Shire of Tammin

ORDINARY COUNCIL MEETING

Minutes

NOTICE OF MEETING
Dear Elected Member
The next ordinary meeting of the Shire of Tammin will be held on ***Wednesday 22nd July 2026*** at the Council Chambers at 1 Donnan Street Tammin, commencing at **5*:00pm.***
Andrew Malone Chief Executive Officer 14 July 2026

MISSION STATEMENT

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

Contents

<u>**AGENDA**</u>

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President will declare the meeting open at 5.02 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 Rogers
Cr Caffell
Cr Mackin arrived at 5:18 during item 12.2

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

Guests:

Leave of Absence previously granted:

Apologies:

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5. PUBLIC QUESTION TIME

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Rogers Request leave of absence for month of August
Moved Cr Thomson Seconded: 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

<u>Officers Recommendation</u>
That the minutes of the Council Meeting held on the 24th June 2026 be confirmed as a true and accurate record of proceedings.
Moved: Cr Thomson Seconded: Cr Rogers
Vote: Simple Majority
Carried/Lost: 5/0 For: President Thomson, Deputy President Nicholls, Cr Thomson, Cr Rogers, Cr Caffell Against:

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

12. MATTERS FOR CONSIDERATION – FINANCE

12.1 List of Payments for June 2026

Location:	Shire of Tammin
Applicant:	Finance Officer
Date:	02 July 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 June 2026 totalling $355,486.04 by way of:

Cheque numbers	01/06/2026 – 30/06/2026	Nil
Direct debit payments	01/06/2026 – 30/06/2026	$12,225.96
Licensing transfers	01/06/2026 – 30/06/2026	$2,670.16
Bank fees	01/06/2026 – 30/06/2026	$53.09
VISA payments	01/06/2026 – 30/06/2026	$852.10
EFT payments	EFT8392 – EFT8450	$268,820.21
Salaries and wages	01/06/2026 – 30/06/2026	$70,864.52
Total payments	**01/06/2026 – 30/06/2026**	**$355,486.04**

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

Creditor	Description	Amount
WCS Concrete	Final payment for footpaths - Redmond Street, Walston Street, Sheild Street	$92,470.90
ACD Carpentry and Construction	CWA building refurb- cracks, gables ends & water tanks final payment	$23,390.40
Chatfields Tree Nursery	Contract labour	$19,305.00
Shire of Cunderdin	Contribution of CESM costs as per MOU quarter 1, 01/07/2025 - 30/09/2025, quarter 2, 01/10/2025 - 31/12/2025, quarter 3, 01/01/2026 - 31/03/2026	$15,440.86
Water Corporation	Water consumption for various properties	13,037.75
Wheatbelt Diesel Services	TN302 Komatsu Grader 2000 hour service & travel from York to works depo	$10,549.87
Youlie and Son Spreading Services	Maintenance Grading and Rolling of Yorkrakine, Yorkrakine West Road & Yorkrakine East Road	$8844.00
Gradow PTY LTD ATF AG & PF McWhirter T/AS Great Southern Fuel Supplies	4000L DIESEL @ 1.8715 EXCL Fuel for tank at the depo	$8234.60
Youlie and Son Spreading Services	Maintenance Grading of Yorkrakine Road 30hrs	$6930.00
Shire of Cunderdin	CMT Seniors community event- Swan Valley Trip for CDO attendance & booking of rooms	$6306.00
KW & AJ Swann	Maintenance grading & fuel for Quinn-rogers rd, Wyola South rd, Kitto-Roger rd, Parrawilla rd	$5092.62

Comment

Nil

Financial Implications

All liabilities have been settled in accordance with the Shire of Tammin 2025/2026 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	Unlikely (2)	Moderate (3)	Moderate (5-9)	COMPLIANCE Minor regulatory	Manage by internal controls,

budget authority				or statutory impact	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

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 & 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 June 2026 to 30 June 2026 totalling $355,486.04 as contained in attachments 12.1.

