



DECLARATION

I declare that the minutes of the:

Ordinary Council Meeting held on 28th March 2019 was confirmed at the Ordinary Council Meeting held on 24th April 2019.

Name: MICHAEL DAVID GREENWOOD

Signed: [Signature]

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

Date: 24-4-19

Shire of Tammin

ORDINARY COUNCIL MEETING

MINUTES



The ordinary meeting of the Shire of Tammin was held on **Thursday 28 March 2019** at **Yorkrakine Hall**, commencing at **5:05pm**.

Neville Hale
Chief Executive Officer

MISSION STATEMENT

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

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

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
Cr Daniels	Member

In Attendance:

Neville Hale	Chief Executive Officer
Kelsey Pryer	Manager Finance & Administration
Fabian Houbrechts	A/Manager Works & Services

Leave of Absence previously granted:

Nil

Apologies:

Nil

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

Cr Batchelor	Item 11.1	Interest affecting impartiality Mother is Seniors President
Cr Greenwood	Item 11.1	Interest affecting impartiality Mother lives at Tamma Village

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Ordinary Council Meeting Minutes – 27 February 2019

TSC 19/19 MOTION

That the Minutes of the Ordinary Council Meeting held on 27 February 2019 be confirmed as a true record of proceedings.

Moved: Cr Batchelor

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 5/0

7.2 Resource Sharing Committee Meeting Minutes – 12 March 2019

TSC 20/19 MOTION

That the Minutes of Resource Sharing Committee Meeting held on 12 March 2019 be received by Council for its information.

Moved: Cr Caffell

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 5/0

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 February 2019

Location:	Shire of Tammin
Applicant:	Administration & Finance Officer
Date:	19 March 2019
Author:	Keira Wirth
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	FIN05
Attachment/s:	Attachment Item 10.1 – February Payment List Attachment Item 10.1 - Credit Card Statement 29.12.18 – 29.01.19

Background

Accounts paid for February 2019 totaling \$148,808.72 are listed below:

Cheque numbers	6719 - 6720	\$781.72
Direct debit payments	01/02/19 – 28/02/19	\$3,940.51
Licensing transfers	01/02/19 – 28/02/19	\$2,499.65
Bank fees	01/02/19 – 28/02/19	\$195.89
VISA payments	01/02/19 – 28/02/19	\$65.84
EFT payments	EFT2771 – EFT2826	\$113,851.95
Salaries and wages	01/02/19 – 28/02/19	\$27,473.16
Total payments	01/02/19 – 28/02/19	\$148,808.72

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 21/19 MOTION

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

Municipal Fund payments totaling \$148,808.72 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: 5/0

