1) *Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.*  
  
*\* Absolute majority required.*
- (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) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
  - (a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*
  - (b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

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

- (1) *A local government can delegate —*
  - c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —*
    - (i) *the local government's property; or*
    - (ii) *an event in which the local government is involved.*

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

- (1) *In this section —*  
***other person*** *means a person who is not a council member or an employee.*
- (2) *A committee is to comprise —*
  - (a) *council members only; or*
  - (b) *council members and employees; or*
  - (c) ***council members, employees and other persons; or***
  - (d) *council members and other persons; or*

- (e) *employees and other persons; or*
- (f) *other persons only.*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

**Housing and Facilities Strategies**

Our local area will be maintained through the provision of housing and employment choices for all ages, whilst protecting our viable farmland.

**TSC 10/19 MOTION**

**That Council appoint a Committee of Council being Tamma Village Joint Allocation Panel Committee, comprising of;**

**1.**

- A) Two members of staff, Manager of Finance & Administration and the Property & Rates Officer**
- B) Two members of Council, being Cr Greenwood and Cr Caffell.**
- C) Two members of the Tammin Senior Citizens Committee, the President being Joan Button and a resident of Tamma Village being Beryl Greenwood.**

**2. with delegated authority to select a suitable applicant for any future Unit vacancy that may arise.**

**Moved: Cr Thomson**

**Seconded: Cr Caffell**

**Vote: Absolute Majority**

**Carried: 4/0**

### 11.3 Annual Electors Meeting- 18 February 2019

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Manager of Finance and Administration
<b>Date:</b>	20 February 2019
<b>Author:</b>	Kelsey Pryer
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	Nil
<b>Attachment/s:</b>	Attachment Item 11.4 – Annual Electors Meeting Minutes 18.02.19

#### Proposal/Summary

The Annual General Meeting of Electors was held on Monday 18 February 2019 at the Shire of Tammin Lesser Hall.

Accordingly, all decisions made at the electors' meeting are to be considered by Council at its Ordinary Council Meeting to be held on 27 February 2019.

#### Background

At its January 2019 Special Council Meeting the Council adopted the Financial Statement, Audit Report and Management Letter from Office of Auditor General for the 2017/18 financial year.

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

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

#### Comment

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

#### Statutory Environment

##### *Local Government Act 1995*

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

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

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

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

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Community Consultation**

Some twelve members of the community were in attendance

**TSC 11/19 MOTION**

**That Council receive the minutes of the Annual General Electors Meeting held on Monday 18 February 2019 and note that there were no decisions made at the Meeting that required further consideration by Council.**

**Moved: Cr Thomson**

**Seconded: Cr Batchelor**

**Vote: Absolute Majority**

**Carried: 4/0**

## 11.4 Shire of Tammin Dogs Amendment Local Law

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	24 February 2019
<b>Author:</b>	Chris Liversage, Consultant
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	Attachment Item 11.4 - Tammin Dogs Amendment LL V3 23 Feb 2019 Attachment Item 11.4 - Tammin Dogs LL 2006 V3 Feb 2019 MARKED

### Proposal/Summary

A recent review of the Shire's local laws as required by s3.16 of the Local Government Act 1995 indicated that a number of amendments to local laws are required, including the Shire of Tammin Dogs Local Law 2006. A Dogs Amendment Local Law to bring the changes into effect was recently advertised. Subject to some further minor changes to the Amendment Local Law, it can now be made and the changes will come into effect.

### Background

At its meeting held on 18 December 2018, Council resolved to adopt a Dogs Amendment Local Law to make changes to the Shire of Tammin Dogs Local Law 2006 that reflect changes made to the Dog Act and Regulations.

The report to Council in December 2018 listed the changes and their effect on the Dogs Local Law. In summary, a number of matters previously dealt with by the local law are now in the Dog Act, Dog Regulations or can be decided by Council resolution.

