

Shire of Tammin



DECLARATION

I declare that the minutes of the:

Ordinary Council Meeting held on 23rd March 2022 was confirmed at the Ordinary Council Meeting held on 27th April 2022.

Name: Glenice Batchelor

Signed: _____

A handwritten signature in blue ink, appearing to read 'Glenice Batchelor', written over a horizontal line.

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

Date: _____

27 / 4 / 2022

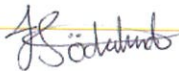
Shire of Tammin

ORDINARY COUNCIL MEETING

MINUTES



An ordinary meeting of the Shire of Tammin was held on *Wednesday 23 March 2022* at Yorkrakine Hall, commencing at *5:00pm*.



Joanne Soderlund
Chief Executive Officer
23 March 2022

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
2. ACKNOWLEDGMENT TO COUNTRY.....	3
3. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES	3
4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
5. PUBLIC QUESTION TIME	3
6. APPLICATIONS FOR LEAVE OF ABSENCE Nil.....	3
7. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS.....	4
8. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS.....	4
9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	4
9.1 Ordinary Council Meeting Minutes – 23 February 2022.....	4
10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION	4
11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	4
12. MATTERS FOR CONSIDERATION – FINANCE.....	5
12.1 List of Payments for February 2022	5
12.2 Financial Management Report for the month of February 2022.....	9
12.3 Mid-Year Budget Review 2021/22 Financial Year	12
13. MATTERS FOR CONSIDERATION – ADMINISTRATION.....	17
13.1 Review of Shire of Tammin's Register of Delegations – March 2022	17
13.2 Amendment - Acting Chief Executive Officer Policy	20
13.3 Compliance Audit Return - 2021	22
13.4 Code of Conduct for Employees.....	25
13.5 Chief Executive Officer Key Performance Indicators.....	27
13.6 Southern Link road naming – March 2022.....	29
14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH.....	32
15. MATTERS FOR CONSIDERATION – TOWN PLANNING	32
15.2 Application for Development Approval – Proposed Change of Use from 'Single House' to 'Holiday House' – Lot 6 (No.5) Nottage Way, Tammin	32
16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.....	38
17. MATTERS FOR WHICH THE MEETING MAY BE CLOSED (S'5.23)	38
18. CLOSURE OF MEETING	38

AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 5:00pm.

2. ACKNOWLEDGMENT 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:

Cr G Batchelor	Shire President (<i>Attendance electronically as per Admin Regulation 14C(2)</i>)
Cr T Nicholls	Deputy Shire President
Cr N Caffell	Councillor
Cr Thomson (Charmaine)	Councillor
Cr C Thomson (Courtney)	Councillor

In Attendance:

Joanne Soderlund	Chief Executive Officer
Fabian Houbrechts	Manager of Works
Morgan Ware	Manager of Finance & Administration
Lynette Garlett	Public
Marion Kickett	Public

Leave of Absence previously granted:

Nil

Apologies:

Cr B Leslie	Councillor
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4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DECLARATION OF MEMBER’S INTERESTS IN AGENDA ITEMS

Cr Caffell declared a proximity interest in item 13.6 due to being a neighboring landholder.

Cr Batchelor declared an interest affecting impartiality in item 13.6 due to being a neighboring landholder.

8. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Council Meeting Minutes – 23 February 2022

TSC 11/22 MOTION

That the minutes of the Ordinary Council Meeting held on 23 February 2022 be confirmed as a true and accurate record of proceedings.

Moved: Cr Nicholls

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 5/0

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

President Batchelor acknowledged the Yorkrakine Hall Committee for hosting the 23 March Ordinary Council meeting.

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

12. MATTERS FOR CONSIDERATION – FINANCE

12.1 List of Payments for February 2022

Location:	Shire of Tammin
Applicant:	Administration & Finance Officer
Date:	04 March 2022
Author:	Keira Wirth
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	FIN05
Attachment/s:	Attachment Item 12.1 – Payment List Attachment Item 12.1 - Credit Card Statement

Purpose of Report

For Council to ratify the accounts paid under delegated authority.

Background

The attached List of Accounts paid during the month of February 2022 totaling \$233,193.41 by way of:

Cheque numbers	6805 - 6807	\$7,298.53
Direct debit payments	01/02/22 – 28/02/22	\$8,206.26
Licensing transfers	01/02/22 – 28/02/22	\$4,573.90
Bank fees	01/02/22 – 28/02/22	\$106.60
VISA payments	01/02/22 – 28/02/22	\$963.26
EFT payments	EFT 5130 – EFT 5198	\$165,150.22
Salaries and wages	01/02/22 – 28/02/22	\$46,894.64
Total payments	01/02/22 – 28/02/22	\$233,193.41

The Shire of Tammin made the following significant purchases during the month of February 2022

