Shire of Tammin

ORDINARY COUNCIL MEETING

Agenda

NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Shire of Tammin will be held on ***Wednesday 19th August 2026*** at the Council Chambers at 1 Donnan Street Tammin, commencing at **5*:00pm.***

Andrew Malone
Chief Executive Officer
10 August 2026

MISSION STATEMENT

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

Contents

AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President will declare the meeting open at _ pm.

2. ACKNOWLEDGEMENT TO COUNTRY

We begin today by acknowledging the Ballardong Noongar People as traditional custodians of the land and skies on which we gather, and we pay our respects to their Elders, past, present and emerging.

3. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES

Present: President Charmaine Thomson
Deputy President Nicholls
Cr Courtney Thomson
Cr Caffell
Cr Mackin

In Attendance:	CEO	Andrew Malone
	MF	Codey Redmond
	MTS	Michael Silver

Guests:

Leave of Absence previously granted:
Cr Rogers

Apologies:

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5. PUBLIC QUESTION TIME

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Rogers
Moved Cr Thomson Cr Nicholls

7. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

In accordance with section 5.65 of the Local Government Act 1995, the following disclosures of **financial** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with section 5.65 of the Local Government Act 1995, the following disclosures of **Closely Associated Person and Impartiality** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with sections 5.60B and 5.65 of the Local Government Act 1995, the following disclosures of **Proximity** interest were made at the Council meeting.

Date	Name	Item No	Reason

8. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Council Meeting Minutes – 22 July 2026

Officers Recommendation That the minutes of the Council Meeting held on the 22nd July 2026 be confirmed as a true and accurate record of proceedings. Moved: Cr Seconded: Cr Vote: Simple Majority Carried/Lost: For: Against:

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

12. MATTERS FOR CONSIDERATION – FINANCE

12.1 List of Payments for July 2026

Location:	Shire of Tammin
Applicant:	Finance Officer
Date:	12 August 2026
Author:	Emma Button
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	FIN05
Attachment/s:	Attachment Item 12.1 - Payment Listing Attachment Item 12.1 - Credit Card Statement and Summary Attachment Item 12.1 – Fuel allocation costs

Purpose of Report

For Council to ratify the accounts paid under delegated authority.

Background

The attached List of Accounts paid during the month of July 2026 totalling $457,072.49 by way of:

Cheque numbers	01/07/2026 – 31/07/2026	Nil
Direct debit payments	01/07/2026 – 31/07/2026	$13412.37
Licensing transfers	01/07/2026 – 31/07/2026	$18,518.95
Bank fees	01/07/2026 – 31/07/2026	$162.67
VISA payments	01/07/2026 – 31/07/2026	$7,601.45
EFT payments	EFT8457 – EFT8527	$316,695.20
Salaries and wages	01/07/2026 – 31/07/2026	$100,678.85
Total payments	**01/07/2026 – 31/07/2026**	**$457,072.49**

The Shire of Tammin made the following significant expenditure during the month of July 2026:

Creditor	Description	Amount
Dun Direct - Dunnings	Fuel for Depot - 3500L of diesel @ $1.8187 inc	$ 6,365.44
Perfect Computer Solutions	Microsoft Office 365 Business Premium annual license + Microsoft Exchange Online annual license	$ 6,850.00
Shire of Cunderdin	Contribution to CESM costs as per MOU - Quarter 4 2025/2026 from 01/04/2026- 30/06/2026	$ 7,888.95
Brenda Howard	Model train display & model trains	$10,000.00
thinkproject Australia Pty Ltd	Think Project Asset Register Asset Owner Annual Enterprise License + Thinkproject Asset Mobile Annual Enterprise Wide License Support & Maintenance Fee 01/07/2026 - 30/06/2027	$11,066.48
Market Creations Agency	Annual subscription 26/27 Council connect website design	$14,322.00
Adapt Electrical Solutions	Pavillion project final payment - upgrade caravan park and main switchboad & relocate netball court and install pit	$17,857.25
Western Australian Local Government Association (WALGA)	WALGA membership subscriptions for 26/27	$21,885.83
IT Vision	IT Vision Annual Subscription from 01/07/2026 - 30/06/2027	$34,970.51
Marty Grant Bulldozing PTY LTD	First payment - Roaded Catchment Construction - 6 hectares @ $14,982 per hectare	$98,881.20

Comment

Nil

Financial Implications

All liabilities have been settled in accordance with the Shire of Tammin 2026/2027 Operating Budget.