### Comments

The proposed Amendment Local Law was advertised as required by s3.12 of the Local Government Act 1995. No comments were received from the public, however the Department of Local Government, Sporting and Cultural Industries made some suggestions on behalf of the Minister for Local Government:

Comment	Response
<b>1. Clause 11 – Schedule 3 - Compliance with conditions of kennel licence</b> The replacement Schedule 3 provides a modified penalty of \$100 under clause 4.9 (which relates to compliance with conditions of a kennel licence) of the principal local	Rather than adding to the Schedule to contain a penalty that reflects the provisions of the Dog Act and Regulations and which also override a local law, it will be simpler to modify

Comment	Response
<p>law. The unmodified penalty for clause 4.9 is \$1000 and \$2000 for dangerous dogs.</p> <p>The Act and the Regulations already provide the following penalties for failing to comply with a kennel licence:</p> <ul style="list-style-type: none"> <li>(a) An unmodified penalty of \$5000;</li> <li>(b) A daily penalty of \$100; and</li> <li>(c) A modified penalty of \$200.</li> </ul> <p>These penalties apply, irrespective of whether the offence involves a dangerous dog or not.</p> <p>It is suggested that the unmodified penalty be changed to "\$5000" and modified penalty be changed to "\$200" to ensure consistency with the penalties in the Act and Regulations.</p>	<p>clause 4.9 of the Dogs Local Law so that it reads:</p> <p style="text-align: center;"><b>4.9 Compliance with conditions of approval</b></p> <p style="text-align: center;"><i>Penalties where a licensee does not comply with the conditions of a licence are dealt with in the Act and Regulations.</i></p> <p>A text box under clause 4.9 quoting section 27 of the Dog Act and an extract from Regulation 33 of the Dog Regulations should also be added.</p> <p>While text boxes do not form part of a local law, they are useful in gaining a better understanding of the relevant provisions of other legislation that have a bearing on an issue.</p>
<p><b>2. Clause 11 – Schedule 3 – Dog excreting in prohibited place</b></p> <p>The replacement Schedule 3 provides a modified penalty of \$50 under clause 6.1(2) (which relates to dog excreting in a prohibited place) of the principal local law.</p> <p>The unmodified penalty for clause 6.1(2) of the principal local law is \$200. Under section 50(2) of the <i>Dog Act 1976</i>, the modified penalty for an offence can be up to 10% of the local law's unmodified penalty for that offence. Therefore, the maximum modified penalty the Shire can currently impose for clause 6.1(2) is \$20.</p> <p>It is suggested that the modified penalty be reduced to be consistent with the Dog Act.</p> <p>Alternatively, the Shire may wish to consider whether it wants to increase the local law's unmodified penalty for clause 6.1(2). However the Shire is advised that if it takes this course of action it will also need to restart the local law process, as changing the penalty is likely to be a significant difference for the purposes of section 3.13 of the <i>Local Government Act 1995</i>.</p>	<p>The Shire issues few (if any) infringements under this local law, with most issues resolved by simply asking the person in charge of a dog at the time of an alleged offence or issue to cooperate.</p> <p>Rather than further amend the local law (and re-advertise) the modified penalty can be made \$20 as suggested by the Department.</p>



The Department also made some suggestions about formatting and appearance of the Amendment Local Law.

The proposed changes are shown 'marked' on the attached updated versions of the *Shire of Tammin Dog Local Laws 2006*, and the proposed Amendment Local Law.

### **Consultation**

As required by s3.12 of the Local Government Act 1995, the proposed Dogs Amendment Local Law was advertised in the West Australian on 9 January 2019 and the notice board. Comments closed at 4pm on 22 February 2019, and a copy sent to the Minister for Local Government.

No submissions were made by the public. A response was received from the WA Department of Local Government, Sport and Cultural Industries' as indicated above.

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

There are costs associated with the preparation, advertisement and Gazettal of the Amendment Local Law.