Midland Brick Supply and deliver Master Pave 60 Donnybrook	\$5,141.45
Accwest Pty Ltd Annual Financial Reports - Finalisation of annual financial report 2020-21 in November and December 2021, Annual Financial Reports - Annual report assistance from Celeste Mirco in December 2021, General Accounting Assistance - Assistance with BAS, monthly report, bank rec and payroll error, November 2021 to January 2022	\$ 5,720.00
Perfect Computer Solutions IT Upgrade as per IT plan, CEO & MFA computer including additional screens, keyboard and mouse. Lenova 15.6 laptop for Office, Set up costs, travel and replacement UPS batteries for server	\$6,080.00
Department of Fire and Emergency Services 2021/22 ESL 3rd Quarter	\$9,053.40
Chatfields Tree Nursery 4mm 316 Stainless laser cut panel pressing War memorial	\$10,780.00
KW & AJ Swann push gravel at Jasper pit on Rabbit proof fence, as per quoted rate of \$1.15/m ³ +gst	\$ 11,005.50
Mineral Crushing Services (WA) Pty Ltd Supply Ex Doodlakine pit AC14 washed aggregate as per your quote emailed on 13th January 2022 (Bungulla North Rd)	\$ 12,835.68
Wheatbelt Development Commission Return of unspent funds for incomplete project - 14W015 Tammin Waste Site Identification	\$ 34,254.00

Comment

Nil

Financial Implications

All liabilities have been settled in accordance with the Shire of Tammin 2021/2022 Operating Budget

Policy Implications

Nil

Statutory Implications

Local Government (Financial Management) Regulations 1996

11. Payment of accounts

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

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

12. Payments from municipal fund or trust fund

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

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

13. Lists of accounts

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

b) Recorded in the minutes of that meeting.

Strategic Plan & 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

TSC 12/22 MOTION

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 February 2022 to 28 February 2022 totaling \$233,193.41 as contained in attachments 12.1

Municipal Fund payments totaling \$233,193.41 detailed:

Cheque numbers	6805 - 6807	\$7,298.53
Direct debit payments	01/02/22 – 28/02/22	\$8,206.26
Licensing transfers	01/02/212 – 28/02/22	\$4,573.90
Bank fees	01/02/22 – 28/02/22	\$106.60
VISA payments	01/02/22 – 28/02/22	\$963.26
EFT payments	EFT 5130 – EFT 5198	\$165,150.22
Salaries and wages	01/02/22 – 28/02/22	\$46,894.64

Moved: Cr C Thomson

Seconded: Cr Nicholls

Vote: Simple Majority

Carried: 5/0

12.2 Financial Management Report for the month of February 2022

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	14 March 2022
Author:	Morgan Ware
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 - February 2022 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 February 2022 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

90.3% of rates have been received with current installment and payment plans in place for rate payers. Council road works program is underway with maintenance grading achieved and capex road works commencing in January 2022 through to April 2022. Additional capex projects have been commenced or in procurement progress. Accordingly, our cash flow position is currently strong; additionally, we have received an advance payment of the Financial Assistance Grants and confirmation of the Southern Link project first payment.

Financial Implications

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

Statutory Implications

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
- a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - b) budget estimates to the end of the month to which the statement relates;
 - c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity December be shown —
- a) according to nature and type classification; or
 - b) by program; or
 - c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
- a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - b) recorded in the minutes of the meeting at which it is presented.

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

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

TSC 13/22 MOTION

That Council, pursuant to the *Local Government (Financial Management) Regulations 1996* adopt the Monthly Financial Report as contained in attachment 12.3 for the period ending 28 February 2022 comprising;

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

Moved: Cr Caffell

Seconded: Cr C Thomson

Vote: Simple Majority

Carried: 5/0

12.3 Mid-Year Budget Review 2021/22 Financial Year

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	16 March 2022
Author:	Morgan Ware
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.3 – FY 2021-22 Mid Year Budget Review

Proposal/ Summary

The purpose of this report is for the Shire of Tammin to consider and adopt the Budget Review Report, as at 28 February 2022, with any amendments, for the financial Year 1 July 2021 to 30 June 2022.

Background

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

The Local Government (Financial Management) Regulations 1996 require local governments to undertake a review of the Annual Budget and forward *a copy of the review and determination to the Department of Local Government, Sports and Culture*.

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2022, as at 28 February 2022, is presented for consideration. Statements of Financial Activity at 28 February 2022 have been prepared to provide a summary of the budget review results, as well as a Statement of Closing Funds detailing a projected surplus as at 30 June 2022 of \$0.

Comment

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

The adopted budget contained an opening surplus of \$869,549, with a forecast closing position at 30th June 2021 of \$0. Following completion of the annual financial audit of FY21/22 results, the actual opening surplus has been revised to \$1,028,672, an increase of \$159,123, in funds available. However, an adjustment of \$151,991 is required to offset prior year adjustments and miscalculation.

Following review and taking into account all proposed budget amendments as detailed in the attached report, a closing balance of \$0 is predicted.