Payment List for February 2019

Ref	Date	Creditor Name	Description	Amount
Licensing transactions				
44	08/02/2019	Department of Transport	Daily licensing transactions	\$ 483.75
44	14/02/2019	Department of Transport	Daily licensing transactions	\$ 32.65
44	21/02/2019	Department of Transport	Daily licensing transactions	\$ 587.05
44	20/02/2019	Department of Transport	Daily licensing transactions	\$ 53.70
44	27/02/2019	Department of Transport	Daily licensing transactions	\$ 748.05
44	28/02/2019	Department of Transport	Daily licensing transactions	\$ 594.45
			Subtotal	\$ 2,499.65
Bank Fees				
44	05/02/2019	BANK FEES	NAB TRANSACT FEE	\$ 5.60
44	28/02/2019	BANK FEES	NAB CONNECT FEE	\$ 38.24
44	28/02/2019	BANK FEES	ACCOUNT FEE	\$ 35.00
44	28/02/2019	BANK FEES	ACCOUNT FEE	\$ 20.00
44	04/02/2019	MERCHANT FEES	MERCHANT FEES	\$ 75.05
44	01/02/2019	MERCHANT FEES	MERCHANT FEES	\$ 22.00
			Subtotal	\$ 195.89
EFT Payments				
EFT2771	08/02/2019	AMPAC Debt Recovery (WA) Pty Ltd	Debt Recovery for the month of Jan	\$ 187.00
EFT2772	08/02/2019	Cunderdin CRC	Advertisement - Admin Finance officer	\$ 30.00
EFT2773	08/02/2019	DKT Rural Agencies	Reticulation maintenance	\$ 51.95
EFT2774	08/02/2019	Donald Thomson	Councillor Reimbursement Jan 2019	\$ 154.84
EFT2775	08/02/2019	F-111 Engineering Pty Ltd	rebuild bobcat slasher gear box	\$ 979.66
EFT2776	08/02/2019	Farmways Kellerberrin	Pallet of rapid set cement for signage in Tammin	\$ 576.00
EFT2777	08/02/2019	Glenice Batchelor	Councillor Reimbursement Jan 2019	\$ 135.00
EFT2778	08/02/2019	Kellerberrin Farmers Co-Operative	Councillors meeting refreshments	\$ 31.83
EFT2779	08/02/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT2780	08/02/2019	Landgate	revenue officers - minimum charge	\$ 66.50
EFT2781	08/02/2019	Marketforce	Local govt notice advertisement West Australian	\$ 507.27
EFT2782	08/02/2019	Michael Greenwood	Councillor Reimbursement 31/01/2019	\$ 260.57
EFT2783	08/02/2019	Nicholas Caffell	Councillor Reimbursement Jan 2019	\$ 149.11
EFT2784	08/02/2019	Perfect Computer Solutions	Computer maintenance 10/01/2019	\$ 127.50
EFT2785	08/02/2019	Shire of Quairading	CESM Shared billing - CESM officer Oct - Dec	\$ 3,880.96
EFT2786	08/02/2019	Synergy	Synergy Various buildings	\$ 2,200.90
EFT2787	08/02/2019	Tania Daniels	Councillor reimbursement Meeting 31/01/2019	\$ 123.89
EFT2788	08/02/2019	Telstra	Telstra charges for various land lines and internet	\$ 944.97
EFT2789	08/02/2019	Wright Express Australia Pty Ltd (Puma)	Fuel Works and Services month of Jan	\$ 5,822.73
EFT2790	14/02/2019	Australia Post	Postage - freight & stationary	\$ 117.76
EFT2791	14/02/2019	Australian Taxation Office - BAS	January Bas 2019 Payment	\$ 4,995.00
EFT2792	14/02/2019	Avon Valley Glass	Travel and glass repair to Yorkrakine Hall	\$ 505.80
EFT2793	14/02/2019	Avon Valley Toyota	Service TN1	\$ 811.22
EFT2794	14/02/2019	Avon Waste	Refuse collection	\$ 2,332.93
EFT2795	14/02/2019	Cascada Group	Culvert for RV Site	\$ 3,766.40
EFT2796	14/02/2019	DKT Rural Agencies	Tap timer & Philmac plug ends	\$ 119.00
EFT2797	14/02/2019	Fabian Houbrechts	Bunnings purchase / nets for trailers	\$ 307.00
EFT2798	14/02/2019	Farmways Kellerberrin	Drill bits & screws for Public Toilets	\$ 37.20
EFT2799	14/02/2019	Filters Plus	Various filters for Luigong loader	\$ 249.16
EFT2800	14/02/2019	JR & A Hersey Pty Ltd	Protective clothing	\$ 414.29
EFT2801	14/02/2019	Komatsu Australia Pty Ltd	Cartridge 600-319-3610	\$ 76.89
EFT2802	14/02/2019	OCLC (UK) Ltd	Amlib software yearly fee	\$ 1,603.33
EFT2803	14/02/2019	Perfect Computer Solutions	replacement computer for admin	\$ 1,565.00
EFT2804	14/02/2019	Prestige Alarms	Office Security monitoring	\$ 143.00
EFT2805	14/02/2019	Shire of Cunderdin	General hand hire	\$ 227.85
EFT2806	14/02/2019	Synergy	Electricity for surrounding buildings 07/12/18 - 11/02/19	\$ 2,568.55

Payment List for February 2019

EFT2807	14/02/2019	Allstrong Garage Door	12 & 14 Russell Street full service garage doors	\$ 495.00
EFT2808	14/02/2019	Tom Stoddart Pty Ltd	work bench and fridge for Pavilion renovations	\$ 15,867.89
EFT2809	14/02/2019	WA Hino Sales & Service	Service parts TN302	\$ 1,594.32
EFT2810	14/02/2019	Wheatbelt Plumbing & Gas	RV dump site plumbing works	\$ 1,926.10
EFT2811	22/02/2019	Adapt Electrical Solutions	New light for the Memorial laser cut outs.	\$ 2,055.30
EFT2812	22/02/2019	BW Trucks parts	Parts for TN 2202	\$ 1,730.50
EFT2813	22/02/2019	Chatfields Tree Nursery	WW1 Memorial	\$ 13,193.40
EFT2814	22/02/2019	Courier Australia	Freight charges for 04/02/19, 05/02/19 & 08/02/19	\$ 37.73
EFT2815	22/02/2019	Cutting Edges Equipment Parts	Grader blade BLK curve	\$ 880.00
EFT2816	22/02/2019	Dennis Heppell	Freight expenses	\$ 583.00
EFT2817	22/02/2019	F-111 Engineering Pty Ltd	TN6 Service	\$ 2,376.00
EFT2818	22/02/2019	Farmways Kellerberrin	Consumables for kitchen renovations at Pavilion	\$ 915.65
EFT2819	22/02/2019	LGRCEU	Payroll deductions	\$ 61.50
EFT2820	22/02/2019	Office of the Auditor General	Fee for the attest audit for the year ended 30 June 2018	\$ 28,600.00
EFT2821	22/02/2019	Perfect Computer Solutions	Computer maintenance and support	\$ 1,062.50
EFT2822	22/02/2019	Shire of Cunderdin	Hire of General hand	\$ 199.70
EFT2823	22/02/2019	Tammin P & C	Catering for Shire of Tammin Christmas Party 2018	\$ 1,050.00
EFT2824	22/02/2019	Veris Australia Pty Ltd	Survey fee McLaren Street Tammin	\$ 2,497.00
EFT2825	22/02/2019	WA Contract Ranger Services Pty Ltd	Ranger services for 04/02/19 & 19/02/19	\$ 748.00
EFT2826	22/02/2019	Wheatbelt Plumbing & Gas	Install infill valve to reticulation tank at Town Dam	\$ 1,845.80
			Subtotal	\$ 113,851.95

