

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 October 2025** at the Council Chambers at 1 Donnan Street Tammin, commencing at **5:00pm**.

Andrew Malone
Chief Executive Officer
16 October 2025

MISSION STATEMENT

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

Contents

AGENDA	3
1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	3
1.1 Swearing-In of Council Members	3
1.2 Election of Shire President.....	3
1.3 Election of Deputy Shire President.....	4
2. ACKNOWLEDGEMENT TO COUNTRY	4
3. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES	4
4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
5. PUBLIC QUESTION TIME	4
6. APPLICATIONS FOR LEAVE OF ABSENCE	4
7. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS.....	5
8. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS	5
9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	5
9.1 Ordinary Council Meeting Minutes – 17 September 2025	5
10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION	5
11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	5
12. MATTERS FOR CONSIDERATION – FINANCE.....	6
12.1 List of Payments for September 2025.....	6
12.2 Financial Management Report for the month of September 2025.....	12
13 MATTERS FOR CONSIDERATION – ADMINISTRATION	16
13.1 Terms of Reference and Committee Representation – Audit, Risk and Improvement Committee	16
13.2 Establishment of the Committees and Appointment of Delegates	23
13.3 Council Policy Manual Omnibus Review	31
14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH.....	34
15. MATTERS FOR CONSIDERATION – TOWN PLANNING	34
15.1 Proposed Road Closures and Crown Reserve Excision and Creation	34
16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN	38
17. MATTERS FOR WHICH THE MEETING MAY BE CLOSED (S`5.23)	39
18. CLOSURE OF MEETING.....	39

AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire Chief Executive Officer will declare the meeting open at 5.03 pm.

1.1 Swearing-In of Council Members

Members of Council who were declared elected by the Returning Officer at the close of nominations on the 4 September 2025 are required to take the Declaration of Office (refer Form 7 attached).

1.2 Election of Shire President

In accordance with Schedule 2.3 of the Local Government Act 1995, the following process is required for the election of Shire President: -

Section 3 – CEO to Preside

The CEO is to preside at the meeting until the office is filled.

Section 4 – How the President is elected

- (1) The Council is to elect a councillor to fill the office
- (2) The election is to be conducted by the CEO
- (3) Nominations for the office are to be given to the CEO in writing (refer to Nomination form attached) or verbally at the Meeting before nominations declared closed by the CEO
- (4) If a Councillor is nominated by another Councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office
- (5) The Councillors are to vote on the matter by secret ballot as if they were electors voting at an election

Councillors Please Note:

Nominations in writing for the positions of Shire President & Deputy Shire President will be received by the CEO and verbally at the meeting before the CEO declares the close of nominations.

If when the votes cast are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned and votes cast for a second time.

Following the election process, the successful candidate is required to take the mandatory Declaration of Office.

Once the above process has been completed, the CEO will vacate the Chair and the newly elected Shire President will preside over the meeting.

The CEO vacated the Chair and the newly elected President, Cr Thomsom assumed the same.

1.3 Election of Deputy Shire President

The process for election of the Deputy Shire President is the same as outlined above for the Shire President however is conducted by the Shire President not the CEO.

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 Mackin

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

Guests: Teresa Brindley-

Leave of Absence previously granted:

Apologies:

Cr Caffell

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5. PUBLIC QUESTION TIME

6. APPLICATIONS FOR LEAVE OF ABSENCE

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 – 17 September 2025

Officers Recommendation

That the minutes of the Council Meeting held on 17 September 2025 be confirmed as a true and accurate record of proceedings.

Moved: Cr Thomson

Seconded: Cr Rogers

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

12. MATTERS FOR CONSIDERATION – FINANCE

12.1 List of Payments for September 2025

Location:	Shire of Tammin
Applicant:	Finance Officer
Date:	5 September 2025
Author:	Kelsey Pryer
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 September totalling \$272,212.24 by way of:

Cheque numbers	01/09/2025 – 30/09/2025	Nil
Direct debit payments	01/09/2025 – 30/09/2025	\$12,175.81
Licensing transfers	01/09/2025 – 30/09/2025	\$11,464.20
Bank fees	01/09/2025 – 30/09/2025	\$4,851.35
VISA payments	01/09/2025 – 30/09/2025	\$3,379.08
EFT payments	EFT7914 – EFT7988	\$179,677.72
Salaries and wages	01/09/2025 – 30/09/2025	\$60,664.08
Total payments	01/09/2025 – 30/09/2025	\$272,212.24

The Shire of Tammin made the following significant expenditure during the month of September 2025:

Creditor	Description	Amount
City & Regional Waste Management Services	Final payment for reconstruction of cell one and two in the public area as per consultation 16/06/2025	\$7,000.00
Department of Fire and Emergency Services	2025/26 ESLB Quarter 1 contribution	\$11,024.50
Synergy	Various electricity charges	\$6,427.92
Youlie and Son Spreading Services	20 hours of maintenance grading and rolling on Yorkrakine West Road and supply loader and 265 tonne of gravel. 259 tonnes of gravel for Yorkrakine East Road & carting fees. 20 hours of maintenance grading & rolling on Yorkrakine East Road.	\$20,202.05
Adapt Electrical Solutions	Final payment - Supply and install pump, irrigation and water quality package, truck fill stand pipe and extra pipe work and accessories as per quote QU-0108	\$34,909.98
BGL Solutions	Tammin oval maintenance & renovations as per quote QU-1440	\$8,745.00
City & Regional Waste Management Services	Green waste area sort and clean, remove all steel and contamination from green waste area	\$9,000.00
Dun Direct - Dunnings	4003 litres of bulk diesel for depot	\$7,031.67
ACD Carpentry and Construction	Golf Club - Alfresco Area Construction (Partial invoice)	\$6,600.00
Shire of Cunderdin	Long Service Leave payment for Samantha Pimlott from 13/08/2018- 26/08/2022 (211 weeks) as per letter dated 19/10/2022	\$5,135.00

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 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

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 September 2025 to 30 September 2025 totalling \$272,212.24 as contained in attachments 12.1.

Municipal Fund payments totalling \$272,212.24 detailed:

Cheque numbers	01/09/2025 – 30/09/2025	Nil
Direct debit payments	01/09/2025 – 30/09/2025	\$12,175.81
Licensing transfers	01/09/2025 – 30/09/2025	\$11,464.20
Bank fees	01/09/2025 – 30/09/2025	\$4,851.35
VISA payments	01/09/2025 – 30/09/2025	\$3,379.08
EFT payments	EFT7914 – EFT7988	\$179,677.72
Salaries and wages	01/09/2025 – 30/09/2025	\$60,664.08
Total payments	01/09/2025 – 30/09/2025	\$272,212.24

Moved: Cr Thomson

Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

12.2 Financial Management Report for the month of September 2025

Location:	Shire of Tammin
Applicant:	Manager of Finance and Corporate Services
Date:	22 October 2025
Author:	Codey Redmond
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 September 2025 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 September 2025 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

We are currently performing well against our financial targets for September. With only a limited number of projects in progress and most related expenditures yet to begin, overall spending has remained minimal. The timing of rate collections has led to strong cash inflows, contributing to our financial stability. This positions us well as we prepare for increased operational activity in the coming periods.

Financial Implications

Income and expenditure are largely in accordance with Budget however due to timing projects and associated income may not have started.

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

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 the *Local Government (Financial Management) Regulations 1996* adopt the Monthly Financial Report as contained in attachment 12.2 for the period ending 30 September 2025 comprising;

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

Moved: Cr Rogers

Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

13 MATTERS FOR CONSIDERATION – ADMINISTRATION

13.1 Terms of Refence and Committee Representation – Audit, Risk and Improvement Committee

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	8 October 2025
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 13.1 - Amended Terms of Reference

Proposal/Summary

The purpose of this report is for Council to consider a new Terms of Reference and appoint an Independent Chair and Deputy Chair of the Audit, Risk and Improvement Committee (proposed amended name), in accordance with the provisions of the recent changes to the Local Government Act 1995.

Background

The Local Government Act 1995 (the Act) requires that all local governments have an audit committee. The audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

Following the Local Government Reform in 2022, Local Governments were required to have an independent member on the Audit Committee, to provide a greater level of oversight and transparency. Having at least one external member on the audit committee has been a long-established practice in other states, and Local Governments in Western Australia have been increasingly moving in that direction over the past five (5) years. Recent further reforms require that two independent members be appointed as Chair and Deputy Chair of the Audit Committee. External members are appointed for a period of two (2) years, in line with the normal terms of office for Council.

The Audit and Risk Committee comprises a minimum of three (3) elected members. Council has sought expressions of interest for an external person on the committee, however because administration became aware of further proposed changes, those nominations received were not appointed to the Committee. Changes to the Committee have now been made and those nominations have been advised of the changes in requirements. A request has been made to and request their continued commitment to the Committee.

Below is an exert from the Departments website highlighting the current provisions, the proposed provisions and the amended provisions.

6.6 Audit committees

Current provisions

- Local governments must establish an audit committee that has three or more persons, with the majority to be council members.
- The audit committee is to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under the Act.
- The panel report identified that audit committees should be expanded, including to provide improved risk management.

Original proposal

- To ensure independent oversight, it is proposed the chair of any audit committee be required to be an independent person who is not on council or an employee of the local government.
- Audit committees would also need to consider proactive risk management.
- To reduce costs it is proposed that local governments should be able to establish shared regional audit committees.
- The committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson.

Amended proposal

- No requirement for majority of independent members, only for an independent chair to be appointed: Recognising the practical difficulty in recruiting independent people expressed by several local governments, the requirement for Audit Committees to have a majority of independent members will not be progressed. However, the requirement for an independent chairperson remains.
- Local governments may remunerate independent committee members. The Act will be amended to allow local governments to pay fees to committee members within Salaries and Allowances Tribunal limits.