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Payments are made without appropriate budget authority	Unlikely (2)	Moderate (3)	Moderate (5-9)	COMPLIANCE Minor regulatory or statutory impact	Manage by internal controls, policies and procedures

Accounting Fraud	Unlikely (2)	Extreme (5)	Moderate (5-9)	FINANCIAL IMPACT $50,000 - $250,000	Manage by internal controls, policies and procedures
Delayed Payments Leading to Penalties or Loss of Supplier Relationships	Possible (3)	Moderate (3)	Moderate (5-9)	REPUTATIONAL Unsubstantiated, low impact, low profile or 'now news' item	Manage by internal policies and procedures

Risk Matrix

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	**2**	**3**	**4**	**5**
Almost Certain	**5**	**Moderate (5)**	**High (10)**	**High (15)**	**Extreme (20)**	**Extreme (25)**
Likely	**4**	**Low (4)**	**Moderate (8)**	**High (12)**	**High (16)**	**Extreme (20)**
Possible	**3**	**Low (3)**	**Moderate (6)**	**Moderate (9)**	**High (12)**	**High (15)**
Unlikely	**2**	**Low (2)**	**Low (4)**	**Moderate (6)**	**Moderate (8)**	**High (10)**
Rare	**1**	**Low (1)**	**Low (2)**	**Low (3)**	**Low (4)**	**Moderate (5)**

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared, and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

<u>Policy Implications</u>

Nil

<u>Statutory Implications</u>

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 & Corporate Business Plan Implications

Civic Leadership Strategies

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.

The following outcomes and strategies have been identified to achieve this vision.

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
6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation
6.2.1 Ensure sound long-term financial management and deliver value for money
6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

Officers Recommendation

That Council, pursuant to Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to payments made from municipal funds for the period 1 July 2026 to 31 July 2026 totalling $457,072.49 as contained in attachments 12.1.

Municipal Fund payments totalling $457,072.49 detailed:

Cheque numbers	01/07/2026 – 31/07/2026	Nil
Direct debit payments	01/07/2026 – 31/07/2026	$13412.37
Licensing transfers	01/07/2026 – 31/07/2026	$18,518.95
Bank fees	01/07/2026 – 31/07/2026	$162.67
VISA payments	01/07/2026 – 31/07/2026	$7,601.45
EFT payments	EFT8457 – EFT8527	$316,695.20
Salaries and wages	01/07/2026 – 31/07/2026	$100,678.85
Total payments	**01/07/2026 – 31/07/2026**	**$457,072.49**

Moved: Cr Seconded: Cr

Vote: Simple Majority

Carried/Lost:
For:
Against:

12.2 Financial Management Report for the month of July 2026

Location:	Shire of Tammin
Applicant:	Manager of Finance and Corporate Services
Date:	10 August 2026
Author:	Codey Redmond
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 July 2026 Monthly Financial Report

Purpose of Report

For Council to receive the Monthly Financial Statement.

Background

Enclosed is the Monthly Financial Report for the month of July 2026 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

The year began with stable results that were generally in line with expectations. The business remains focused on continued progress in the months ahead.

Rates were issued on 10 July 2026 with payments due in full by 17 August 2026 to receive 2% Discount. Payment arrangements have been made with rate payers if required.

Financial Implications

There are currently no financial implications as income and expenditure is in accordance with Budget.

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Errors or inaccuracies in financial reports	Possible (3)	Moderate (3)	Moderate (5-9)	COMPLIANCE Minor regulatory or statutory impact	Manage by following internal policies and procedures
Non-compliance with financial reporting standards	Unlikely (2)	Major (4)	Moderate (5-9)	COMPLIANCE Some temporary non-compliances	Manage by following internal policies and procedures
System failure delaying financial reporting	Possible (3)	Moderate (3)	Moderate (5-9)	COMPLIANCE Some temporary non-compliances	Manage by following internal policies and procedures
External audit findings impacting future reporting	Unlikely (2)	Moderate (3)	Moderate (5-9)	COMPLIANCE Some temporary non-compliances	Manage by following internal policies and procedures

Risk Matrix

Consequence / **Likelihood**		**Insignificant**	**Minor**	**Moderate**	**Major**	**Extreme**
		1	**2**	**3**	**4**	**5**
Almost Certain	**5**	**Moderate (5)**	**High (10)**	**High (15)**	**Extreme (20)**	**Extreme (25)**
Likely	**4**	**Low (4)**	**Moderate (8)**	**High (12)**	**High (16)**	**Extreme (20)**
Possible	**3**	**Low (3)**	**Moderate (6)**	**Moderate (9)**	**High (12)**	**High (15)**
Unlikely	**2**	**Low (2)**	**Low (4)**	**Moderate (6)**	**Moderate (8)**	**High (10)**
Rare	**1**	**Low (1)**	**Low (2)**	**Low (3)**	**Low (4)**	**Moderate (5)**

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared, and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	9
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

<u>Statutory Implications</u>

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 may 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.