Cheque Payments

6719	14/02/2019	Shire of Tammin	Petty cash recoup	\$ 250.25
6720	14/02/2019	Water Corporation	Water usage charges	\$ 531.47
			Subtotal	\$ 781.72

Direct Debit Payments

DD1119.1	05/02/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 1,783.53
DD1119.2	05/02/2019	Australian Super	Superannuation contributions	\$ 93.08
DD1131.1	19/02/2019	WA Local Government Superannuation Plan	Payroll deductions	\$ 1,801.82
DD1131.2	19/02/2019	Australian Super	Superannuation contributions	\$ 93.08
DD1134.1	19/02/2019	Messages on Hold	Interactive Voice recordings from 18/02/19 - 18/03/19	\$ 169.00
			Subtotal	\$ 3,940.51

NAB Visa Payment

DD1121.1	04/02/2019	NAB Business Visa	NAB Visa transactions from 29/12/18 - 29/01/19	\$ 65.84
			Subtotal	\$ 65.84

Salaries & wages

	5/02/2019	Shire of Tammin	Salaries and wages	\$ 13,682.80
	19/02/2019	Shire of Tammin	Salaries and wages	\$ 13,790.36
			Subtotal	\$ 27,473.16

Total paid from Municipal Account for the month of February 2019

\$ 148,808.72

10.2 Financial Management Report for the month of February 2019

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	15 March 2019
Author:	Kelsey Pryer
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 10.2 - February 2019 Monthly Financial Report

Background

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

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

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

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

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

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

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

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

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

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

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

Comment

Nil

Policy Implications

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

Strategic Plan Implications

Nil

Community Consultation

Nil

TSC 22/19 MOTION

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

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

Moved: Cr Daniels

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

10.3 Mid-Year Budget Review 2018/19 Financial Year

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	15 March 2019
Author:	Kelsey Pryer
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 10.3 - 2019 Budget Review

Proposal/ Summary

The purpose of this report is for the Shire of Tammin to consider and adopt the Budget Review Report, with any amendments, for the period 1 July 2018 to 28 February 2019.

Background

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

6.2. Local government to prepare annual budget

- (1) *During the period from 1st June in a financial year to 31st August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30th June next following that 31st August.*

**Absolute majority required.*

The Local Government (Financial Management) Regulations 1996 require local governments to undertake a review of the Annual Budget.

33A. Review of Budget

- (1) *Between 1st January and 31st March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
- (a) consider the local government's financial performance in the period beginning on 1st July and ending no earlier than 31st December in that financial year; and*
 - (b) consider the local government's financial position as at the date of the review; and*
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.*
- (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.*

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2019, for the period ending 28 February 2019, is presented for consideration. Statements of Financial Activity at have been prepared to provide a summary of the budget review results, as well as a Statement of Closing Funds detailing a projected surplus as at 30 June 2019 of \$349,139.

Comment

The budget review has been prepared to include the information required by the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996*, and the Australian Accounting Standards. Council adopted a 10% minimum or \$10,000 for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

The adopted budget contained an opening surplus of \$657,584 with a forecast closing position at 30th June 2018 of \$0. Following completion of the annual financial audit of FY17/18 results, the actual opening surplus has been revised to \$711,467, reflecting a \$53,883 increase (surplus) in the FY18/19 operating position.