### **Strategic Implications**

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

### **TSC 12/19 MOTION**

**That Council:**

- 1. In accordance with section 3.12(4) of the Local Government Act 1995, adopts the Shire of Tammin Dogs Amendment Local Law 2019, subject to various minor amendments as 'marked up' on the attachment to the report to Council.**
- 2. In accordance with s3.12(5) of the Local Government Act 1995, directs the CEO to cause the local law to be published in the Government Gazette and a copy sent to the Minister for Local Government;**
- 3. After Gazettal, in accordance with s3.12(6) of the Local Government Act 1995, directs the CEO to give local public notice:**
  - a. Stating the title of the local law;**
  - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and**
  - c. Advising that copies of the local law may be inspected or obtained from the Shire offices.**
- 4. Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, directs that a copy of the local law and a duly completed explanatory memorandum signed by the President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.**

**Moved: Cr Batchelor**

**Seconded: Cr Thomson**

**Vote: Simple Majority**

**Carried: 4/0**

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

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	24 February 2019
<b>Author:</b>	Chris Liversage, Consultant
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	Attachment Item 11.5 - Tammin Activities on Tfares Amendment LL V4 Feb 2019 Attachment Item 11.5 - Thoroughfares Public Places Local Law 2007 V2 Feb 2019 MARKED

### Proposal/Summary

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

Subject to some minor changes to the Amendment Local Law, it can now be made.

### Background

At its meeting held on 18 December 2018, Council resolved to adopt a Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2019.

The report to Council in December 2018 listed the changes and their effect on the Local Law. In summary, the local law required a number of small changes to (amongst other things) ensure it refers to updated legislation such as the Planning and Development Act and the Liquor Control Act, that modified penalties reflected the correct provisions in the Local Government Act, and a number of other small amendments.

### Comments

The proposed Amendment Local Law was advertised as required by s3.12 of the Local Government Act 1995. No comments were received from the public, however the Department of Local Government, Sporting and Cultural Industries made some suggestions on behalf of the Minister for Local Government:

Comment	Response
It is suggested that clause 3 be merged into one sentence and reworded	Agreed.

Comment	Response
<p>as follows:</p> <p><b>3. Principal local law amended</b></p> <p><i>This local law amends the Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006 as published in the Government Gazette on 7 February 2007.</i></p>	
<p>It is suggested that the Shire amend clause 6.17(a) and (b) to account for updated legislation and terminology as follows:</p> <p><i>(a) the facility is conducted in conjunction with and as an extension of a food business which abut on the facility, and whether the applicant is the person conducting such food business;</i></p> <p><i>(b) is registered in accordance with the Food Act 2008 and whether the use of the premises is permitted under the local planning scheme;</i></p>	Agreed.

The Department also made some suggestions about formatting and appearance of the Amendment Local Law.

The proposed changes are shown 'marked' on the attached updated versions of the *Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006*, and the proposed Amendment Local Law.

### **Consultation**

As required by s3.12 of the Local Government Act 1995, the proposed Amendment Local Law was advertised in the West Australian on 9 January 2019 and the notice board. Comments closed at 4pm on 22 February 2019, and a copy sent to the Minister for Local Government.

No submissions were made by the public. A response was received from the WA Department of Local Government, Sport and Cultural Industries' as indicated above.

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

There are costs associated with the preparation, advertisement and Gazettal of the Amendment Local Law.

### **Strategic Implications**

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

**Officers Recommendation**

That Council:

5. In accordance with section 3.12(4) of the Local Government Act 1995, adopts the Shire of Tammin Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2019, subject to various minor amendments as 'marked up' on the attachment to the report to Council.
6. In accordance with s3.12(5) of the Local Government Act 1995, directs the CEO to cause the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;
7. After Gazettal, in accordance with s3.12(6) of the Local Government Act 1995, directs the CEO to give local public notice:
  - a. Stating the title of the local law;
  - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - c. Advising that copies of the local law may be inspected or obtained from the Shire offices.
8. Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, directs that a copy of the local law and a duly completed explanatory memorandum signed by the President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

**TSC 13/19 MOTION**

**Moved: Cr Caffell**

**Seconded: Cr Batchelor**

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

**Vote : Simple Majority**

**Carried: 4/0**

## 11.6 Shire of Tammin Cemeteries Amendment Local Law

<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Chief Executive Officer
<b>Date:</b>	24 February 2019
<b>Author:</b>	Chris Liversage, Consultant
<b>Item Approved by:</b>	Chief Executive Officer – Neville Hale
<b>Disclosure of Interest:</b>	Nil
<b>File Reference:</b>	LLAW00
<b>Attachment/s:</b>	Attachment Item 11.6 - Tammin Cemeteries Amendment LL V3 Feb 2019 Attachment Item 11.6 - Tammin Cemeteries Local Law 2007 MARKED