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 & Corporate Business Plan Implications

Civic Leadership Strategies

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6.1.1 Deliver sustainable governance through transparent and robust policy and processes
6.1.2 Undertake the civic duties of Council with the highest degree of ethics
Outcome 6.2 An efficient and effective organisation

6.2.1 Ensure sound long-term financial management and deliver value for money
6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

Officers Recommendation

That Council, pursuant to the *Local Government (Financial Management) Regulations 1996* adopt the Monthly Financial Report as contained in attachment 12.2 for the period ending 31 July 2026 comprising.

a) Statement of Financial Activity
b) Supplementary Information Note 1 to Note 12

Moved: Cr Seconded: Cr

Vote: Simple Majority

Carried/Lost:
For:
Against:

13 MATTERS FOR CONSIDERATION – ADMINISTRATION

13.1 Office Closure – Christmas/New Year Period December 2026/27

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	10 August 2026
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Andrew Malone (Chief Executive Officer): as the author of the item has an interest as he is a current employee, and this office closure would also apply to him, and therefore results in a financial benefit.
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council to consider the closure of the Shire Administration Office over the Christmas and New Year period in December 2026 and January 2027.

Background

The Shire office has traditionally been closed over the Christmas and New Year period.

Comment

Previously no complaints or adverse comments have been received in relation to the office closure. Shire staff being the CEO and Manager Technical Services last year were available for emergencies and general operational issues. Again, this year emergency provisions will be put in place to ensure should issues arise these can be suitably addressed in a timely manner.

At the 28 September 2022 Ordinary Council meeting, a policy in relation to Local Government Public Holidays was adopted. This policy is inclusive of two additional holidays commonly known as Public Service Days, one of which affects the Christmas Closure.

Given the timing of the Christmas and New Year holidays it is proposed that the Office be closed for the period commencing close of business on Wednesday 23 December 2026 to Monday 4 January 2027.

Generally, no significant business is conducted between the Christmas and New Year period, therefore it is considered an ideal time to close the office and allow staff to enjoy a safe, relaxed festive period with their families. As per previous years, there will be staff available on call for emergencies should the need arise.

Notification of the office closure will be advertised to the public leading up to the closing period. The item is being put forward now so that staff have plenty of notice and can plan their end of year accordingly.

Ordinarily, three (3) days of annual leave is required to be taken by staff to cover the office shut down period. This year however due to the dates of closure four (4) annual leave are required. Council has previously nominated two (2) additional paid days leave for staff as a reward for recognised service during the previous 12 months.

Therefore, two proposed options are being put forward for Council consideration:
Option 1: Staff utilise 4 days of leave entitlements

Tuesday 22 December 2025		**Office Open**
Wednesday 23 December 2026		Office Open
Thursday 24 December 2026	Staff utilise leave entitlements	Office Closed
Friday 25 December 2026	Christmas Day Public Holiday	Office Closed – Public Holiday
Saturday 26 December 2026	Boxing Day - Weekend	Weekend
Sunday 27 December 2026	Weekend	Weekend
Monday 28 December 2026	Boxing Day Public Holiday	Office Closed – Public Holiday
Tuesday 29 December 2026	Staff utilise leave entitlements	Office Closed
Wednesday 30 December 2026	Staff utilise leave entitlements	Office Closed
Thursday 31 January 2026	Local Government Paid Public Service Holiday	Office Closed
Friday 1 January 2027	Public Holiday – New Years Day	Office Closed – Public Holiday
Saturday 2 January 2027	Weekend	Weekend
Saturday 3 January 2027	Weekend	Weekend
Monday 4 January 2027		Office Open

As per the Council resolution in 2022, Council authorised 2 additional days to be taken as office closure, however these days would be paid as leave days for staff by Council. This was because Council recognised the work and commitment of staff over the year and acknowledged that while the Shire of Tammin has a limited budget to reward employees through salary rates that this is an opportunity to alternatively rewarded staff.

Therefore, an alternative option is also proposed.