Following review and taking into account all proposed budget amendments as detailed in the attached Report, a surplus of \$349,139 is predicted. The key items influencing this forecast result are as follows:

A. Revenue

Increase in the following items:

Opening Surplus	53,883
Grants Commission Funding	30,524
WANDRRA Grant Funding*	147,944
Main Roads Direct Grant	26,404
	<u>258,755</u>

B. Expenditure

Reduction in the following items:

Tamma Village Maintenance	(27,000)
Donnan Park Maintenance	(50,800)
Works Manager Salary Expense	(25,997)
	<u>(103,797)</u>

Total (A+B)	<u><u>362,552</u></u>
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Review of capital expenditure requirements for the remainder of the 18/19 Financial Year, carried out as part of the budget review process, has identified a requirement for the following proposed amendments to the capital expenditure budget:

New Capital Expenditure Items (not previously budgeted)

Netball Court Fencing	13,500
Computer Server & Associated Hardware & Software	26,010
	<hr/>
	39,510

Removed / Deferred Capital Expenditure Items (previously budgeted)

Tamma Village Pathways	(25,000)
Tammin Hall Pathways & Lighting	(20,000)
	<hr/>
	(45,000)

Budget adjustments proposed for the remainder of the Shire's existing budgeted capital projects are as outlined in Note 5 of the Budget Review Report.

The 2018/19 Annual Budget Review, for the period 1 July 2018 to 28 February 2019, is based on current trends and anticipated addition revenue and expenditure.

Consultation

Chief Executive Officer
Acting Manager of Works & Services

Statutory Implications

Sound financial management is an important cornerstone of good governance.

Policy Implications

Nil

Statutory Environment

Local Government Act 1995 Section 6.2

Local Government (Financial Management) Regulations 1996, Regulation 33A

Officers Recommendation

That Council:

1. Adopt the 2018/19 Annual Budget Review, as presented in Attachment 10.3, and notes that the estimated closing funds are based on current revenue and expenditure trends.
2. Authorise the budget amendments as per the attachment to item 10.3 and as detailed in the agenda item report.
3. Determine how surplus funds of \$349,139 are to be used.

Moved: Cr _____

Seconded: Cr _____

Vote: Absolute Majority

Carried/Lost: __/__

TSC 23/19 MOTION

That Council:

1. Adopt the 2018/19 Annual Budget Review, as presented in Attachment 10.3, and notes that the estimated closing funds are based on current revenue and expenditure trends.
2. Authorise the budget amendments as per the attachment to item 10.3 and as detailed in the agenda item report.
3. Determine that surplus funds of \$349,139 be used to:

Expenditure	Account	Allocate	
Increase the following items :		Extra Funds	Total cost of job
Kitchen Renovations	DPB1	\$10,000	\$38,800
Main Street Gardens	113546	\$10,000	\$30,000
Lighting at Donnan Park	DPLU1	\$50,000	\$50,000
Netball Court Fencing	NC001	\$10,000	\$23,500
Cancel reserve transfers			
Transfers from Reserves		\$118,000	
Plant Replacement – (\$25k)			
Sports, Recreation & Community			
Facilities Upgrade – (\$93,000)			
		\$151,139.00	

Remaining funds of up to \$151,139.00 be transferred to the Plant Replacement Reserve by 30 June 2019.

Moved: Cr Batchelor

Seconded: Cr Thomson

Vote: Absolute Majority

Carried: 5/0

11. MATTERS FOR CONSIDERATION – ADMINISTRATION

11.1 Tamma Village Management Policy

Cr Batchelor declared an Interest affecting impartiality Mother is Seniors President.

Cr Greenwood declared an Interest affecting impartiality as his mother is currently a resident at the Tamma Village (Unit 8).

Location:	Tamma Village – Administration
Applicant:	Property & Rates Officer
Date:	15 March 2019
Author:	Brooke Davidson
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Cr Greenwood & Cr Batchelor
File Reference:	A1076
Attachment/s:	Attachment Item 11.1 - Application form Tamma Village Attachment Item 11.1 - Tamma Village New Tenant Procedure Attachment Item 11.1 - Tamma Village Policy

Proposal/Summary

For Council to review and adopt the Tamma Village Management Policy.

Background

The Tamma Village units were built in two stages, units 1-6 in the first stage and units 7-10 in the second stage, as Joint Venture with Homeswest.

The Shire of Tammin is the owner and holds management over the units, with the Tammin Senior Citizens Committee retaining the waitlist for occupancy of the Village and ensuring suitable tenants are found when required.

As part of the entry to Tamma Village, tenants are required to pay a \$1000 non-refundable entry fee, which under the Residential Tenancies Act 1987, Section 27(1), a person shall not require or receive from a tenant or prospective tenant any monetary consideration for or in relation to entering into, renewing, extending or continuing a residential tenancy agreement other than rent and a security bond.

Further to the above, tenants are not currently being required to pay a security bond for the unit, which is a risk to the Shire's asset as there is no bond to cover any damages when a tenant vacates.

There is not currently a suitable Policy or Management Plan in place for Tammin Village.

Notwithstanding that some matters are addressed in the Lease Agreements issued in accordance with the Residential Tenancies Act 1987, a number of requirements specific to the Shire's accommodation are included that outlines the expectations and rules required to be following by residents.