Establishment of a Committee Chairperson

Simplified wording applies to committees established under s.5.8 of the Act. Additionally, the Local Government must appoint by absolute majority a person to preside at meetings of the committee, replacing the previous provision that the members of the committee elected the person presiding. A new provision under Schedule 9.3 Division 7 Clause 67(2) requires that a presiding person must be appointed by Council to existing committees, which must be done by 1 July 2025. Whilst the Shire is currently non-compliant regarding this appointment, amended Terms of References were required to be drafted and those previous nominations received have been contacted to nominate as Chair and Deputy.

Comments

The Shire advertised an expression of interest seeking to appoint one (1) suitably qualified and experienced independent person to join its Audit, Risk and Governance Committee. This was advertised for a period of three (3) weeks on Councils website, noticeboards, social media and local newsletter.

Council received Two (2) expressions of interest for the Independent member of the Audit and Risk Committee for Council to assess and appoint.

Since the Shire advertised for independent member of the of Audit Committee, there has been some amendments introduced in the Local Government Act and Regulations through the Tranche 2 act modifications. In the new provisions it has the requirement for two (2) external members on the Audit Committee going forward with the members being the Presiding member and the Deputy Presiding Member as per amendments provided in the Statutory Implications.

To reference the changes in the requirements for the Audit Committee, it is recommended that the two nominations received by Council are contacted to inform them of the change in requirement and seek their continued nomination to be Chair of the Audit Committee. It is also recommended that the Committee is renamed to Audit, Risk and Improvement Committee to capture the full role of the committee.

Council Officers have reviewed terms of reference from various Councils and provided a combination thereof including information provided in guidelines to amend the Shire's current Terms of Reference. Council will need to appoint another independent member to the committee. Council did invite applications by 7 February 2025 therefore, Council may wish to look to appointing the second independent member from this pool of applicants instead of re-advertising.

Consultation

The advert requesting members for the Audit and Risk Committee was advertised between 16 January 2025 and 7 February 2025.

The following consultation took place;

- Council
- Chief Executive Officer
- Manager of Finance and Administration

Statutory Implications

Delete Part 7 Division 1A and insert:

Division 1A — Audit, risk and improvement committee

7.1A. Establishment of audit, risk and improvement committee

(1) A local government must establish a committee of its council under section 5.8 to be called the audit, risk and improvement committee.

(2) The following provisions apply in respect of the membership of the audit, risk and improvement committee —

(a) an employee of the local government is not to be a member;

(b) no member is to be nominated by, or is to be appointed to represent, any employee of the local government;

(c) section 5.10(1)(b) does not apply.

(3) The presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.

(4) Any deputy presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government.

7.1B. Deputy of presiding member or of deputy presiding member

(1) The local government must appoint a person under section 5.11A to be a deputy of the presiding member of the audit, risk and improvement committee.

(2) In addition to the requirement of section 5.11A(2)(c), the deputy of the presiding member cannot be a council member of any other local government.

(3) If section 5.14 applies to a meeting of the audit, risk and improvement committee, the committee members present at the meeting must choose the deputy of the presiding member, if present, to preside at the meeting.

(4) If the local government appoints a person under section 5.11A to be a deputy of the deputy presiding member of the audit, risk and improvement committee, in addition to the requirement of section 5.11A(2)(c), the appointed deputy cannot be a council member of any other local government.

7.1C. Delegation to audit, risk and improvement committee

(1) The only powers and duties that the local government may delegate to the audit, risk and improvement committee under section 5.16 are as follows —

(a) any of its powers and duties under this Part;

(b) any prescribed power or duty.

(2) The provision that may be made by regulations for the purposes of subsection (1)(b) is not limited by the other subject matter of this Part.

(3) The local government's power to delegate to the audit, risk and improvement committee is not limited by section 5.17.

7.1CA. Decisions of audit, risk and improvement committee

Despite section 5.20, a decision of the audit, risk and improvement committee is to be made by a simple majority.

7.1CB. Two or more local governments may have shared audit, risk and improvement committee

(1) Two or more local governments may agree to establish a single committee to be the audit, risk and improvement committee of each of their councils (a shared committee).

(2) The following provisions apply to the establishment of a shared committee —

(a) each member, including the presiding member or any deputy presiding member, must be appointed by the local governments in accordance with their agreement;

(b) each local government must approve each member's appointment;*

(c) each local government must approve the appointment of the presiding member and of any deputy presiding member;*

(d) there must be at least 3 members;

(e) no employee of any of the local governments is to be a member;

(f) no member is to be nominated by, or is to be appointed to represent, any employee of any of the local governments;

(g) neither the presiding member nor any deputy presiding member can be a council member of any of the local governments or of any other local government.

** Absolute majority required.*

(3) In sections 5.98(1) and 5.99, references to a committee meeting include a meeting of a shared committee.