Review of capital expenditure requirements for the remainder of the 2021/22 Financial Year, carried out as part of the budget review process, has identified a requirement for the following proposed significant amendments to the capital expenditure budget:

	Original Budget	Revised Budget	Variance Original Budget to Revised Budget
<u>Land and Buildings</u>			
Recreation & Culture			
Tammin Hall - Painting	17,470	10,290	(7,180)
Lesser Hall - Kitchen & Airconditioning	22,597	16,000	(6,597)
Pavilion Window	12,000	12,000	0
Donnan Park	87,176	0	(87,176)
Golf Club Restoration Project	210,000	250,000	40,000
Economic Services			
Land Acquisitions	0	45,000	45,000
Total - Land and Buildings	349,243	333,290	(15,953)
<u>Furniture and Equipment</u>			
Other Property and Services			
Office Furniture	5,000	5,000	0
It Equipment Upgrade	6,764	17,804	11,040
Total - Furniture and Equipment	11,764	22,804	11,040
<u>Plant , Equip. & Vehicles</u>			
Transport			
Plant Trailer 6T	31,310	26,335	(4,975)
Other Minor Plant	15,150	15,150	0
6 Tonne Truck	110,595	110,595	0
Light Tipper Truck	49,995	50,141	146
Other Property and Services			
Purchase of TN2 Administration Vehicle	33,330	33,995	665
Total - Plant and Equipment	240,380	236,216	(4,164)
<u>Roads</u>			
Transport			
Council			
Dixon Road Slk 4.0 To 6.0	32,077	32,077	0
Rabbit Proof Fence Road Slk 0.0 To 5.5	147,100	147,100	0
Nelson Road Slk 0.0-2.0	44,580	44,580	0
RRG			
Yorkrakine Rd Slk 3.58 To Slk 4.04	0	0	0
Tammin-Wyalkatchem Road Slk 15.27-15.77	92,470	92,470	0

Southern Link Project	398,060	398,060	0
<u>Roads to Recovery</u>			
Bungulla North Road	101,771	121,771	20,000
Tammin South Rd Slk 4.0 To 8.0	65,000	65,000	0
<u>Local Roads & Community Infrastructure</u>			
Bungulla North Road	80,000	80,000	0
Shields Street	80,000	80,000	0
<u>Heavy Vehicle Safety and Productivity Program</u>			
Southern Link Project	800,000	800,000	0
Total - Roads	1,841,058	1,861,058	20,000
<u>Footpaths</u>			
Transport			
Foothpath Construction - General	20,000	20,000	0
Footpath Construction - Walston & Shields Street	80,000	48,000	(32,000)
Footpath Construction - Ridley Street (LRCl)	0	22,000	22,000
Total - Footpaths	100,000	90,000	(10,000)
<u>Other Infrastructure</u>			
Economic Services			
Information Bay Refurbishment	12,500	12,500	0
Information Bay Stand	10,000	16,000	6,000
Astrotourism	0	5,000	5,000
Recreation & Culture			
Kadjininy Kep Landscaping	56,033	56,033	0
Kadjininy Kep Re-development	120,000	107,176	(12,824)
Total - Other Infrastructure	198,533	196,709	(1,824)
Capital Expenditure Total	2,740,978	2,740,076	(902)

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

The 2021/22 Annual Budget Review, for the period 1 July 2021 to 30 June 2022, is based on current trends, actual expenditures as at 28 February 2022 and anticipated additional revenue and expenditure.

Consultation

Chief Executive Officer
 Manager of Works & Services
 Megan Shirt/ Celeste Smith – Local Government Financial Consultants (Accwest)

Policy Implications

Nil

Statutory Environment

Local Government Act 1995

s6.2. Local government to prepare annual budget

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

**Absolute majority required.*

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

33A. Review of Budget

- (1) *Between 1st January and 31st March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
- (a) consider the local government's financial performance in the period beginning on 1st July and ending no earlier than 31st December in that financial year; and*
 - (b) consider the local government's financial position as at the date of the review; and*
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

Risk Implications

Financial controls required to ensure sustainability of Shire operations and services to the community

Strategic Implications

Infrastructure & Transport Strategies

Our local town, amenities and facilities will be maintained and enhanced, ensuring that our town is one that community loves to be in and is proud of.

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

Outcome 5.1 A well-connected and serviced community accessible to all

5.1.1 Advocate for the needs of our residents for improved levels of health, water, energy, communications and transport infrastructure to be provided by State Government, to meet increasing demand and to support our growth as a community

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

TSC 14/22 MOTION

That Council:

- 1. Adopt the 2021/22 Annual Budget Review, as presented in Attachment Item 12.3 – FY 2021-22 Budget Review and notes that the estimated closing funds are based on current revenue and expenditure trends.**
- 2. Authorise the budget amendments as per the attachment to item 12.3 and as detailed in the agenda item report.**
- 3. Determine any changes it wishes to be made.**

Moved: Cr Nicholls

Seconded: Cr Thomson

Vote: Absolute Majority

Carried: 5/0

Council requested staff to test the market further in regards to the Lesser Hall & Kitchen Air-conditioning, to confirm specifications quoted are appropriate. If satisfied, staff to proceed with Purchase Order and completion of Capex project.

13. MATTERS FOR CONSIDERATION – ADMINISTRATION

13.1 Review of Shire of Tammin’s Register of Delegations – March 2022

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	14 March 2022
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.1 – Delegation Register March 2022 Track Changes Version Attachment Item 13.1 – Delegation Register March 2022 Changes Accepted

Proposal/Summary

Under s. 5.46 of the *Local Government Act 1995* (the Act) the CEO is to maintain a register of delegations that must be reviewed by Council at least once every financial year. This report brings a formal review before Council as per the legislative requirements.