Comment

Three documents are being put forward;

- A Management Policy: providing guidance to staff and community on issues such as allowance of pets, maintenance requests and allowance of vehicles ect
- A Procedure document: providing both staff and applicants guidance on what the process will be in seeking to take up residence at Tamma Village.
- An Application Form: which supplies the Shire of Tammin all of the necessary information on the tenant allowing them to create an accurate Lease Agreement.

It is also recommended to discontinue the \$1000 non-refundable entry fee and replace with the requirement to pay a security bond (equal to 4 weeks rent) and a Pet Bond of \$260.00 where applicable.

Consultation

Tammin Senior Citizens Committee

Statutory Implications

Residential Tenancies Agreement 1987

Policy Implications

To be added to Council Policy Manual

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.

Outcome 3.1 Improved quality and maintenance of our infrastructure

Officers Recommendation

That Council

1. Review and adopt the Draft Tamma Village Policy;
2. Review and adopt the Shire of Tammin Application Form;
3. Approve to discontinue the charge of \$1000.00 non-refundable entry fee to Tamma Village and replace with the requirement to pay a refundable Security Bond equivalent to 4 weeks rent and where appropriate, a Pet Bond as per the Residential Tenancy Act;
4. Note the content of the Tamma Village Procedures document, and,
5. Authorise inclusion of the Tamma Village Management Policy to Council's Policy Manual

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: __/ __

TSC 24/19 MOTION

That Council

1. Review and adopt the Draft Tamma Village Policy;
2. Review and adopt the Shire of Tammin Application Form;
3. Approve to discontinue the charge of \$1000.00 non-refundable entry fee to Tamma Village and replace with the requirement to pay a refundable Security Bond equivalent to 4 weeks rent and where appropriate, a Pet Bond as per the Residential Tenancy Act;
4. Note the content of the Tamma Village Procedures document, and,
5. Authorise inclusion of the Tamma Village Management Policy to Council's Policy Manual
6. Develop a grievance/ complaints policy.

Moved: Cr Thomson

Seconded: Cr Daniels

Vote: Simple Majority

Carried: 5/0

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

TSC 25/19 MOTION

TSC13/19 MOTION

That the item be lifted from the table.

Moved: Cr Thomson

Seconded: Cr Batchelor

Vote: Simple Majority

Carried: 5/0

Location:	Shire of Tammin
Applicant:	Chief Executive Officer
Date:	24 February 2019
Author:	Chris Liversage, Consultant
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	LLAW00
Attachment/s:	Attachment Item 11.2 - Tammin Activities on Thoroughfares Amendment LL V4 Feb 2019 Attachment Item 11.2 - 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

Council Meeting Minutes – 28 March 2019

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
<p>It is suggested that clause 3 be merged into one sentence and reworded as follows:</p> <p>3. Principal local law amended</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>	Agreed.
<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>(a) <i>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>(b) <i>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.

TSC 26/19 MOTION

That Council:

- 1. 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.**
- 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 Thomson

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

11.3 Compliance Audit Return - 2018

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	15 March 2019
Author:	Kelsey Pryer
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 11.3 - Compliance Audit Return 2018

Proposal/ Summary

For Council to adopt the 2018 Compliance Audit Return.

Background

Each local government is to carry out a compliance audit (following the end of each calendar year) against the requirements included in the Compliance Audit Return (CAR).

In cases of non-compliance, additional information explaining or qualifying the issues together with remedial action taken or proposed is to be included in the Agenda. Each Councillor is to be provided the opportunity to review the completed Return and make comment.

The adoption of the Return is to be recorded in minutes of the meeting.

The Return is to be submitted to the Department of Local Government by 31 March 2019.

Comment

The Compliance Audit Return has been completed and the following areas where non-complaint.

Section / Reference	Question	Response	Comments
Finance s7.9(1)	Was the Auditors report for the financial year ended 30 June 2018 received by the local government by 31 December 2018?	No	The Annual Report, including the Auditor's Report wasn't submitted by the 31 December 2018 due to a delay finalising the report with the Officer of Auditor General. The report was emailed on 4 February 2019 to the DLGSC.
Finance Audit Reg 17	Has the CEO reviewed the appropriateness and effectiveness of the local governments	No	Currently in progress and will be presented to the Audit Committee in March 2019.

§	systems and procedures in accordance with regulation 17 of the Local Government (Audit) Regulations 1996.	§	
Tenders for providing goods and services F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract?	No	Procurement guidelines to be reviewed.

This year's CAR involved a total of 95 questions.

Consultation

Chief Executive Officer

Statutory 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:

- (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 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) A compliance audit return is to be –*
 - (a) presented to the council at a meeting of the council;*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

TSC 27/19 MOTION

That the 2018 Compliance Audit Return for the Shire of Tammin be:

- Adopted by Council;
- Makes note of the areas of non- compliance to be reviewed;
- Certified by the Shire President and Chief Executive Officer; and,
- Returned to the Department of Local Government, Sport and Cultural Industries.