Municipal Fund payments totalling $355,486.04 detailed:

Cheque numbers	01/06/2026 – 30/06/2026	Nil
Direct debit payments	01/06/2026 – 30/06/2026	$12,225.96
Licensing transfers	01/06/2026 – 30/06/2026	$2,670.16
Bank fees	01/06/2026 – 30/06/2026	$53.09
VISA payments	01/06/2026 – 30/06/2026	$852.10
EFT payments	EFT8392 – EFT8450	$268,820.21
Salaries and wages	01/06/2026 – 30/06/2026	$70,864.52
Total payments	**01/06/2026 – 30/06/2026**	**$355,486.04**

Moved: Cr Nicholls Seconded: Cr Caffell

Vote: Simple Majority

Carried/Lost: 5/0
For: President Thomson, Deputy President Nicholls, Cr Thomson, Cr Rogers, Cr Caffell
Against:

12.2 Financial Management Report for the month of June 2026

Location:	Shire of Tammin
Applicant:	Manager of Finance and Corporate Services
Date:	14 July 2026
Author:	Codey Redmond
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 June 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 June 2026 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

The final month of the financial year showed stable performance despite ongoing market challenges. Revenue and expenses remained broadly in line with budget, and management maintained focus on cost control and cash flow. The year concluded with results that largely met expectations, positioning the business for continued improvement in the coming year.

Financial Implications

There are currently no financial implications as income and expenditure is in accordance with Budget. Amendments will be made at Budget review in terms of Grant Income and Expenditure.

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

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 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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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 the *Local Government (Financial Management) Regulations 1996* adopt the Monthly Financial Report as contained in attachment 12.2 for the period ending 30 June 2026 comprising.

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

Moved: Cr Nicholls Seconded: Cr Rogers

Vote: Simple Majority

Carried/Lost: 6/0
For: President Thomson, Deputy President Nicholls, Cr Thomson, Cr Rogers, Cr Caffell, Cr Mackin
Against:

13 MATTERS FOR CONSIDERATION – ADMINISTRATION

13.1 Adoption of Privacy Policy and Information Breach Response Policy

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	07 July 2026
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Draft Privacy Policy and associated documents, registers and notices; and Draft Information Breach Response Policy and associated documents registers and notices including: 1. Collection Point Audit Register 2. Information Breach Register 3. Information Breach Response Policy 4. Privacy and Information Handling for Contractors 5. Privacy Collection Notices 6. Privacy Complaint Register 7. Privacy Complaints Procedure 8. PRIVACY IMPACT ASSESSMENT 9. Privacy Policy 10. Public Review Register 11. Staff Quick Guide

Purpose of Report

For Council to adopt the Privacy Policy and Information Breach Response Policy as attached.

Background

The Privacy and Responsible Information Sharing Act 2024 (WA), which came into effect on 1 July 2026, introduces a comprehensive privacy framework for Western Australian public sector agencies, including local governments. Due to resource constraints and completion of the Shire's 2026 Budget, administration was unable to complete the policies by the previous Council meeting, however the drafts policies are now presented to Council for consideration.

The legislation requires agencies to implement appropriate governance arrangements, policies and procedures for the management of personal information and the reporting and management of information breaches.

To support compliance with the legislation, two policies have been drafted to address the framework requirements:

1. Privacy Policy – establishes the Shire's approach to the lawful, transparent, secure and respectful handling of personal information, including collection, use, disclosure, storage, access, correction and complaint management processes.
2. Information Breach Response Policy – establishes the Shire's framework for identifying, escalating, containing, assessing, recording and responding to actual or suspected information breaches, including notifiable breaches.

The adoption of these policies will provide a clear governance framework for privacy management and information breach response across the organisation.

Comment

The Privacy Policy and Information Breach Response Policy provide the governance framework necessary to support the Shire's compliance with the Privacy and Responsible Information Sharing Act 2024 (WA). Adoption of the policies will demonstrate the Shire's commitment to protecting personal information, managing privacy risks effectively and responding appropriately to information breaches.
The policies are considered appropriate for implementation and will form part of the Shire's broader privacy and information governance framework.

Financial Implications

There are no direct financial implications associated with the adoption of these policies.

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 adopt and implement the appropriate privacy governance arrangements may expose the Shire to	Unlikely (2)	Minor (2)	Low (1-4)	COMPLIANCE Some temporary non-compliances	Accept Officer Recommendation

legislative non-compliance					

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

<u>Statutory Implications</u>

The draft policies have been prepared having regard to:

- Privacy and Responsible Information Sharing Act 2024 (WA);
- Information Commissioner Act 2024 (WA);
- State Records Act 2000 (WA);
- Freedom of Information Act 1992 (WA);

The PRIS Act establishes obligations for public sector agencies regarding the handling of personal information and the management of information breaches.