Background

Under s. 5.42 of the *Local Government Act 1995*, a local government may delegate to the CEO the exercise of any of its powers or the discharge of its duties under the Act. This is subject to the limitations in s. 5.43, and Regulation. This section states:

5.43 . *Limits on delegations to CEO*

A local government cannot delegate to a CEO any of the following powers or duties:

- (a) any power or duty that requires a decision of an absolute majority of the council;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

The Shire of Tammin's Delegations Register was last reviewed by Council in November 2020 and therefore requires a review before June 2022.

Comments

The annual review process does not preclude the Council from granting new delegations to the CEO if and when required, nor for it to review existing delegations at any time during the course of the financial year.

A review of the Shire of Tammin's Register of Delegations has been undertaken against the WALGA template delegations manual. This review has highlighted some proposed changes to the Register of Delegations as below:

- The deletion of the Acting CEO delegation as this is a double up on the Acting CEO policy and is not appropriate to have as a delegation. Appointing an Acting CEO requires a Council Decision to confirm the Council's belief that the person is suitably qualified for the position, therefore cannot be delegated (s.5.36(2)). However an Acting CEO Policy can be created and appointments can be made in accordance with the policy.
- The deletion of the designated senior employee vacancies delegation. The CEO's function as per S5.41(g) of the Local Government Act 1995 is to be responsible for the employment of all employees and therefore determine remunerations packages within the Council determined budget allocation and relevant employment and industrial law provisions. Delegation not required.
- The deletion of the destruction of records delegation. It is the CEO's function under s.5.41(h) of the Local Government Act 1995 to ensure that records and documents of the Local Government are properly kept for the purposes of the Local Government Act and other written laws. Delegation not required.
- The deletion of the Long Service Leave delegation. LSL arrangements are prescribed in the Local Government (Long Service Leave) Regulations and it is the CEO's function to apply the LSL Regulations as part of their responsibility for the employment and management of employees.
- The Deletion of the Confidential Records Inspection delegation. The right to access Local Government records, and particularly confidential records, is either prescribed in the Local Government Act or subject to decisions made by the administration in accordance with the Freedom of Information Act.
- The addition of the Firebreaks delegation to ensure the timely management of firebreaks in the district.

Council may place limits on each delegation, including who a sub-delegation is permitted to be made to. Unless there is a specific need for a restriction, no comment is made but has been left to the CEO's discretion. The CEO is not required to further delegate, except in some instances as outlined. The CEO may impose further restrictions on any sub-delegation, so that the recipient of the sub-delegation is required to comply not only with the limits as resolved by Council, but also any restriction place by the CEO.

Consultation

WALGA

Statutory Implications

Section 5.46 of the *Local Government Act 1995* deals with the need for CEOs to maintain a register of delegations and the requirement to conduct annual reviews of delegations.

Policy Implications

A review of the Delegations Register for Council's consideration.

Financial Implications

Nil

Strategic Implications

Strategic Community Plan – Civic Leadership

TSC 15/22 MOTION

That Council, by absolute majority, pursuant to Sections 5.46, 5.45 and 5.42 of the Local Government Act 1995 resolves to adopt the Delegations of Power by Council to CEO, as detailed in the attached Register of Delegations March 2022.

Moved: Cr C Thomson

Seconded: Cr Caffell

Vote: Absolute Majority

Carried: 5/0

13.2 Amendment - Acting Chief Executive Officer Policy

Location:	N/A
Applicant:	Shire of Tammin
Date:	17/02/2022
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.2 - Draft Acting Chief Executive Officer Policy

Proposal/Summary

This item brings an amendment to the Acting CEO policy before Council and seeks a Council resolution to adopt the amended policy.

Background

The Shire currently has an Acting CEO policy that allows for the Manager Works and Services only to act in the position of Acting CEO.

The policy is also silent on the remuneration to be paid to an acting CEO.

Comment

Both the existing policy and the new amended policy are attached to this item. As the policy has been converted into the new policy template a track changes version was not practical. The policy has been based on the WALGA template Acting CEO policy so the wording does vary from the current policy.

The amended policy adds the Manager of Finance and Administration to the list of positions considered suitably qualified to perform the role of Acting CEO. The policy states the process for the CEO to appoint an acting CEO. An appointment will be made for periods of leave greater than 5 days up until 6 weeks in duration. For an appointment of more than 6 weeks a decision of Council will be required.

Consultation

WALGA
Manager Works and Services
Manager Finance and Administration

Policy Implications

Nil

Financial Implications

This policy outlines the remuneration to be paid to an Acting CEO as 85% of the cash component of the CEO substantive salary. Outlining the remuneration in the policy will allow more accurate budgeting.

Strategic Implications

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

TSC 16/22 MOTION

That Council, by Absolute Majority, pursuant to Section 3.18 of the *Local Government Act 1995 (WA)* resolves to amend the Shire of Tammin Acting CEO Policy.

Moved: Cr Nicholls

Seconded: Cr Thomson

Vote: Absolute Majority

Carried: 5/0

13.3 Compliance Audit Return - 2021

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	16 March 2022
Author:	Morgan Ware
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.3 - Compliance Audit Return 2021

Proposal/ Summary

For Council to adopt the 2021 Compliance Audit Return as recommended by the Audit Committee at its meeting on 23 February 2022.