(4) Section 5.100 applies to a member of a shared committee, except a member who is a council member of any of the local governments.

(5) For the purposes of subsection (4), the local governments' agreement must —

(a) provide for the payment of fees, and for the reimbursement of expenses, under section 5.100 to be split between the local governments in accordance with the agreement; and

- (b) provide for any discretion of a local government under section 5.100 to be exercised by the local governments in accordance with the agreement.*
- (6) Regulations may make provision in relation to shared committees, including local governments' agreements to establish them.*
- (7) Without limiting subsection (6), regulations made for the purposes of that subsection may do the following —*
 - (a) provide for this Division, Part 5 Division 2 Subdivision 2 or any other provision of this Act that applies in relation to committees of a council to apply in relation to shared committees with or without modifications;*
 - (b) make provision in relation to the matters that must be included in an agreement under subsection (5).*

Local Government Act 1995 Subdivision 2 — Committees and their meetings

5.10. Appointment of committee members

(1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).*

** Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

(5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

- (a) to be a member of the committee; or*
- (b) that a representative of the CEO be a member of the committee,*

the local government is to appoint the CEO or the CEO's representative to be a member of the committee.

Local Government Act 1995 – Schedule 9.3 67 . Presiding members

1) In this clause — amendment day means the day on which section 39 of the 2024 amendment Act comes into operation; existing committee means a committee of the council of a local government that is in place immediately before amendment day; new section 5.12(1) means section 5.12(1) as inserted by section 39 of the 2024 amendment Act.

2) For each of its existing committees, a local government must make its first appointment of the presiding member under new section 5.12(1) no later than 1 July 2025.

3) Until the first appointment is made, the person who, immediately before amendment day, is the presiding member of the existing committee may continue to be the presiding member.

4) If that person goes out of office before the first appointment is made, the person's replacement as presiding member must be appointed by the local government under new section 5.12(1) as soon as practicable (but no later than 1 July 2025).

[Clause 67 inserted: No. 47 of 2024 s. 159.]

Policy Implications

Nil

Financial Implications

Nil

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)
Council chose not to endorse an Independent Chair	Unlikely (2)	Moderate (3)	Moderate (5-9)	COMPLIANCE Short term non-compliance but with significant regulatory requirements imposed	Accept Officer Recommendation
Council chose not to endorse the amended Terms of Reference of the Audit, Risk and Improvement Committee	Unlikely (2)	Moderate (3)	Moderate (5-9)	COMPLIANCE Short term non-compliance but with significant regulatory requirements imposed	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	6
Does this item need to be added to the Shire's Risk Register	No
Is a Risk Treatment Plan Required	No

Strategic Implications

Strategic Community Plan – Civic Leadership

Core drivers identify what Council will be concentrating on as it works towards achieving Councils vision. The core drivers developed by Council are:

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.

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, in accordance with the provisions of the Local Government Act 1995,

1. Rename the Audit Risk and Governance Committee to the Audit, Risk and Improvement Committee;
2. Adopt the Terms of Reference for the Audit, Risk and Improvement Committee as presented;
3. Make the changes effective of 3 November 2025; and
4. Appoint Mr Rodney Stokes (Chair) and Mr Greg Packham (Deputy Chair) as the Independent members of the Audit, Risk and Improvement Committee.

Moved: Cr Rogers

Seconded: Cr Mackin

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

13.2 Establishment of the Committees and Appointment of Delegates

Location:	Shire of Tammin
Applicant:	Chief Executive Officer
Date:	16 October 2025
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.2 – Elected Member Prospectus – delegates Attachment Item 13.2 – Terms of Reference TVJAPC

Proposal/Summary

The purpose of this report is for Council to establish its Audit Committee of Council for the period ending with the 2025 Elections and appoint delegates to external committees.

Background

Council has previously established a number of Committees of Council and appointed delegates to other external committees to meet the requirements of the Local Government Act, 1995. Committees must have a minimum membership of three persons.

Furthermore, if appointing a committee consisting of persons other than Councillors, all members of the committee must also be appointed and named.

Committee appointments expired with the 2023 Ordinary Elections and are now required to be re-established.

In addition, delegates should be appointed to the various non-council committees such as Kellerberrin & Tammin Local Emergency Management Committee.

Comment

In accordance with the Local Government Act, 1995 Council may establish a number of different types of committee.

Under the Local Government Act 1995 Committees can be classified as:

- Council committees, that is, a committee of three or more persons established by Council to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees; or,
- Non council committees established by some other authority, e.g. Emergency Management Act; or,

- community groups that operate with no delegated authority in respect to Council's powers or duties but which have an interest in some of the activities of Council and to which Council wishes to have formal representation by way of Delegates.

Shire of Tammin Audit & Risk Committee

The Audit and Risk Committee is established under the Local Government Act, 1995 s5.9(2) and s7.1A. Recommendations are made in Minutes of the Audit Committee meeting and should a Council resolution be required, recommendations are to be included as an item of business at the next available Ordinary Meeting of Council.