Adoption of these policies will assist the Shire in meeting its legislative obligations.

<u>Policy Implications</u>

Adoption of the policies will:

- Establish formal organisational standards for the management of personal information;
- Define responsibilities for staff, contractors, volunteers and service providers;
- Provide a framework for responding to information breaches;

- Support the implementation of privacy-by-design principles across Shire operations; and
- Strengthen governance and accountability regarding personal information management.

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. **Adopts the Shire of Tammin's Privacy Policy as attached;**
2. **Adopts the Shire of Tammin's Information Breach Response Policy as attached;**
3. **Authorises the Chief Executive Officer to make minor administrative amendments to the policies that do not alter their intent or effect; and**
4. **Notes that the policies have been developed to support the Shire's compliance with the Privacy and Responsible Information Sharing Act 2024 (WA) which comes into effect 1 July 2026.**

Moved: Cr Nichols Seconded: Cr Thomson

Vote: Simple Majority

Carried/Lost: 6/0
For: President Thomson, Deputy President Nicholls, Cr Thomson, Cr Rogers, Cr Caffell, Cr Mackin
Against:

13.2 Remove Crown Grant in Trust Conditions - Shire of Tammin

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	29 June 2026
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.2 - Aerial - Reserve 10580 Attachment Item 13.2 - DP 229703 Attachment Item 13.2 - Reserve Report 10580 Attachment Item 13.2 - Tenure Map - Reserve 10580

<u>**Purpose of Report**</u>

For Council to endorse a formal response to the Department of Planning, Lands and Heritage regarding a proposal to remove Crown Grant in Trust conditions for Lots 96 and 97 on Deposited Plan 229703, Shire of Tammin, to facilitate their disposal.

<u>**Background**</u>

The Department of Planning, Lands and Heritage (Land Use Management) has received a request from the Uniting Church in Australia Property Trust (WA) to remove the Crown Grant in Trust conditions to facilitate the disposal of Lots 96 and 97 (Walston Street) on Deposited Plan 229703

To assist in progressing this proposal, the Department, in accordance with section 14 of the *Land Administration Act 1997*, seeks the Shire of Tammin's comments on the proposal within **42 calendar days** of the date of this correspondence.

If a response is not received within the specified timeframe, or within any approved extension period, it will be taken that the Shire has no objection to the proposal.

<u>**Comment**</u>

In correspondence to the Shire regarding clarification of any proposals for the land and the intent for the disposal of land at Walston Street, the following response was provided.

> *The Uniting Church has determined the church is to be rebuilt. I had communications with your team when you were on leave.*

Our delay has been one, we are still awaiting the determination on the insurance claim so the building can be demolished. Hence no demolition application has been lodged, and two a build quote and plans for lodging development and building applications.

We wish to freehold the property to assist securing our funding for the build. If the shire wishes to oppose the freeholding then you have significantly hindered our process.

No clarification of the Uniting Church's intent or future plans for the property have been provided, only that a "fancy shed" would be built, which was provided to the Shire in late February. There has been four month of no commination with the Shire and then a sudden application to remove the Crown Grant in Trust conditions.

A Crown Grant in Trust is a legacy land tenure on land where the government granted a parcel of land in fee simple to an organisation for a specific social, welfare, or community purpose (e.g., church, hall, or ambulance quarters). The land could only be used for that designated purpose. In this instance Lots 96 and 97 Walston Street on Deposited Plan 229703, Shire of Tammin is granted to the Uniting Church for a "Church Site Methodist". Removing this would allow the site, subject to the zoning be used to any purpose, particularly given the Shire's zoning does allow for significant flexibility in its use.

The Shire provided a response to the Uniting Church regarding the above correspondence, however no further responses were provided to the Shire, which is unfortunate.

The Shire received the application from the Department of Planning, Lands and Heritage on 24 June. This application was made to the Shire with no back up information and no liaison by either the Church or the Department. This application was received out of the blue with limited information for removal of Crown Grant in Trust conditions, granting freehold title and the disposal of land to the Uniting Church. Correspondence was sent to the Department seeking clarification, however they referred me to the Uniting Church. The response from the Church is not considered acceptable to warrant the Shire to be able to support such an application.