Background

Each Local Government is to carry out a compliance audit (following the end of each calendar year) against the requirements included in the Department of Local Government, Sports & Cultural Industries Compliance Audit Return (CAR).

The Report is first to be presented to the Audit Committee for its consideration and direction to address any issues it may have.

In cases of non-compliance, additional information is required, explaining or qualifying the issues, together with explanation of what remedial action has been taken or proposed, with such information to be included in the Agenda item. Each Committee Member is to be provided the opportunity to review the completed Return and make comment.

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

The completed Return is to be submitted to the Department of Local Government by 31 March 2021.

Comment

The Compliance Audit Return has been completed and is now presented to Council in accordance with Regulations. The following areas were found to be non-complaint.

Section Reference /	Question	Response	Comments
Disclosure of Interest S5.51A(1) & (3)	Did the CEO prepare, and implement and publish an up-to-date version on the local government's website, a code of conduct to be observed by employees of the local government?	The Shire of Tammin currently have a Code of Conduct that was originally used for council members, committee members and employees in accordance with Admin Regs 34B and 34C. On the 3 February 2021 the Local Government (Model Code of Conduct) Regulations 2021 took effect requiring local governments to prepare and adopt the new Model Code for Councillors, Committee Members and Candidates. The Model Code was adopted by the Shire of Tammin at its February OCM and subsequently published on the website in place of the old Code of Conduct.	The original Code of Conduct will still apply to employees however it would be better practise to update the code specifically just for employees. This code will also need to be published on the website. An agenda item will be put to the March Council Meeting to update the Code of Conduct for Employees.

This year's CAR required responses to a total of 98 questions (102 in 2020) not all of which applied to the operations of the Shire of Tammin in 2021.

Consultation

Chief Executive Officer

Policy Implications

Nil

Statutory Environment

Local Government Act –

s7.13(1)(i) provides that: Regulations may make provision –

- (i) Requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are –*

- (i) *Of a financial nature or not; or*
- (ii) *Under this Act or another written law*

Local Government (Audit) Regulation 1996

Clause 14 provides that:

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *A compliance audit return is to be –*
 - (a) *presented to the council at a meeting of the council;*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

Strategic 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”*

TSC 17/22 MOTION

That Council, pursuant to Regulation 14 of the Local Government (Audit) Regulations 1996,

- 1. Adopt the attached Compliance Audit Return 2021;**
- 2. Note the area of non-compliance requiring review and correction and the action to be taken by staff to remediate the non-compliance;**
- 3. Authorise the Shire President and Chief Executive Officer to certify the return; and,**
- 4. Instruct the Chief Executive Officer to lodge the CAR 2021 with the Department of Local Government, Sport and Cultural Industries.**

Moved: Cr Nicholls

Seconded: Cr Thomson

Vote: Absolute Majority

Carried: 5/0

13.4 Code of Conduct for Employees

Location:	Shire of Tammin
Applicant:	Shire of Tammin
Date:	18 March 2022
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.4 – Code of Conduct for Employees

Proposal/ Summary

For Council to adopt the Code of Conduct for Employees.

Background

The Local Government (Model Code of Conduct) Regulations 2021 took effect on 3 February 2021 requiring local governments to prepare and adopt the new Model Code within three (3) months of the regulations coming into effect (3 May 2021). This Model Code of Conduct applied to Elected Members and candidates and was adopted by the Shire of Tammin at the February 2021 Ordinary Council Meeting.

Prior to this the Shire had one Code of Conduct that covered both Elected Members and Employees. This Code of Conduct is still operational for Employees however should be updated to a Code of Conduct that relates only to employees.

Comment

Whilst undertaking the 2021 Compliance Audit Return it was noted that the Shire did not have the Code of Conduct that related to Employees displayed on the website. This was because when the new model Code of Conduct for Elected Members and Candidates was adopted in February 2021 it replaced the existing Code of Conduct on our website which covered both Elected Members and Employees.

A review of the Code of Conduct has been undertaken for the view of having it relate only to Employees. WALGA had developed a template Code of Conduct for Employees which forms the basis of the new Code. This ensure the Code is up to date and references current legislation.

Consultation

WALGA

Policy Implications

Nil

Statutory Environment

Local Government Act Section 5.51A

Strategic Implications

Civic Leadership Strategies

TSC 18/22 MOTION

That Council, pursuant to Section 5.51A of the Local Government Act:

- 1. Adopt the attached Code of Conduct for Employees;**
- 2. Publish the adopted Code of Conduct on the Shire of Tammin website.**

Moved: Cr Nicholls

Seconded: Cr Caffell

Vote: Absolute Majority

Carried: 5/0

13.5 Chief Executive Officer Key Performance Indicators

Location:	N/A
Applicant:	Shire of Tammin
Date:	21/03/2022
Author:	Chief Executive Officer
Item Approved by:	Shire President
Disclosure of Interest:	Financial Interest - Joanne Soderlund – CEO
File Reference:	Nil
Attachment/s:	Attachment Item 13.5 - PRIVATE & CONFIDENTIAL – Proposed CEO KPI's

Proposal/Summary

This item brings proposed Chief Executive Officer Key Performance Indicators (KPI's) before Council and seeks a Council resolution to adopt the KPI's.