Option 2: Council provide 2 extra paid leave days and the Local Government Public Service Day. Staff to take two (2) days of leave entitlements

Tuesday 22 December 2025		**Office Open**
Wednesday 23 December 2026		Office Open
Thursday 24 December 2026	Staff utilise leave entitlements	Office Closed
Friday 25 December 2026	Christmas Day Public Holiday	Office Closed – Public Holiday
Saturday 26 December 2026	Boxing Day - Weekend	Weekend
Sunday 27 December 2026	Weekend	Weekend
Monday 28 December 2026	Boxing Day Public Holiday	Office Closed – Public Holiday
Tuesday 29 December 2026	Extra Paid Leave	Office Closed
Wednesday 30 December 2026	Extra Paid Leave	Office Closed
Thursday 31 January 2026	Local Government Paid Public Service Holiday	Office Closed
Friday 1 January 2027	Public Holiday – New Years Day	Office Closed – Public Holiday
Saturday 2 January 2027	Weekend	Weekend
Saturday 3 January 2027	Weekend	Weekend
Monday 4 January 2027		Office Open

It is acknowledged that over the last 12 months the staff have experienced significant changes and challenges, and as a group have met them with enthusiasm and as a team. It is also recognised that the Shire has received many compliments from ratepayers about how the roads and townsite are looking. The work of the admin and outdoor staff, as a team with limited resources, has been very important to the Shire to continue to provide a high level of customer service and satisfaction.

It is recommended that again Council recognise the work and commitment of staff over previous 12 months and acknowledge that while the Shire of Tammin has a limited budget to reward employees through salary rates that this is an opportunity to alternatively rewarded staff.

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council do not endorse the office closure of the offices	Unlikely (2)	Insignificant (1)	Low (1-4)	REPUTATIONAL Substantiated, low impact, low news item	Manage by a Council resolution.

Risk Matrix

Consequence / **Likelihood**		**Insignificant**	**Minor**	**Moderate**	**Major**	**Extreme**
		1	**2**	**3**	**4**	**5**
Almost Certain	**5**	**Moderate (5)**	**High (10)**	**High (15)**	**Extreme (20)**	**Extreme (25)**
Likely	**4**	**Low (4)**	**Moderate (8)**	**High (12)**	**High (16)**	**Extreme (20)**
Possible	**3**	**Low (3)**	**Moderate (6)**	**Moderate (9)**	**High (12)**	**High (15)**
Unlikely	**2**	**Low (2)**	**Low (4)**	**Moderate (6)**	**Moderate (8)**	**High (10)**
Rare	**1**	**Low (1)**	**Low (2)**	**Low (3)**	**Low (4)**	**Moderate (5)**

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	2
Does this item need to be added to the Shire's Risk Register	No
Is a Risk Treatment Plan Required	No

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

If option one (1) is adopted, then leave is taken as annual leave and/or RDO entitlement thus reducing the accumulated leave provisions within the FY2025/26 budget. If option two (2) is taken, then whilst there is no increased cash cost it does result in two days of lost production when employees take the two days annual leave that they weren't required to take during the office shut down.

The Shire currently has no employees that have a leave balance in excess of their annual leave entitlement.

Strategic Implications

Nil

TSC Motion 66/24

That Council:

1. Approve the closure of the Shire Administration Office during the Christmas and New Year period from close of business Wednesday 23 December 2025 to reopening at 8.30am Monday 4 January 2026;
2. That leave required for the office closure period be in accordance with option 2; and
3. Advertise the Administration Office closure to the public leading up to the Office closure.

Moved: Seconded:

Vote: Simple Majority
Carried/ Lost:
For:
Against:

13.2 Change date of September Council Meeting

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	29 June 2026
Author:	Codey Redmond
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Purpose of Report

To propose changing September 2026 Ordinary Council meeting to Wednesday 30 September 2026 at 5:00pm

Background

At Councils November 2025 Ordinary Meeting, Council's adopted its 2026 meeting schedule which lists an Ordinary Council Meeting for Wednesday 23 September 2026. Due to scheduling conflicts affecting the availability of elected members, it is proposed that the meeting be deferred by one week and held on Tuesday 30 September 2026.

Comment

Rescheduling the September Ordinary Council Meeting by one week is not expected to adversely affect Council operations or decision-making processes. The proposed date of 30 September 2026 provides adequate time for agenda preparation and will facilitate improved attendance and participation by Councillors, staff, and stakeholders.

The change will maintain the orderly progression of Council business while ensuring governance requirements continue to be met. Subject to Council approval, all necessary public notices and updates to Council's meeting calendar will be undertaken.