In accordance with the Local Government (Audit) Committee Regulations

16. Audit committee, functions of

An audit committee—

- (a) is to provide guidance and assistance to the local government —
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor; and
- (b) may provide guidance and assistance to the local government as to —
 - (i) matters to be audited; and
 - (ii) the scope of audits; and
 - (iii) its functions under Part 6 of the Act; and
 - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —
 - (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the council.

Members are appointed for the two year period between elections, in this case the period ending October 2025 and are appointed in accordance with the Committees Terms of Reference which sets the committee membership as: Three elected members and two external representative are required.

Tamma Village Joint Allocation Committee

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

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

A letter was sent to the Tammin Senior Citizens Committee on the 22nd November 2018, reconfirming the requirements of the Joint Venture agreement and advising that a Joint Allocation Panel would be appointed. The Shire requested confirmation of delegates for appointment to the Committee and were

informed that Ypie Thomson would remain a delegate in her capacity as President of the Seniors Group and Julie Brooks would be the representative from Tamma Village.

Local Emergency Management Committee - Delegate

Authority	Emergency Management Act 2005 - s38
Delegation	No delegated authority. Minutes are published and distributed to members and Councillors
Current Membership	Not formally appointed but listed in Local Plan
Meetings	As required
Current Status	Active

This Committee is a shared arrangement with the Shire of Kellerberrin to which Council appoints its delegate with the CEO being their proxy.

The Local Emergency Management Committee is established under the Emergency Management Act 2005 and Local Government Act, 1995 s5.9(2). Recommendations are made in Minutes of the Committee meeting and should a Council resolution be required, recommendations are to be included as an item of business at the next available Ordinary Meeting of Council.

The constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

The functions of a local emergency management committee are set out in s39 of the Emergency Management Act 2005 (see below in statutory implications).

Appointment of Other Delegates

Council may appoint delegates to external committee as it sees fit. There is a clear distinction between committee and delegate appointments. Whilst travel and out of pocket expenses can be recouped by Delegates, no sitting fees are payable.

Council is required to appoint delegates to the WALGA Great Eastern Country Zone and the Wheatbelt East Regional Organisation of Councils (WEROC). In accordance with Sections 5.1(a)&(b) of the WEROC MoU, the President and CEO of the participant member council are members of WEROC. The participant may appoint one elected member and one officer as a deputy who are able to attend meetings and temporarily act in place of either member.

It should be noted that the Shire of Tammin will be Chair of WEROC and therefore responsibility to Chair the meeting will be with the Shire of Tammin Delegate.

Other committee appointments include the Kellerberrin Regional Road Sub Group, Senior Citizens Management Committee, Local Health Advisory Group and Aged Friendly Committee.

It should be noted that the Shire of Tammin will be Chair of the Kellerberrin Regional Road Sub Group and therefore responsibility to Chair the meeting will be with the Shire of Tammin Delegate.

Consultation

Senior Citizens Management Committee

Statutory Implications

Local Government Act, 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. * *Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

(a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b); and

(b) persons who are appointed to be members of the committee under subsection (4) or (5).

* *Absolute majority required.*

5.11. Committee membership, tenure of

(1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —

- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
- (b) the person resigns from membership of the committee; or
- (c) the committee is disbanded; or
- (d) the next ordinary elections day,

whichever happens first.

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

- (1) A local government can delegate —
 - (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
 - (i) any power or duty that requires a decision of an absolute majority of the council; and
 - (ii) any other power or duty that is prescribed;and
 - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
 - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government's property; or
 - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

** Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

[Section 7.1A inserted by No. 49 of 2004 s. 5; amended by No. 5 of 2017 s. 11.]

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation(1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

Emergency Management Act 2005

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

Policy Implications

N/A

Financial Implications

Committee members are entitled to claim meeting fees and travel expenses.

Delegates are entitled to claim travel expenses only.

Strategic Implications

Strategic Community Plan

6. Civic Leadership

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

CL 6.1 Deliver sustainable governance through transparent and robust policy and processes.

Recommendation 1

That Council:

1. In accordance with s5.9(2)(a) of the Local Government Act 1995, establish its Audit Committee and appoint Pr Thomson, Cr_Rogers & Cr Nicholls as members of the Audit Committee: and
2. Acknowledge the Terms of Reference as reviewed under a separate Council resolution of Council

Moved: Cr Thomson

Seconded: Cr Mackin

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

Recommendation 2

1. That Council appoint as a Committee of Council, the Tamma Village Joint Allocation Panel Committee, comprising of residents of Tamma Village, community members and Council representatives;
 - a) Two members of staff, being the Chief Executive Officer and Manager of Finance and Administration;
 - b) Two members of Council, being Pr Thomson and Cr Nicholls;
 - c) Two members of the Tammin Senior Citizens Committee, the President being Ypie Thomson and a resident of Tamma Village being Julie Brooks.
 - d) with delegated authority for the CEO in consultation with the Tamma Village Joint Allocation Panel Committee to select a suitable applicant for any future Unit vacancy that may arise; and,
 - e) endorse the attached Terms of Reference.