Background

The purpose of this report is for Council to adopt the Key Performance Indicators (KPI's) for the Chief Executive Officer, in accordance with the Local Government Act 1995 section 5.38 and the Chief Executive Officer's contract of employment.

In accordance with Council Policy 1.11 CEO Recruitment and Selection, Performance Review and Termination, Council and the CEO must agree on the performance review process, and any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

Comment

Council discussed priorities for initial KPI's at the Information Session on the 23rd of February 2022. Following the Information Session, proposed KPI's were drafted by the Shire President with a clear linkage to the Shire's Strategic Community Plan.

The draft KPI's have been agreed to by the CEO, and as such, should Council endorse the attachment, agreement will have been reached.

Consultation

Council
Chief Executive Officer

Statutory Implications

Section 5.38 and Section 5.23 of the *Local Government Act 1995*.

Policy Implications

Council Policy 1.11 CEO Recruitment and Selection, Performance Review and Termination.

Financial Implications

Nil

Strategic Implications

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

TSC 19/22 MOTION

That Council, by Absolute Majority, pursuant to Section 5.38 of the *Local Government Act 1995 (WA)* resolves to adopt the Key Performance Indicators for the Chief Executive Officer as outlined in the Confidential Attachment to this report.

Moved: Cr Thomson

Seconded: Cr Nicholls

Vote: Absolute Majority

Carried: 5/0

Members of the Public Lynette Garlett and Marion Kickett left the meeting at 6:00pm.
Council thanked them for their attendance.

13.6 Southern Link road naming – March 2022

Cr Caffell declared a proximity interest in item 13.6 due to being a neighboring landholder and remained in the chamber.

Cr Batchelor declared an interest affecting impartiality in item 13.6 due to being a neighboring landholder and remained in the chamber.

Location:	Tammin
Applicant:	Tammin Shire Council
Date:	21 st March 2022
Author:	Fabian Houbrechts
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	ADM – 51
Attachment/s:	Attachment Item 13.6 - Map with 2 options

Proposal/Summary

For Council to consider the new name for the new Southern Link.

Background

As a new section of road is constructed, it is part of the process to name the new road. As the new road is not realigned inside an existing road reserve, the need for a new name is required by Landgate as part of the Planning application process.

Comments

It was originally intended to have the Southern Link called York Tammin Rd as per the Main Roads mapping system as it is an extension of the existing York Tammin Rd; and the new small section on the West side called Hunt Rd as it would have been an extension of the existing Hunt Rd. After investigation and consultation with Landgate, it appears that the name York-Tammin cannot be used as Landgate is not accepting anymore names from town to town as road names.

The name Goldfields Rd cannot be used either as the current road already exist; and has its own course through the Shire (see map attached in orange).

Hunt Rd road reserve extends approximately from the repeater antenna near the refuse site all the way to Uppill St in town. Attached are a couple of options for naming of the new road section on maps attached to this agenda item.

Option 1:

The new southern Link would be called Hunt Rd from the repeater antenna all the way to Underwood Rd, the existing Hunt Rd coming out of town would be called McLaren St from Uppill St up to the new Southern Link.

Option2:

The new southern Link road would be named something new and would start near the repeater antenna all the way to Underwood Rd (Blue Line), the existing Hunt Rd would remain but would become shorter, finishing where it will intersect the new road (Green Line).

Option 3:

Hunt road is realigned, starting and finishing as it is currently but moving in the middle due to the Southern Link intersection design (Green Line). Then the new Southern Link road is given a new name from that intersection through to Underwood Road (Blue Line).

If either Option 2 or 3 were preferred then a new name will be required. Attachment 13.6 *Policies and Standards for Geographical Naming in Western Australia* sets our Landgates guidelines for the naming of new roads.

Consultation

Manager of Works Shire of Tammin
Landgate “geographic names department”

Statutory Implications

Part 2, Division 3, Section 26A of the Land Administration Act 1997 (LAA) outlines requirements for naming of roads in new subdivision areas as follows:

LAND ADMINISTRATION ACT 1997 - SECT 26A

26A. New subdivisions, names of roads and areas in

- (1) If a person delivers a diagram or plan of survey of a subdivision of land approved by the Planning Commission to a local government, and the proposed subdivision includes the provision of a road for use by the public, that person must also deliver to the local government the name proposed to be given to the road.
- (2) The local government may require the person so subdividing the land —
 - (a) to propose a name for the proposed road or, if a name has already been proposed, to alter that name; and
 - (b) to propose a name for the area the subject of the proposed subdivision, or if a name has already been proposed, to alter that name.
- (3) If the local government approves a name proposed under subsection (1) or (2), the local government is to forward the proposal to the Minister.
- (4) The Minister may —
 - (a) approve the proposed name; or
 - (b) direct the local government to reconsider the proposed name, having regard to such matters as the Minister may mention in the direction; or

(c) refuse to approve the proposed name.

(5) A person must not —

(a) assign a name to the area or road unless the name is first approved by the Minister;

b) alter or change a name that has been so assigned, whether initially or from time to time, to the area or road unless the Minister first approves of the alteration or change of that name.