The Uniting Church has indicated they want to build a "fancy shed", therefore concern is raised regarding several matters. The connotations regarding a shed does not instil confidence that the Church want to improve structures on the property, provide a quality design outcome and that the building will be fit for purpose or indeed that other uses may be proposed which could have a detrimental outcome to the Shire's community. It should be noted that other religious groups in adjoining Shires also have shed like structures, but these may be perceived as alienating to the community and in no way benefit the community. It is proposed that this request for removal of Crown Grant, freehold title and the disposal of land to the Uniting Church be recommended to be refused.

The Shire has concern regarding any future use and planning implications on the property, particularly given the information from the Department was received in isolation and no further supporting information has been provided from the Church other than a "fancy shed" is proposed. The Shire believes that the order and proper planning in the Shire is being ignored by the proposal to all for the removal of the Crown Granting in Trust and the disposal of the land prior to any formal indication of the intent, including the development of the land.

Removing the Crown Granting in Trust conditions could have significant ramifications which have not been discussed with the Shire, by the Department or the Church. Allowing for freehold status on the property and acknowledging the zoning under the Shire's Local Planning Scheme as a Cultural Facility, it is determined that there are no significant restrictions to development. The Shire's current zoning definition of Cultural Facility does allow for significant flexibility in the use, design and intent of the property under the Shire's Local Planning Scheme, which states:

Civic and Community which specifically provide for a range of essential cultural facilities.
This is the only restriction that is notated in the Shire's Scheme, therefore it is only right that the Shire has concern regarding the proposal, until such detailed clarification if provided by the Department or the Uniting Church. Should the property be made freehold and disposed of to the Uniting Church, the Uniting Church will own two freehold lots outright. The Uniting Church may land-bank the land because of escalated building costs or divest the land further to other organisations where the Shire has limited ability to control development. Similarly, it most be noted that the Uniting Church, whilst progressive in ideology, does have drug and alcohol outreach programs and provides rehabilitation accommodation and half-way housing, which may not align with the amount of infrastructure and services provided in the Shire, resulting in poor community outcomes.

Given the Shire has received no information or details relating the to development of the property other than you indicating a desire to build a "fancy shed" as of February, the Shire is concerned with the proposal for removal of Crown Grant in Trust Conditions, granting freehold title on the lots and the disposal of land to the Uniting Church. The community, social and built form outcomes may not be acceptable, which will impact significantly on the Shire.

Further information, including project development and use of the property is requested if the Shire is to support such a request for removal of Crown Grant in Trust conditions, transferring the property to freehold and the disposal of the property to the Uniting Church. Currently the proposal does not conform with the orderly and proper planning for the area. It is suggested, in this instance, that the uniting Church may have progressed your proposal to quickly, as the Shire would seek use, development and building approval on the property first, then it would be happy to consider any such request to remove the Crown Grant, freehold application and the subsequent divestment of the property by the State. Which the current uncertainties relating to the lots, the Shire cannot support such a proposal.

Financial Implications

Nil.

Risks

Nil

Statutory Implications

Shire of Tammin Local Planning Scheme

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 recommends

1. **the Department of Planning, Lands and Heritage (Land Use Management) refuse the request from the Uniting Church in Australia Property Trust (WA) to remove the Crown Grant in Trust conditions and granting freehold titles on the lots to facilitate the disposal of Lots 96 and 97 on Deposited Plan 229703, Shire of Tammin;**
2. **the Department of Planning, Lands and Heritage (Land Use Management) refer the Uniting Church to the Shire of Tammin to provide the Shire with additional information regarding the Church's intent for the use, development and building design of the property, to satisfy the orderly and proper planning of the site and wider townsite.**

Moved: Cr Mackin Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 6/0
For: President Thomson, Deputy President Nicholls, Cr Thomson, Cr Rogers, Cr Caffell, Cr Mackin
Against:

13.3 Freedom of Information Statement 2026/27

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	09 July 2026
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	OSGOV19
Attachment/s:	Attachment Item 13.3– Freedom of Information Statement 2026 - 2027

Proposal/Summary

For Council to review and approve the Shire of Tammin Freedom of Information Statement 2026 – 2027.