Moved: Cr Rogers

Seconded: Cr Mackin

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

Recommendation 3

That Council appoint the following Delegates to External Committees & Organisations:

1. Kellerberrin Regional Road Sub Group (RRG)

Cr Mackin, & Cr Caffell (proxy)

2. WALGA Great Eastern Country Zone (GECZ)

Cr Nicholls, Pr Thomson & CEO (Proxy Delegate)

3. Senior Citizens Management Committee

Pr Thomson, Cr Rogers

4. Wheatbelt East Regional Organisation of Councils (WEROC)

Shire President, CEO & Cr Caffell (Proxy)

5. Kellerberrin Tammin Local Emergency Management Committee (LEMC)

Shire President, CEO (Proxy), Cr Caffell (Proxy)

6. Local Health Advisory Group (LHAG)

Cr Thomson, Cr Rogers(proxy)

7. Aged Friendly Committee

Community Development Officer, Cr Thomson & Cr Nicholls (proxy)

8. Development Assessment Panels

Council notes the following Development Assessment Panel (DAP) members are nominated for a term ending 25 January 2026:

Cr T Nicholls, Cr Charmaine Thomson, and Cr Courtney Thomson (proxy), Cr N Caffell (proxy)

Moved: Cr Nicholls

Seconded: Cr Rogers

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

13.3 Council Policy Manual Omnibus Review

Location:	N/A
Applicant:	Shire of Tammin
Date:	19/05/2023
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment 13.3 - Shire of Tammin Policy Manual

Proposal/Summary

The purpose of this report is to present to Council a comprehensive review of the Shire's Council Policy Manual for their endorsement and adoption.

Background

Council should undertake regular reviews of Council Policies. Council undertakes reviews of its policies and determines new or updated policies to guide its day-to-day operations and responsibilities regarding its adopted structure and legislative requirements. The Policy Manual is generally reviewed on an as-needed basis or when Council reviews individual or new Policies. In this case Council is requested to undertake an omnibus review of the whole Policy Manual and it has not been undertaken for several years.

The Shire's last review of the Policy manual was some time ago. Whilst new Policies have been introduced or updated, it was considered appropriate to undertake a comprehensive review of all Council Policies. The comprehensive review has significantly updated the majority of the policies to reflect current best practice.

Comment

Council Policy is the standing instructions of Council essentially about the "how to" whereas delegations are about "who may" undertake the actions of Council. Policy may not be altered without a decision of Council.

The purpose of policy documents is to enable the effective and efficient management of Shire resources and to assist staff and Council achieve an equitable decision making process. Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions, and to be familiar with the philosophy behind individual decisions.

If it is not in the Council Policy Manual, it may be usual practice, but it is not Council Policy. Unless it is specifically stated that the authority is to be included in the Policy Manual, it is to be considered that the authority to act, is for a specific matter and is not general or on-going.

Whilst there is no statutory requirement for Council to review its Policy Manual, it is considered better practice to ensure Council has a relevant and current policy stance that reflects the ongoing changes within local government and our community. Council's staff continually review its Policy Manual to ensure it's current with the operations of the day.

Council is always considerate of its operational and legislative functions and for endorsement towards serving the function and role of the Council, seeks to state defined parameters of its policy review and adoption of any new policies and/or of its existing policies. A review of the Shire of Tammin's Policy Manual has been undertaken by administration to ensure compliance and relevance to the community's current and future needs and is available for Council's consideration. This policy has been reviewed by Councillors and administration officers to ensure best practice is achieved for the Shire's operational needs.

The Shire currently has 62 policies adopted. The omnibus review has reviewed all those current Policies. The overall review has amalgamated some policies requirements into a single policy, amended other, including formatting and has introduced new policies. It is now proposed to have a total of 75 policies. Administration has removed Covid 19 Leave and Covid financial hardship requirements. Risk and legislative requirements have also been improved updated to ensure liability risk for the Shire is addressed. This omnibus review is considered a complete and significant review of all of Council's previous policies.

Consultation

Other Local Governments

WALGA

Executive Managers

Elected Members

Policy Implications

This omnibus update all of Council's Policies against current relevant legislation and best practice. The document also updates the Shires's Employee and Elected Member Codes of Conduct. This updates Policy Manual applies Best Practice against all Policies and Procedures and reviews areas such as

- Office of the CEO
 - Elected Members
 - Human Resources
 - Communications and Community Engagement
- Corporate Services
 - Financial Management
 - Risk Management
- Operational
 - Public Infrastructure
 - Parks and Reserves
- Community
 - Activities
 - Public Safety

- Regulatory Service

The Policy Manual introduces a number of new Policies and updates older Policies to include current legislation and best practice. The Shire is also proposing to introduce several new Policies, as an example: Habitual or Vexatious Complainants Policy, additional risk controls, operational management controls and updates codes of conduct for Elected Members and employees. Administration has removed Covid 19 Leave and Covid financial hardship requirements. Risk and legislative requirements have also been improved updated to ensure liability risk for the Shire is addressed.