Policy Implications

N/A

Financial Implications

N/A

Strategic Implications

Infrastructure and Transport Strategies

Outcome 5.1 A well-connected and serviced community accessible to all

5.1.1 Advocate for the needs of our residents for improved levels of health, water, energy, communications and transport infrastructure to be provided by State Government, to meet increasing demand and to support our growth as a community

5.1.2 Develop partnerships with government agencies for improved services.

TSC 20/22 MOTION

That Council endorses option 1 (one) for the naming of the new Southern Link road as part of the process for the WA Planning Commission process; and submit the resolution to the Licensed Surveyor for dealings with WAPC.

Moved: Cr Nicholls

Seconded: Cr C Thomson

Vote: Simple Majority

Carried: 5/0

14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

15. MATTERS FOR CONSIDERATION – TOWN PLANNING

15.2 Application for Development Approval – Proposed Change of Use from ‘Single House’ to ‘Holiday House’ – Lot 6 (No.5) Nottage Way, Tammin

Location:	Lot 6 on Plan 9121 being No.5 Nottage Way, Tammin
Applicant:	Shire of Tammin (Landowner)
Date:	14 March 2022
Author:	Mr Joe Douglas – Town Planner
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachments:	Attachment Item 15.2– Development Application Documentation and Plans

Purpose of Report

Consideration and determination of a development application to change the current approved use of Lot 6 (No.5) Nottage Way, Tammin from ‘Single House’ to ‘Holiday House’.

Background

The applicant/landowner is seeking Council’s development approval to change the current approved use of Lot 6 (No.5) Nottage Way, Tammin from ‘single house’ to ‘holiday house’ to accommodate people on a short term basis to help address the current shortage of short-stay accommodation in the Tammin townsite.

Lot 6 is located in the north-eastern part of the Tammin townsite in a well-established, low density residential area. The subject land comprises a total area of approximately 1,012m² and has direct frontage and access to Nottage Way along its southern boundary which is a local road under the care, control and management of the Shire. The land has been extensively developed and used for low density residential purposes and contains a single detached dwelling and associated carport structure in good habitable condition. Boundary fencing has also been installed however it is noted the fence immediately east of the dwelling and carport structure on Lot 6 has not been constructed on the land’s designated boundary which is a matter the Shire may wish to address if deemed necessary, noting that Lot 7 immediately east is also owned by the Shire.

The property is relatively flat throughout, is not identified as being subject to any inundation or flooding, and has not been designated by the Fire and Emergency Services Commissioner of Western Australia as being bushfire prone.

Immediately adjoining and other nearby land uses include low density residential development to the

north, east and west and commercial development immediately south (i.e. the Tammin Roadhouse). An operational railway is also located further south on the opposite side of Donnan Street / Great Eastern Highway. It should be noted the lot immediately east of Lot 5 is vacant and also zoned for low density residential purposes.



Location & Lot Configuration Plan (Source: Landgate)

Comments

Lot 5 is classified ‘Residential’ zone under the Shire of Tammin’s new Local Planning Scheme No.2 (LPS2) with a density code of R12.5.

Council’s stated objectives for the development and use of any land classified ‘Residential’ zone is:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*

The use class ‘holiday house’ is defined by Clause 38 of LPS2 and Schedule 1, Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) as a ‘single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast’.

Under the terms of the Zoning Table in LPS2 the development and/or use of any land classified ‘Residential’ zone for the purpose of a ‘holiday house’ is not permitted without Council’s development approval following completion of public advertising for a minimum required period of 14 days.

Accordingly, the application was published on the Shire's website and referred to all adjoining landowners for review and comment for a period of 16 days.

When considering and determining the application Council is required, pursuant to clause 67 of the Regulations, to have due regard for the following relevant matters:

- Zone Objectives

The proposed use of Lot 5 for 'Holiday House' purposes is considered to be consistent with the objectives of the 'Residential' zone listed previously above for the following reasons:

- i) It will not alter the existing streetscape in any manner given no works are proposed to be undertaken to accommodate the proposed use;
- ii) It will provide an additional housing option for short-stay accommodation purposes to meet the needs of the community and the traveling public; and
- iii) It will be compatible and complementary to all surrounding residential development.

- Amenity & Land Use Compatibility

As noted above, the proposed 'Holiday House' is considered to be compatible and complementary to the surrounding residential development and is unlikely to have a detrimental impact on the amenity of the immediate locality if managed appropriately.

- Access & Egress

The proposed Holiday House has direct vehicular and pedestrian access to/from Nottage Way which is a constructed public road under the care, control and management of the Shire.

- Traffic Volumes

The amount of traffic likely to be generated is consistent with that of a single house. To ensure vehicle parking by guests does not become a nuisance in the immediate locality, it is recommended a condition be imposed on any approval granted requiring all parking to be contained on the lot.

- Essential Services

The proposed Holiday House is located in a well-established part of the Tammin townsite and is connected to all available essential service infrastructure including power, water, effluent disposal and telecommunications.

- Public Advertising Outcomes

No submissions were received during the public consultation period. As such, it is reasonable to conclude the local community and nearby landowners have no objection to the proposed Holiday House use.

In light of the above findings and conclusions, it is recommended Council exercise its discretion and approve the application subject to a range of conditions and advice notes to ensure the development proceeds in a proper and orderly manner.