### Proposal/Summary

A recent review of the Shire's local laws as required by s3.16 of the Local Government Act 1995 indicated that a number of amendments to local laws are required, including the *Management and Control of Tammin Cemetery Local Law 2007*. An Amendment Local Law to bring the changes into effect was recently advertised. Subject to some further minor changes to the Amendment Local Law, it can now be made.

### Background

At its meeting held on 18 December 2018, Council resolved to adopt a Cemeteries Amendment Local Law to make some minor changes to the Management and Control of Tammin Cemetery Local Law 2007.

The suggested amendments were to:

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

### Comments

The proposed Amendment Local Law was advertised as required by s3.12 of the Local Government Act 1995. No comments were received from the public, however the Department of Local Government, Sporting and Cultural Industries made some suggestions on behalf of the Minister for Local Government about formatting and appearance of the Amendment Local Law.

The proposed changes are shown 'marked' on the attached updated versions of the *Shire of Tammin Cemeteries 2007*, and the proposed Amendment Local Law.

### **Consultation**

As required by s3.12 of the Local Government Act 1995, the proposed Cemeteries Amendment Local Law was advertised in the West Australian on 9 January 2019 and the notice board. Comments closed at 4pm on 22 February 2019, and a copy sent to the Minister for Local Government.

No submissions were made by the public. A response was received from the WA Department of Local Government, Sport and Cultural Industries' as indicated above.

### **Statutory Implications**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

There are costs associated with the preparation, advertisement and Gazettal of the Amendment Local Law.

### **Strategic Implications**

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

#### **TSC 14/19 MOTION**

**That Council:**

- 1. In accordance with section 3.12(4) of the Local Government Act 1995, adopts the Shire of Tammin Cemeteries Amendment Local Law 2019, subject to various minor amendments as 'marked up' on the attachment to the report to Council.**
- 2. In accordance with s3.12(5) of the Local Government Act 1995, directs the CEO to cause the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;**
- 3. After Gazettal, in accordance with s3.12(6) of the Local Government Act 1995, directs the CEO to give local public notice:**
  - a. Stating the title of the local law;**
  - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and**
  - c. Advising that copies of the local law may be inspected or obtained from the Shire offices.**
- 4. Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, directs that a copy of the local law and a duly completed explanatory memorandum signed by the President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.**

**Moved: Cr Batchelor**

**Seconded: Cr Thomson**

**Vote: Simple Majority**

**Carried: 4/0**

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

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

#### **TSC 15/19 MOTION**

**That the meeting be moved behind closed doors at 6:12pm.**

**Moved: Cr Thomson**

**Seconded: Cr Batchelor**

**Vote: Simple Majority**

**Carried: 4/0**

**14.1 Shared Service Arrangements – Review (Confidential)**



**TSC 17/19 MOTION**

That the meeting move from behind closed doors at 6:30pm

Moved: Cr Thomson

Seconded: Cr Batchelor

Vote: Simple Majority

Carried: 4/0

The President read aloud the resolution pertaining to confidential item.

**14.2 Shared Service – Manager of Works and Services Review of Acting Shared Manager of Works and Services (Confidential)**

**TSC 18/19 MOTION**

That the Council adopt the Resource Sharing Committee recommendation that:

- Mr Fabian M Houbrecht's appointment as Acting Shared Manager Works and Services be extended for the period 1 February 2019 to 31 July 2019, or earlier should the position be filled on a permanent basis, on a revised remuneration package of \$152,366 inclusive of a cash salary of \$115,000, in accordance with the existing terms and conditions of the current "Shared Services Agreement - Acting Shared Manager Works and Services" and Contract of Employment.

Moved: Cr Greenwood

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 4/0

**15 CLOSURE OF MEETING**

There being no further business the Shire President declared the meeting closed at 6:32pm.