As an example of a new policy, Habitual or vexatious complaints can be a problem as they are time consuming and wasteful of resources. Whilst the Council endeavours to respond with patience and sympathy to the needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem. This problem addresses how administration addresses such complaints.

All current Council policies have been reviewed and updated.

Financial Implications

Nil

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)
Council chose not to endorse the updated Policy review	Unlikely (2)	Moderate (3)	Moderate (5-9)	COMPLIANCE Non-compliance results in termination of services or imposed penalties	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	6
Does this item need to be added to the Shire's Risk Register	No
Is a Risk Treatment Plan Required	No

Strategic Implications

Strategic Community Plan - Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values.

Officers Recommendation

That Council pursuant to Section 3.18 of the *Local Government Act 1995 (WA)* resolves to:

1. Adopt the proposed new and amended Policies as included in the Shire's Policy Manual attached to this report.
2. Instructs the Chief Executive Officer to ensure all staff are aware of the Policy Manual updates and provide copies if requested.

Moved: Cr Nicholls

Seconded: Cr Mackin

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

15. MATTERS FOR CONSIDERATION – TOWN PLANNING

15.1 Proposed Road Closures and Crown Reserve Excision and Creation

Location:	Lot 28813 (No.7338) Goldfields Road, South Tammin being Crown Reserve 2083 and immediately abutting portions of Goldfields Road (Landgate Land ID Numbers 3172073 & 3172078).
Applicant:	ACORPP on behalf of the Department of Fire and Emergency Services.
Date:	16 October 2025
Author:	Mr Joe Douglas – Town Planner
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachments:	Attachment 1 – Proposed Road Closures and Reserve Excision Plans Attachment 2 – Landgate Reserve Report Attachment 3 – Submission from the Department of Water and Environmental Regulation

Purpose of Report

Consideration of the outcomes from public advertising of a proposal previously received from ACORPP on behalf of the Department of Fire and Emergency Services to permanently close two (2) separate portions of Goldfields Road in South Tammin, excise a small portion of Lot 28813 (No.7338) Goldfields Road, South Tammin being Crown Reserve 2083, and amalgamate the closed road reserves and portion of Crown Reserve 2083 to create a new Crown Reserve with a management order in favour of DFES for the designated purpose 'Telecommunications Infrastructure'.

Background

In October 2024 ACORPP, acting on behalf of the Department of Fire and Emergency Services (DFES), requested the Shire's approval to initiate the process required under the *Land Administration Act 1997* and associated regulations to permanently close two (2) separate portions of Goldfields Road in South Tammin, excise a small portion of Lot 28813 (No.7338) Goldfields Road, South Tammin being Crown Reserve 2083, and amalgamate the closed road reserves and portion of Crown Reserve 2083 to create a new Crown Reserve with a management order in favour of DFES for the designated purpose 'Telecommunications Infrastructure'.

The purpose of the various actions proposed above, which are shown in the plans provided in Attachment 1, is to ensure the existing telecommunications infrastructure constructed by DFES on the various landholdings are contained within a designated Crown Reserve under the care, control and management of DFES and allow any future works that may be required to be undertaken lawfully on land it controls.

At its Ordinary Meeting in February 2025 Council considered ACORPP's request and resolved to initiate the process required to:

- i) permanently close a 400m² portion of Goldfields Road (Landgate Land ID Number 3172073) in South Tammin pursuant to section 58 of the *Land Administration Act 1997*;
- ii) permanently close a 179m² portion of Goldfields Road (Landgate Land ID Number 3172078) in South

Tammin pursuant to section 58 of the *Land Administration Act 1997*;

- iii) excise a 44m² portion of Lot 28813 (No.7338) Goldfields Road, South Tammin being Crown Reserve 2083 pursuant to section 51 of the *Land Administration Act 1997*;
- iv) amalgamate the closed portions of Goldfields Road referred to in points i) and ii) above with the excised portion of Lot 28813 (No.7338) Goldfields Road, South Tammin referred to in point iii) above to create a new Crown Reserve comprising a total area of approximately 623m² pursuant to section 41 of the *Land Administration Act 1997* for the designated purpose 'Telecommunications Infrastructure';
- v) allow for the issuance a management order to the Department of Fire and Emergency Services for the new Crown Reserve proposed in point iv) above pursuant to section 46 of the *Land Administration Act 1997*; and

authorise the Shire Administration to commence public advertising for the minimum required period 35 days (TSC Motion 15/25).