Moved: Cr Batchelor

Seconded: Cr Daniels

Vote: Simple Majority

Carried: 5/0

11.4 Shire of Tammin Fencing Amendment Local Law

Location:	Shire of Tammin
Applicant:	Chief Executive Officer
Date:	15 March 2019
Author:	Chris Liversage, Consultant
Item Approved by:	Chief Executive Officer – Neville Hale
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 11.4 - Tammin Fencing Amendment LL V3 25 Feb 2019 Attachment Item 11.4 - Tammin Fencing Local Law 2007 MARKED Feb 2019

Proposal/Summary

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

Amongst other things, the suggested amendments were to:

- Change designations in items such as 'town planning scheme' to 'local planning scheme' and building surveyor' to an authorized person;
- Add modified penalties to the local law; and
- Change the modified penalty provisions (on the spot fines) from a uniform \$125 to increased penalties for more serious offences such as using glass or jagged projections in a fence, or erecting and using an electrified fence without a permit.

Comments

The proposed 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 Fencing Amendment Local Law 2019*, and the *Shire of Tammin Fencing Local Law 2006*.

Consultation

As required by s3.12 of the Local Government Act 1995, the proposed Fencing 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 Ministers for Commerce and 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 28/19 MOTION

That Council:

- 5. In accordance with section 3.12(4) of the Local Government Act 1995, adopts the Shire of Tammin Fencing 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.

Moved: Cr Greenwood

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 5/0

11.5 Review of Risk Management, Internal Control and Legislative Compliance – Risk Management Governance Framework – *Local Government (Audit) Regulations 1996 - Reg. 17*

Location:	Shire of Tammin
Applicant:	Chief Executive Officer
Date:	19 February 2019
Author:	Neville Hale
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 11.5 - SoTa Risk Profile Reporting Tool Feb 2019

Proposal / Summary

For Council to note the results of the Risk Dashboard Review of the Risk Management Governance Framework as prepared by LGIS and adopted by Council in December 2014 in response to the introduction of Reg 17 of the Local Government (Audit) Regulations 1996.

Background

The Framework is a comprehensive overview of identified risks likely to impact the operations of the Shire and reflects the appropriateness and effectiveness of the Shire's systems in regard to risk management, internal control and legislative compliance.

The Risk Framework was first adopted by Council in October 2014 and was the subject of a desk-top review in August 2015. No further review has been identified and as such is in breach of Local Government (Audit) Regulations 1996 – Reg 17.

The Local Government (Audit) Regulations 1996 prescribe the requirements for local governments in relation to the engagement of auditors, the annual compliance Audit Return and the functions of the Audit Committee.

The amendments extend the responsibilities of the Audit Committee and Chief Executive Officer of local governments in relation to the reviewing and reporting of the local government's systems and procedures in regard to risk management, internal control and legislative compliance.

The Risk Management Governance Framework, developed by LGIS, is in response to the requirements of Reg 17 of the Local Government (Audit) Regulations, 1996 and encapsulates those requirements.

Comment

The Chief Executive Officer has reviewed the Shire's systems in relation to risk management, internal control and legislative compliance and considers that they are appropriate and effective with the exception of those identified on the attached Dashboard Report. The details of the review are outlined below.

Furthermore, consideration be given to the introduction of an appropriate framework for controls in relation to Fraud and Corruption as per AS8001-2008

Informing / Guiding Documents

Risk Management Framework

Council adopted the *Risk Management Governance Framework* ("the Framework") at its October 2014 Meeting. The Framework describes the principles of risk management and details the roles and responsibilities of risk management from the Audit Committee to individual employees. The Framework includes a risk level matrix and criteria for assessing risks in terms of likelihood and consequences. The Chief Executive Officer, Manager of Finance & Administration and Manager Works & Services are to regularly review the Framework with assistance from Council Staff to ensure it is current and reflects the latest Australian Standards.

Risk Management Policy

The Shire has previously developed a *Risk Management Policy* which states the objectives for, and commitment to, risk management. The policy is designed to align with this and make a statement on the Shire's objectives, approach and commitment to effective risk management across all its operations. The policy includes the following statement:

"It is the Shire's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public."

This Framework, in support of Council's Risk Management Policy, is subject to six monthly review.

Emergency Management Risk Register

Local government has statutory obligations for emergency management and the risk register, updated in 2017, is essential to identify risks, their severity and to identify the agencies responsible for mitigation of the risk. Council's Emergency Management Arrangements are overseen by the Kellerberrin- Tammin Local Emergency Management Committee chaired by the Kellerberrin Shire President.

The Risk Framework identifies a number of areas of emergency management to be reviewed on a regular basis.