Financial Implications

Nil.

Risks

Nil

Statutory Implications

Section 5.25(1)(g) of the Local Government Act provides:

(1) Without limiting the generality of section 9.59, regulations may make provision in relation to —

(g) the giving of public notice of the date and agenda for council or committee meetings;

Regulation 12 of the Local Government (Administration) Regulations provides:

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

(3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.

(4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Policy Implications

Nil

Strategic Plan & Corporate Business Plan Implications

Nil

Officers Recommendation

That Council approve the rescheduling of the September 2026 Ordinary Council Meeting from Tuesday 23 September 2026 to Tuesday 30 September 2026 commencing at 5pm in the Council Chambers at 1 Donnan Street Tammin and that the change of meeting date be advertised as required by the Local Government Act.

Moved: Cr Seconded: Cr

Vote: Simple Majority

Carried/Lost:
For:
Against:

13.3 Request to Initiate Review of Local Laws -

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	27 July 2026
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Purpose of Report

For Council to endorse to initiate a review of the Shire's Local Laws and provide local public notice stating that the Shire proposes to review its local laws under s3.16 of the Local Government Act 1995 as per the below timeframe.

Background

Section 3.16 of the Local Government Act 1995 requires that all local laws must be reviewed within a 15-year period after their commencement to determine if they should remain unchanged, be repealed, or amended.

The 15-year period is taken from either when the local law commenced or when the last review of the local law was completed. As part of the Local Government reforms and implementation of the Local Government Amendment Act 2024, the Shire of Tammin is now required to review all local laws within a two-year period, prior to 7 December 2026, unless a review occurred within the last 8 years.

The Shire of Tammin has in place the following local laws, with the dates of the most recent reviews completed:

- Thoroughfares and Public Places Local Law (30 April 2019)
- Cemeteries Local Law (30 April 2019)
- Dogs Local Law (30 April 2019)
- Draft Bushfire Brigade Local Law 04 March 2025)
- Fencing Local Law (30 April 2019)
- Health Local Laws (11 April 2018)
- Parking Local Law (11 September 2019)
- Property Local Law (11 April 2018)

It is noted that reviews have been completed on the Shire's Local Laws, therefore only the Property Local Law and Health Local Law are required to be reviewed as they are within the 8-year period. However noting all other Local Laws must be completed by April 2027, the Shire will initiate a review of all Local Laws.

Further assessment can be made while the public commentary period is underway but on face value a number of minor changes are required.

The Procedure for Making Local Laws in the Act is outlined below:
Part One

- Periodic Review – s.3.16(1) of the Act – The local government is to carry out a review of the local law to determine whether it considers that it should be repealed or amended.
- Local Public Notice -s.3.16(2) – The local government is to give local public notice stating that it proposes to review the local law for at least a six-week period, identifying where and during which hours (if appropriate) the proposed local law can be viewed.
- Summary of Submissions - Depending on the outcome of the broad community consultation undertaken under s3.16(1)&(2) of the Act, the Council will then consider whether or not these local laws should be repealed, amended or retained.
- Section 3.16 of the Act cannot be used to repeal or amend a local law.

Part Two

- Local Council initiate process – Under s3.12(2) of the Act and Regulation (3) Local Government (Functions and General) Regulations 1996 – the Council may resolve to initiate a new Local Law and include in the resolution the purpose and effect of the local law.
- Local Public Notice – s3.12(3) and (3a) of the Act - The local government must give local public notice for at least a six-week period, identifying where and during which hours (if appropriate) the proposed local law can be viewed.
- Notification to the Minister - s3.2(3b) of the Act - Send notification to the Minister as soon as the public notice is given (after advertisement appears in the paper).
- Considering Submissions – s3.12(4) of the Act - After the last day for submissions, Council to consider any submissions made and may make the Local Law as proposed or make amendments that are not significantly different from what was proposed (by absolute majority).
- Gazettal Notice – s3.12(5) of the Act - After making the Local Law, the local government is to publish it in the Gazette.
- Giving Public Notice – s3.12(6) of the Act - After the Local Law has been published in the Gazette, Council is to give local public notice stating the title of the Local Law; summarising the purpose and effect of the Local Law (specifying the day on which it comes into operation); and advising that copies of the local law may be inspected or obtained.
- Notification to the Minister - s3.12(5) of the Act - Send notification to the Minister as soon as the public notice is given (after advertisement appears in the paper). Explanatory Memoranda – s3.12(7) of the Act - After Gazettal to provide an Explanatory Memoranda to the Government (WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL).
- Commencement of Local Laws - s3.14 of the Act - The Local Law will come into effect the 14th day after publication.
- Review by Government - s3.17 of the Act - Final point on the process where the Local Law can be amended or repealed via the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL).