Comments

The road closure proposal was advertised for public comment in excess of the minimum required period of thirty five (35) days commencing on 7 May 2025 and concluding on 23 June 2025. The advertising process included publication of notices in the West Australian Newspaper, the Shire's website and Facebook page, correspondence to all immediately adjoining private landowners, relevant government agencies and essential service providers, and display of the relevant documentation and plans at the Shire's administration centre.

At the conclusion of public advertising a total of one (1) submission was received by the Shire from the Department of Water and Environmental Regulation which raised no objections to the proposal.

Given:

- a) the outcomes from public advertising;
- b) the significant benefits the proposal will have in terms of supporting DFES's future operational needs and requirements; and
- c) the proposal's general consistency with the aims and objectives of the *Shires of Cunderdin, Quairading and Tammin Joint Local Planning Strategy 2022* and the *Shire of Tammin Strategic Community Plan 2017-2027* as they apply specifically to the provision of key essential service infrastructure for community benefit and safety,

it is recommended Council now resolve to request the Hon. Minister for Lands to grant formal approval to the proposal in accordance with the relevant sections of the *Land Administration Act 1997* including confirmation DFES has agreed to indemnify the State of Western Australia and Minister against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the State and Minister in considering and granting the request.

Consultation

Public advertising has been undertaken in accordance with the procedural requirements of the *Land Administration Act 1997* and associated regulations as described previously above.

Statutory Implications

- *Land Administration Act 1997*
- *Land Administration Regulations 1998*
- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Shire of Tammin Local Planning Scheme No.2*

Policy Implications

Nil

Financial Implications

Nil. DFES has agreed to pay all costs associated with the proposal, including all administrative and public advertising costs incurred by the Shire, and indemnify the State of Western Australia and Minister for Lands against any possible costs and/or claims arising from the project's implementation.

Risk Implications

Financial – Risk rating is assessed as Low.

Health – Risk rating is assessed as Low subject to compliance with all regulatory requirements.

Reputation – Risk rating is assessed as Low. The proposal has been thoroughly assessed with due regard for all relevant requirements including the outcomes from public advertising.

Operational – Risk rating is assessed as Low. The proposal has and will continue to be dealt with in accordance the Shire's current Organisational Structure and the procedural requirements of the *Land Administration Act 1997* and associated regulations.

Natural Environment – Risk rating is assessed as Low due to the minimal impact the proposal is likely to have on the natural environment.

Strategic Implications

As stated previously above the proposal is generally consistent with the aims and objectives of the *Shires of Cunderdin, Quairading and Tammin Joint Local Planning Strategy 2022* and the *Shire of Tammin Strategic Community Plan 2017-2027* as they apply specifically to the provision of key essential service infrastructure for community benefit and safety.

Voting Requirements

Simple Majority

Officer's Recommendation / Resolution

That Council resolve to:

1. Acknowledge the outcomes from public advertising of the proposal to permanently close two (2) separate portions of Goldfields Road in South Tammin, excise a small portion of Lot 28813

(No.7338) Goldfields Road, South Tammin being Crown Reserve 2083, and amalgamate the closed road reserves and portion of Crown Reserve 2083 to create a new Crown Reserve with a management order in favour of DFES for the designated purpose 'Telecommunications Infrastructure';

2. Request the Hon. Minister for Lands to grant formal approval to:
 - i) the permanent closure of a 400m² portion of Goldfields Road (Landgate Land ID Number 3172073) in South Tammin pursuant to section 58 of the *Land Administration Act 1997*;
 - ii) the permanent closure of a 179m² portion of Goldfields Road (Landgate Land ID Number 3172078) in South Tammin pursuant to section 58 of the *Land Administration Act 1997*;
 - iii) the excision of a 44m² portion of Lot 28813 (No.7338) Goldfields Road, South Tammin being Crown Reserve 2083 pursuant to section 51 of the *Land Administration Act 1997*;
 - iv) the amalgamation of the closed portions of Goldfields Road referred to in point i) above with the excised portion of Lot 28813 (No.7338) Goldfields Road, South Tammin referred to in point ii) above to create a new Crown Reserve comprising a total area of approximately 623m² pursuant to section 41 of the *Land Administration Act 1997* for the designated purpose 'Telecommunications Infrastructure'; and
 - v) the issuance a management order to the Department of Fire and Emergency Services for the new Crown Reserve proposed in point iv) above pursuant to section 46 of the *Land Administration Act 1997*.
3. Authorise the Shire Administration to prepare and submit the required documentation and plans to the Lands Division of the Department of Planning, Lands and Heritage requesting the Hon. Minister for Lands' formal consideration and approval to the proposal documented in point 2 above, including confirmation the Department of Fire and Emergency Services has agreed to indemnify the State of Western Australia and Minister against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred in considering and granting the Shire's request as required by section 56(4) of the *Land Administration Act 1997*.

Moved: Cr Thomson Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 5/0

For: Pr Thomson, Cr Nicholls, Cr Thomson, Cr Rogers, Cr Mackin

Against:

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 5.41 pm