Consultation

Undertaken in accordance with the procedural requirements of clause 64 of the Regulations as described previously above.

Statutory Implications

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

Policy Implications

- *Western Australian Planning Commission: Draft Position Statement – Planning for Tourism*

This position statement provides guidance on the appropriate management and planning of tourist areas and uses, to address potential land use conflict, and to protect the amenity of tourist areas. As such the Draft Position Statement encourages a range of tourist accommodation choices including short-term rental accommodation (Holiday House).

Clause 5.2.2 of the Draft Position Statement states local governments should consider the following when locating short-term accommodation:

- *‘Provision of and access to tourist amenity proximity to social, cultural and leisure attractions, and accessibility of transport routes and public transport services;*
- *Adequate standard of services and infrastructure necessary, for example reticulated or drinking water supply and service, capacity of on-site solutions;*
- *Locations to minimise adverse interface issues, particularly amenity impacts on surrounding residential and other land uses (for example rural);*
- *Risk of natural hazards and the extend of measures which may need to be in place to address the level of risk; and*
- *Any other relevant planning consideration’*

The proposed Holiday House is located centrally in the Tammin townsite in close proximity to a wide range of services and facilities and other local attractions. Relevant conditions and advice notes have been included in the recommendation for approval to mitigate any potential amenity impacts on the immediate locality. There are no know natural hazards likely to impact the proposed development or any other relevant planning consideration worthy of note. Accordingly, it is considered that all relevant clauses within the Draft Position Statement have been suitably addressed.

- *WAPC Planning Bulletin No.99 – Holiday Homes Guidelines*

The Western Australian Planning Commission’s (WAPC’s) Planning Bulletin No.99 acknowledges holiday homes are a component of the short stay accommodation sector in WA and an important aspect of the overall mix of tourism accommodation throughout the State. As such it encourages local governments to support the role of holiday homes as part of the tourism industry and to encourage good quality, well managed holiday homes for use by short-term visitors, while minimising potential impacts on adjoining residents.

Significantly, the WAPC recommends any development approval issued by local governments for holiday homes be limited in the first instance for a one (1) year period and renewed thereafter on a three (3) to five (5) year period subject to compliance with all relevant requirements to ensure

minimal impact on the amenity of neighbouring residential properties. This approach is recommended to provide a degree of certainty to tourism operators whilst also affording local government the flexibility to terminate approvals issued to non-compliant operators.

In this instance limiting the term of development approval for Lot 5 is considered unnecessary given the property is owned and will be managed by the Shire which has a responsibility to ensure the proposed development proceeds in a proper and orderly manner.

- *State Planning Policy 5.4 – Road and Rail Noise*

The proposed holiday house is located 150 metres from Great Eastern Highway and 250m from a rail freight route. Accordingly, the requirements of SPP 5.4 apply to the subject land with one of the key objectives being to protect the community from unreasonable levels of transport noise.

Clause 4.3 of SPP 5.4 states that planning proposals which *'do not result in intensification of land-use, for example no proposed increase in the number of approved dwellings from that existing'* are exempt from the relevant policy requirements. As the proposed Holiday House seeks to utilize a previously approved single house and does not propose to intensify the number of dwellings on the lot, it is exempt from the requirements of SPP 5.4.

Financial Implications

There are no immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are accounted for in the Shire's annual budget.

Risk Implications

Financial – Risk rating is assessed as Low. The risk is mitigated through a detailed assessment process and recommendation to support the application with conditions.

Health – Risk rating is assessed as Low.

Reputation – Risk rating is assessed as Low. The application has been publicly advertised in accordance with the relevant requirements with no objections received. The application has also been thoroughly assessed by the reporting officer, including a detailed report and recommendation to Council.

Operational – Risk rating is assessed as Low. The application has been dealt with in accordance the Shire's current Organisational Structure and the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Natural Environment – Risk rating is assessed as Low due to the limited impact of the proposed development on the natural environment.

Strategic Implications

The proposal for Lot 5 is considered to be consistent with the Shire of Tammin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022 as they apply to the key objective of creating a well maintained and attractive environment servicing the needs of the local community.

Voting Requirements

Simple Majority

TSC 21/22 MOTION

That Council resolve to approve the development application submitted by the Shire of Tammin to change the current approved of use of Lot 6 (No.5) Nottage Way, Tammin from 'Single House' to 'Holiday House' subject to the following conditions and advice notes:

Conditions

1. The proposed development shall be undertaken in a manner consistent with the information and plans submitted in support of the application dated 24 January 2022 subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of Council.
3. All vehicular parking must be contained within the lot.
4. The property shall be ordered and maintained in a neat and tidy condition at all times to the specifications and satisfaction of the Shire's Chief Executive Officer.
5. Any future proposed advertising signage shall be provided in accordance with the specific requirements of the Shire of Tammin Local Planning Scheme No.2 unless otherwise approved by Council.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant/landowner to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
2. This is a development approval of the Shire of Tammin under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The noise generated by any activities on-site shall not exceed the levels as set out under the *Environmental (Noise) Regulations 1997*.

Moved: Cr Nicholls

Seconded: Cr C Thomson

Vote: Simple Majority

Carried: 5/0

16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

18. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 6:08pm.