Purchasing Policy

Council recently reviewed and adopted its *Purchasing Policy* at the Ordinary Meeting of Council held 28 June 2018. The Policy identifies purchasing protocols that ensure that goods and services are procured in an equitable and transparent manner that complies with legislative requirements and delivers value for money.

The Purchasing Policy will be regularly reviewed to ensure that the Policy remains effective and relevant.

Audits / Reviews / Assessments

Financial Management Review

Pursuant to Regulation 5(2)(c) of the Local Government Financial Management Regulations, Council engaged Billy-Joe Thomas of Auditors Anderson Munro Wyllie to undertake the "Financial Management Review" and the resultant Report was received by Council at its Ordinary Meeting on 21 August 2018.

Compliance Audit Return

The Return focuses on key areas of legislation and the Shire has consistently demonstrated a high level of compliance. Council's latest Return for the Period ended 31 December 2017 was considered by both the Audit Committee and Council Meetings held on the 22 March 2018 and subsequently forwarded to the Department of Local Government.

The Compliance Audit for the year ended 31 December 2018 is currently being undertaken and in accordance with Regulation 14, will be presented to the Audit Committee and Council prior to the 31 March 2019.

External Audit Services

The Local Government Amendment (Auditing) Act 2017, giving the Auditor General a mandate to audit local governments, was assented to on 1 September 2017. On the 22 February 2018 the Auditor General's Office advised the Shire that it had appointed Anderson Munro Wyllie as OAG's contract Auditor for the year ended 30 June 2018.

The Auditors have completed their Audit of the Annual Financial Statements as at 30 June 2018 and the Audit Report and Management Letter was considered by the Audit Committee and Council on the 31 January 2019 Special Council Meeting.

RISK MANAGEMENT CONSIDERATIONS – The amendments to the *Local Government (Audit) Regulations 1996* will enhance the reporting of the Shire's approach to risk management, internal controls and legislative compliance with increased transparency and involvement for the Elected Members.

CHIEF EXECUTIVE OFFICER'S OVERVIEW – I consider that with the Measures and Systems in place, that Council's Risk Management, Internal Control and Legislative Compliance is appropriate and effective notwithstanding areas identified in need of improvement as outlined within the attached Dashboard Report.

Consultation

Chief Executive Officer	Neville Hale
Manager of Finance & Administration	Kelsey Pryer
Manager of Works and Services	Fabian Houbrechts

Legislative Requirements

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

Policy Implications

Policy 2.5 Administration/Organisation Risk Management

This Framework sets out the areas of risk that have been identified and the actions necessary and or taken to mitigate those risks.

Financial Implications

Nil

Strategic Implications

Tammin Community Strategic Plan
Civic Leadership

- | | |
|-------------|-------------------------------------------------------------------------------------|
| Outcome 6.1 | Strong governance and leadership, demonstrating fair and equitable community values |
| 6.1.1 | Deliver sustainable governance through transparent and robust policy and processes |

TSC 29/19 MOTION

Council receives the recommendation of the Audit Committee in regards to the results of the Local Government (Audit Regulations, 1996 – Regulation 17, Management, Internal Control and Legislative Compliance.

?

?

Moved: Cr Batchelor

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

12. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

12.1 Street Food Trader's Permit – Ceri Pickering

Location:	Donnan St and Tammin Oval, Tammin Shire District, Tammin
Owner:	Ceri Pickering
Date:	20 March 2019
Author:	Tim Jurmann, Building Surveyor & EHO
Item Approved by:	Neville Hale, CEO
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.1 - Route 94 Coffee Street Trading Permit Attachment Item 12.1 - Route 94 Coffee Proposed Location Attachment Item 12.1 - Coffee Van Letter

Proposal/Summary

The purpose of this Report is for Council to review the request from Ceri Pickering, to obtain a Street Food Trader's Permit under the Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006.

Background

It is proposed to operate as a street food trader, as 'Route 94 Coffee' from a mobile coffee van/trailer situated at the "information bay", (predominantly), on Donnan St, Tammin Townsite, Tammin Oval as required to service sports and other similar events within the Tammin Shire District. The proposed Donnan Street "information bay" location is shown on the accompanying plan.

The owner also wishes to operate at events outside of the Tammin Shire, however approval for this would be the responsibility of the local government she wishes to operate in, and is not dealt with in this report.

The request has been made to create additional business opportunities, employment and dining facilities within the Tammin Shire, as well as to capture passing tourist and customer trade.

The standard hours of operating would be:

Monday – Thursday 9-11am and if required afternoon hours between 3-5pm

Friday – Sunday 6-11am and again if required afternoon hours between 3-5pm

The van may also service other areas and events so the operating hours may be flexible within those times, subject to demand.