Next Steps

Members of the public will have the opportunity to lodge a submission to Council on the current local laws. This consultation period will run for at least six weeks. The submissions will be considered and presented with a recommendation to Council who will then determine whether to amend, repeal or retain the local laws. During this initial consultation process staff will also undertake benchmarking and research to ensure that these local laws remain contemporary, relevant and enforceable.

In conducting the review of these local laws, the Shire will engage with the community through the website, social media and Tammin Tabloid to ensure it complies with the requirements of the Act. This will ensure that the review captures relevant societal and governance changes that may suggest that amendments are required to the Shire's local laws. The Shire will be seeking responses to questions including:

- Do you have any feedback on the operation of the current local law?
- What changes, if any, would you like to see made to the Local law?

The outcomes of the review will be presented to the Council later 2026 with recommendations on any amendments to the Shire's local laws, which may be required. This process will confirm the 'purpose' and 'effect' of each local law and include a 'proposed draft' local law, which will then be advertised for a statutory period of 42 days to allow for any public comments, and together with a copy of the 'proposed draft' local law this will be forwarded to the relevant Ministers.

Comment

Council approve to review the Shire of Tammin's local laws within a suitable timeframe. This timeframe will need to take into consideration changes to principal legislation and other matters which will influence any recommended changes to the local laws. The suggested local law review schedule is below:

Financial Implications

There are costs associated with the review, advertising for public comment, amendment and/or making of existing or new local laws and their eventual Gazettal. Cost for the amendment of existing local laws or the making of new ones will become apparent throughout the review process.

Risks

That Council is non-complaint with legislation. Section 3.16 of the Local Government Act 1995 requires that all local laws must be reviewed within a 15-year period after their commencement to determine if they should remain unchanged, be repealed, or amended. The Shire endorsing the officers recommendation will ensure the Council commences the review process.

Statutory Implications

Local Government Act 1995

Division 2 — Legislative functions of local governments
Subdivision 1 — Local laws made under this Act
3.5. Legislative power of local governments

(1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.
(2) A local law made under this Act does not apply outside the local government's district unless it is made to apply outside the district under section
(3) 3.6. The power conferred on a local government by subsection (1) is in addition to any power to make local laws conferred on it by any other Act.
(4A) Nothing in the Building Act 2011 prevents a local government from making local laws under this Act about building work, demolition work, a standard for the construction or demolition of buildings or incidental structures, or the use and maintenance of, and requirements in relation to, existing buildings or incidental structures, as those terms are defined in section 3 of that Act.
(4B) Nothing in the Health (Miscellaneous Provisions) Act 1911 or the Public Health Act 2016 prevents a local government from making local laws under this Act about matters relating to public health (as defined in the Public Health Act 2016 section 4(1)).
(4) Regulations may set out —
(a) matters about which, or purposes for which, local laws are not to be made; or
(b) kinds of local laws that are not to be made, and a local government cannot make a local law about such a matter, or for such a purpose or of such a kind.
(5) Regulations may set out such transitional arrangements as are necessary or convenient to deal with a local law ceasing to have effect because the power to make it has been removed by regulations under subsection (4).
[Section 3.5 amended: No. 64 of 1998 s. 5; No. 24 of 2011 s. 166(2); No. 19 of 2016 s. 166.]

3.8. Local laws may adopt codes etc.
(1) A local law made under this Act may adopt the text of —
(a) any model local law, or amendment to it, published under section 3.9; or
(b) a local law of any other local government; or
(c) any code, rules, specifications, or standard issued by Standards Australia or by such other body as is specified in the local law.
(2) The text may be adopted —
(a) wholly or in part; or
(b) as modified by the local law; or
(c) as it exists at a particular date or, except if the text of a model local law is being adopted, as amended from time to time.
(3) The adoption may be direct, by reference made in the local law, or indirect, by reference made in any text that is itself directly or indirectly adopted.
[Section 3.8 amended: No. 74 of 2003 s. 79.]