Background

Freedom of Information gives the public a right to access government documents, subject to some limitations. In Western Australia, under the Freedom of Information Act 1992 (FOI Act), this right applies to documents held by most State government agencies (such as departments, public hospitals, public universities, and State government authorities), Ministers and local government. These bodies are referred to as Agencies.

The Western Australia, *Freedom of Information Act (FOI Act) 1992* Section 96(1) requires each government agency, including local governments, to prepare and publish annually an Information Statement. The Shire of Tammin Freedom of Information Statement has been developed in accordance with the FOI Act 1992 Section 94 that details the requirements of an information statement, in relation to an agency.

The Information Statement must set out:

- The agency's Mission Statement;
- Details of legislation administered;
- Details of the agency structure;
- Details of decision making functions;
- Opportunities for public participation in the formulation of policy and performance of agency functions;
- Documents held by the agency;
- The operation of Freedom of Information (FOI) in the agency.

Comments

Documents accessible under the *FOI Act 1992* include paper records, plans and drawings, photographs, tape recordings, films, videotapes or information stored in a computerised form. Agencies are required to assist applicants to obtain access to documents at the lowest reasonable cost. Anyone can also apply to have personal information about themselves in government documents amended if that information is inaccurate, incomplete, and out of date or misleading.

The Information Commissioner is an independent officer who reports directly to Parliament. The position is established by the *FOI Act 1992* and is supported by staff of the Office of the Information Commissioner.

The Information Statement should be reviewed annually. It has not been reviewed since 2018, therefore the legislative requirements have not been adhered to. The Information Statement of 2018-19 has been reviewed and has been determined not to be fit for purpose.

A new Information Statement has been drafted and once adopted by the Council, will be made available to the public and published on the Shire's website ensuring compliance with the FOI Act section 96(1).

A copy of the adopted Information Statement must also be forwarded to the Information Commissioner. The Information Commissioner is an independent officer who reports directly to Parliament. The position is established by the FOI Act and is supported by staff of the Office of the Information Commissioner.

The Shire of Tammin Information Statement 2025-2026 is included as an attachment, and the document complies with the requirements of the FOI Act, as outlined above.

<u>Consultation</u>

Executive Officers

<u>Statutory Implications</u>

Freedom of Information Act (1992)

Part 5 — Publication of information about agencies

94. Term used: information statement

A reference in this Act to an ***information statement***, in relation to an agency, is a reference to a statement that contains —

(a) a statement of the structure and functions of the agency;

(b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;

(c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;

(d) a description of the kinds of documents that are usually held by the agency including —

(i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and

(ii) which kinds of documents can be purchased; and

(iii) which kinds of documents can be obtained free of charge;

(e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;

(f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —

(i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and

(ii) the address or addresses at which access applications can be lodged;

(g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —

(i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and

(ii) the address or addresses at which applications for amendment of personal information can be lodged.

96. Information statement, each agency to publish annually

(1) An agency (other than a Minister or an exempt agency) has to cause an up-to-date information statement about the agency to be published in a manner approved by the Minister administering this Act —

(a) within 12 months after the commencement of this Act; and

(b) at subsequent intervals of not more than 12 months.

(2) In giving approval under subsection (1) the Minister has to have regard, amongst other things, to the need to assist members of the public to exercise their rights under this Act effectively.

(3) In the case of an agency that comes into existence after the commencement of this Act the reference in subsection (1)(a) to the commencement of this Act is to be read as a reference to the time when the agency commences its operations.

(4) A subcontractor does not have to comply with subsection (1) if the relevant contractor has complied with that subsection on behalf of the subcontractor.

[Section 96 amended by No. 47 of 1999 s. 13.]

Policy Implications

Nil

Financial Implications

Nil

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

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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

Recommendation

That Council adopts the Shire of Tammin Freedom of Information Statement 2026 – 2027 and publishes the Information Statement as per the requirements of the *Freedom of Information Act 1992.*

Moved: Cr Rogers Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 6/0
For: President Thomson, Deputy President Nicholls, Cr Thomson, Cr Rogers, Cr Caffell, Cr Mackin
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 5.25pm.