The van will provide coffee, light snacks and refreshments in hope of not only creating a meeting place for locals but offering a rest stop for travellers. There are already benches at information bay which may be utilised by such travellers. The operator also wishes to have the opportunity to set-up a small table and chairs for locals wishing to use the area as a meeting place.

Comment

For simplicity of regulation it is proposed by the Shire of Tammin Office to issue a single time block of hours of operation per day to cover the requested times of operation.

These hours are:

Monday – Thursday 9.00 am to 5.00 pm.

Friday – Sunday 6.00 am to 5.00 pm.

Under the **Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006**, the following matters are required to be considered.

6.5 Relevant considerations in determining application for permit

(1) In determining an application for a permit for the purposes of this Division, the local government is to have regard to –

- (a) any relevant policies of the local government;
- (b) the desirability of the proposed activity;
- (c) the location of the proposed activity;
- (d) the principles set out in the Competition Principles Agreement; and
- (e) such other matters as the local government may consider to be relevant in the circumstances of the case.

These are considered respectively as follows.

- a) No other policies of the local government are applicable.
- b) The proposed activity raise the profile of the town, is desirable, aesthetically pleasing and will attract passing trade and tourism. The proposed activity will provide alternatives to customers not wishing to stop at the local roadhouse and will only provide basic coffee, cake and snacks to accompany coffee or refreshments.
- c) The location should provide adequate room parking and nearby facilities for customers. A condition will be placed on the permit requiring prior approval of any signage, furniture or associated equipment prior to installation, by Main Roads Western Australia and the Shire of Tammin.
- d) Though some competition will occur with the Tammin Roadhouse, the proposed coffee van has a more limited range of products available and therefore should attract different a somewhat different customer base than that which would utilise the Tammin Roadhouse, that has a much wider range of facilities and products. Approval of the Food Trader's Permit will allow for healthy local business competition and may increase positive attention to food businesses within the township.
- e) The approval will be conditional of obtaining written consent from Main Roads for operation at the Donnan St location, or written approval from any Community or Sporting Group operating with any required approval of the Tammin Shire, at the Tammin Oval at the proposed time of operation at the Tammin Oval.

Consultation

The agenda containing this report for the Shire of Tammin Council Meeting has been advertised in accordance with standard Shire of Tammin policy and procedures.

Informal discussions have been made by the owner, with the Department of Main Roads with respect to gaining permission to operate out of the proposed location.

Approval for the Street Trading permit will be made conditional on obtaining formal written advice from Main Roads to operate from the proposed information bay location on Donnan St, Tammin.

Approval for the Street Trading Permit will also be made conditional on obtaining continuing and formal written permission, from any community group operating at the Tammin Oval, at the time of proposed operation of the coffee van at the Tammin Oval or from the event operator, operating an event within the Tammin Shire where it is proposed to operate at an event within the Tammin Shire.

Statutory Implications

Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006,

Policy Implications

Approval will be obtained under the Food Act 2008 and the **Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006**.

Financial Implications

Public Liability Insurance to the value of \$10,000,000 has been obtained, however indemnity has not been provided in accordance with the Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006 as follows.

“the provision of an indemnity from the permit holder indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder.”

This will be required by the owner and owner’s insurance policy prior to issuing any permit.

Strategic Implications

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

Social

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

Environmental

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

Economic

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

On balance, strategically, allowing operation of the “Route 94 Coffee Van”, would be beneficial to the community and consistent with the goals of the Tammin SCP.

Officers Recommendation

That Council approve the request for the Street Trading Permit for the "Route 94 Coffee Van" operated by Ceri Pickering subject to the proposed conditions as per the conditions detailed in the attached Permit and Approval of the Food Business under the Food Act 2008.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ____/____

TSC 30/19 MOTION

That Council approve the request for the Street Trading Permit for the "Route 94 Coffee Van" operated by Ceri Pickering subject to the proposed conditions as per the conditions detailed in the attached Permit and Approval of the Food Business under the Food Act 2008.

The approval will be conditional of obtaining written consent from Main Roads for operation at the Donnan St location, or written approval from any Community or Sporting Group operating with any required approval of the Tammin Shire, at the Tammin Oval at the proposed time of operation at the Tammin Oval.

Moved: Cr Thomson

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

13 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

TSC 31/19 MOTION

That the meeting be moved behind closed doors at 6:07pm.

Moved: Cr Caffell

Seconded: Cr Batchelor

Vote: Simple Majority

Carried: 5/0

Neville Hale left the room at 6:08pm.

14.1 Shared Services Agreement – Early Termination (Private & Confidential)

The matter remains confidential until the Resource Sharing Committee has dealt with this matter.

TSC 33/19 MOTION

That the meeting move from behind closed doors at 6:45pm.

Moved: Cr Batchelor

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 5/0

The President read aloud the resolution pertaining to confidential item.

15 CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 6:45pm.