3.12. Procedure for making local laws
(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) Subject to subsection (3A), the local government is to:
(a) give local public notice stating that —
(i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
and
(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to —
(i) the Departmental CEO;
(ii) and if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;
and
(iii) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
(3A) The local government may, at the council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification —
(a) a model local law; or
(b) a model local law except certain provisions that the local government determines, at the council meeting referred to in subsection (2), are not relevant to the local government and the district.
(3B) In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.
(3C) If the local government determines to proceed under this subsection, the local government must —
(a) publish a notice on the local government's official website stating that —
(i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and
(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 3 weeks after the notice is published;
and
(b) as soon as the notice is published, give a copy of the notice to —
(i) the Departmental CEO; and
(ii) and if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;
and
(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(4) After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed.*
** Absolute majority required.*
(5) After making a local law, the local government must —
(a) publish the local law in the Gazette; and
(b) give a copy of the local law to —
(i) the Departmental CEO; and
(ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made — the chief executive officer of that other department.
(6) After the local law has been published in the Gazette the local government is to give notice in the required way —
(a) stating the title of the local law; and
(b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
(c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
(6A) For the purposes of subsection (6), the required way for giving a notice is as follows —
(a) if the local government proceeded under subsection (3) — by local public notice;
(b) if the local government proceeded under subsection (3C) — by notice published on the local government's official website.
(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
(8) In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.
[Section 3.12 amended: No. 1 of 1998 s. 8; No. 64 of 1998 s. 6; No. 49 of 2004 s. 16(4) and 23; No. 26 of 2016 s. 5; No. 16 of 2019 s. 8; No. 47 of 2024 s. 19.]

Section 3.16 of the Act provides that:
3.16. Periodic review of local laws
(1) Within a period of 15 years after the day on which a local law commenced or a determination in respect of the local law was last made under subsection (4), as the case requires, a local government must carry out a review of the local law to determine whether it considers that the local law should be repealed, be amended or remain unchanged.
(2) The local government is to give local public notice stating that —
(a) the local government proposes to review the local law; and
(b) a copy of the local law may be inspected or obtained at any place specified in the notice; and
(c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
(3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.
(4) After the report has been submitted to its council, the local government must determine whether it considers that the local law should be repealed, be amended or remain unchanged.*
** Absolute majority required*

Any consequential amendments to the Shire's local laws must then be undertaken using the process set out in s3.12 of the Act.

Policy Implications

Nil

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

Our Councillors and community leaders have vision, are accessible, act with transparency and integrity, and act in good faith on behalf of their constituents.

The following outcomes and strategies have been identified to achieve this vision.
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
6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation
6.2.1 Ensure sound long-term financial management and deliver value for money
6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

Officers Recommendation

That Council
1. endorse to initiate a review of the Shire's Local Laws and provide local public notice stating that the Shire proposes to review its local laws under s3.16 of the Local Government Act 1995.
2. Gives local public notice stating that the Shire proposes to review its local laws under s3.16 of the Local Government Act 1995 as per the following timeframe

Local Law	**Review Timeframe**
Thoroughfares and Public Places Local Law (30 April 2019)	**Review to be brought back to Council within 4 months.**
Parking Local Law (11 September 2019)	**Review to be brought back to Council within 4 months.**
Fencing Local Law (30 April 2019)	**Review to be brought back to Council within 4 months.**
Dogs Local Law (30 April 2019)	**Review to be brought back to Council within 12 months.**
Draft Bushfire Brigade Local Law 04 March 2025)	**Review to be brought back to Council within 12 months.**
Health Local Laws (11 April 2018)	**Review to be brought back to Council within 18 months.**
Property Local Law (11 April 2018)	**Review to be brought back to Council within 18 months.**

Cemeteries Local Law (30 April 2019)	**Review to be brought back to Council within 18 months.**

3. Notes that a copy of the local laws may be inspected or obtained at the Shire offices or from its website;
4. Advises that submissions about the local laws may be made to the Shire before a day to be specified in the notice, being a day that is not less than six (6) weeks after the notice is given; and
5. Notes that the results of the above advertising are to be presented to Council for consideration of any submissions received.

Moved: Seconded:

Vote: Absolute Majority

Carried/Lost:
For:
Against:

13.4 CEO Performance Review Process

In accordance with section 5.65 of the Local Government Act 1995, the CEO has declared a disclosures of financial interest in this matter. Where appropriate the CEO will depart the meeting to allow for appropriate discussion of this matter by Elected Members.

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	6 August 2026
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Chief Executive Officer
File Reference:	Nil
Attachment/s:	Nil

Purpose of Report

The purpose of this agenda item is for Council to determine the process for the Chief Executive Officer (CEO) performance review for the 2025/2026 review period and establish performance criteria for the CEO for 2026-27 year, in accordance with the requirements of the CEO's contract and the Local Government Act 1995.

Background

Clause 4.2 of the CEO Employment Contract requires that the CEO's performance be reviewed:

- By reference to the agreed Performance Criteria;
- At least annually;
- More frequently if required by either Council or the CEO; and
- In accordance with a performance review process agreed between the CEO and Council.

Clause 4.3 of the Contract further states:

> *"The Council, in consultation with You, will determine, in respect of each review under clause 4.2, who will conduct the review."*

As part of the review of the CEO's performance, a review of the employment contract in light of the current SAT determination will also be undertaken.

Historically, local governments may undertake CEO performance reviews either through an external consultant/facilitator or through an internally managed process conducted by Council.

Comment

Council is requested to determine the preferred methodology for undertaking the CEO performance review for the current review period. It is considered appropriate that the review be conducted internally by the Whole of Council, without engaging an external consultant.

This approach allows elected members to directly assess performance against the adopted CEO Performance Criteria and Strategic Plan objectives while reducing external consultancy costs. The proposed process would involve:

- Distribution of the adopted CEO Performance Criteria to all Councillors;
- Individual confidential feedback from Councillors;
- Consolidation of feedback by the Shire President; and
- A formal review discussion between Council and the CEO.

This process is considered sufficient to meet the contractual obligations under the CEO Employment Contract.

Council held a CEO probation and KPI Evaluation Review on 15 September 2025 as part of the CEOs contract. All Councillors attended the meeting and undertook a review of the CEOs previous KPIs and made a recommendation regarding the CEOs initial probation. A recommendation was made regarding the CEOs 2025-26 KPIs. It was recommended at that time the CEO's KPIs to be assessed in August/ September 2026 and will form part of the CEOs ongoing Performance assessment. It is now required to review the CEO's performance.

A further report will be presented to Council for endorsement of the 26/27 CEO KPIs and a review of the employment contract in light of the current SAT determination.

Financial Implications

Undertaking the review internally will avoid the costs associated with engaging an external consultant or facilitator.

Risks

Risk	Risk Likelihood (based on history & with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Failure to establish performance criteria resulting in non-compliance	Unlikely (2)	Minor (2)	Low (1-4)	COMPLIANCE Minor regulatory or statutory impact	Accept Officer Recommendation

Risk Matrix

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Extreme
		1	**2**	**3**	**4**	**5**
Almost Certain	**5**	**Moderate (5)**	**High (10)**	**High (15)**	**Extreme (20)**	**Extreme (25)**
Likely	**4**	**Low (4)**	**Moderate (8)**	**High (12)**	**High (16)**	**Extreme (20)**

Possible	**3**	**Low (3)**	**Moderate (6)**	**Moderate (9)**	**High (12)**	**High (15)**
Unlikely	**2**	**Low (2)**	**Low (4)**	**Moderate (6)**	**Moderate (8)**	**High (10)**
Rare	**1**	**Low (1)**	**Low (2)**	**Low (3)**	**Low (4)**	**Moderate (5)**

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating is provided below. Any items with a risk rating over 16 will be added to the Risk Register, and any item with a risk rating over 16 will require a specific risk treatment plan to be developed.

Risk Rating

Risk Rating	4
Does this item need to be added to the Town's Risk Register	No
Is a Risk Treatment Plan Required	No

Statutory Implications

- Local Government Act 1995 – Sections 5.38 to 5.39B
- Salaries and Allowances Act 1975 – Section 7A
- SAT Determination of 2025

s5.39(3)(b) of the Local Government Act 1995 states that a contract of employment is of no effect unless performance criteria is specified in the CEO's contract "for the purpose of reviewing the person's performance".

CEO Employment Contract:

- Clause 4.2 – Performance Criteria and performance review
- Clause 4.3 – Selection of Reviewer

Policy Implications

Nil

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

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6.1.1 Deliver sustainable governance through transparent and robust policy and processes
6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation

6.2.1 Ensure sound long-term financial management and deliver value for money

6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

<u>Officers Recommendation</u> **That:** **1. The 2025/2026 Chief Executive Officer Performance Review be conducted internally by the Whole of Council; and** **2. The Shire President coordinate the review process in accordance with the Chief Executive Officer Employment Contract.** Moved: Seconded: Vote: Simple Majority Carried/Lost: For: Against:

14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

15. MATTERS FOR CONSIDERATION – TOWN PLANNING

Nil

16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

18. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at _pm.