

Shire of Tammin

ORDINARY COUNCIL MEETING

MINUTES



An ordinary meeting of the Shire of Tammin was held on **Wednesday 22nd March 2023** at Yorkrakine Hall, Yorkrakine, commencing at **5:00pm**.

A handwritten signature in black ink, appearing to read 'Joanne Soderlund'.

Joanne Soderlund
Chief Executive Officer
22 March 2023

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. ACKNOWLEDGEMENT 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 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 – 22 February 2023..... 4

9.2 Audit Committee Meeting Minutes – 16 March 2023..... 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 2023 5

12.2 Financial Management Report for the month of February 2023 9

12.3 Mid-Year Budget Review 2022/23 Financial Year 12

13 MATTERS FOR CONSIDERATION – ADMINISTRATION..... 17

13.1 Restricted Access Vehicle Network Assessment and Upgrade 17

13.2 Southern Link road naming – March 2023..... 21

13.3 Compliance Audit Return - 2022 25

14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH 28

15. MATTERS FOR CONSIDERATION – TOWN PLANNING..... 28

16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN..... 28

17. MATTERS FOR WHICH THE MEETING MAY BE CLOSED (S`5.23) 28

18. CLOSURE OF MEETING 28

AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

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:

Cr G Batchelor	Shire President
Cr T Nicholls	Deputy Shire President
Cr N Caffell	Councillor
Cr Thomson (Charmaine)	Councillor
Cr C Thomson (Courtney)	Councillor
Cr B Leslie	Councillor

In Attendance:

Joanne Soderlund	Chief Executive Officer
Fabian Houbrechts	Manager of Works
Kelsey Cox	Community Development Officer

Leave of Absence previously granted:

Nil

Apologies:

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

TSC 14/23 MOTION

Cr Leslie applied for a leave of absence for the 26 April 2023 Ordinary Council Meeting.

Moved: Cr Nicholls

Seconded: Cr Caffell

Vote: Simple Majority

Carried: 6/0

7. DECLARATION OF MEMBER’S INTERESTS IN AGENDA ITEMS

Cr Caffell declared a proximity interest in item 13.2 due to being an adjoining landowner.

8. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Council Meeting Minutes – 22 February 2023

TSC 15/23 MOTION

That the minutes of the Ordinary Council Meeting held on 22 February 2023 be confirmed as a true and accurate record of proceedings.

Moved: Cr Leslie

Seconded: Cr Nicholls

Vote: Simple Majority

Carried: 6/0

9.2 Audit Committee Meeting Minutes – 16 March 2023

TSC 16/23 MOTION

That the minutes of the Audit Committee Meeting held on 16 March 2023 be confirmed as a true and accurate record of proceedings.

Moved: Cr Nicholls

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 6/0

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

12. MATTERS FOR CONSIDERATION – FINANCE

12.1 List of Payments for February 2023

Location:	Shire of Tammin
Applicant:	Administration & Finance Officer
Date:	09/03/2023
Author:	Racheal King
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 2023 totaling \$1,164,050.96 by way of:

Cheque numbers	006822 – 006822	\$35,870.69
Direct debit payments	01/02/22 – 28/02/23	\$9,351.90
Licensing transfers	01/02/22 – 28/02/23	\$18,642.50
Bank fees	01/02/22 – 28/02/23	\$125.26
VISA payments	01/02/22 – 28/02/23	\$4,089.36
EFT payments	EFT 5964 – EFT 6011	\$1,043,958.94
Salaries and wages	01/02/22 – 28/02/23	\$52,012.31
Total payments	01/02/22 – 28/02/23	\$1,164,050.96

The Shire of Tammin made the following significant purchases during the month of February 2023:

Wright Express Australia Pty Ltd (Puma) Fuel charges for Jan 2023	\$5,101.39
Shire of Quairading CESM shared costs - October to December 2022 Qtr 2	\$5,400.08
Porter Consulting Engineers Porter Consulting's Lump Sum for project management based on a 15 weeks project	\$5,500
Enviro Pipes Pty Ltd Supply 600mm diam SN8 Corrugated HDPE 5.75m CP600PE & Supply 450mm diam SN8 Corrugated HDPE 5.83m CP450PE (including O ring and lubricant)	\$8,605.41
Department of Fire and Emergency Services 2022/23 ESL in accordance with the Fire & Emergency Services Act in 1998 Part 6A - Emergency Services Levy - Section 36ZJ and option B Agreement Arrangement & 36M ESL Income Local Government ESLB 3rd Qtr Contribution	\$18,647.42
Water Corporation Water charges for Southern Link Project	\$35,870.69
AP Concreting Pty Ltd Supply and install concrete footpath on Walston St 607m ² , earthworks by the Shire of Tammin	\$41,584.40
Komatsu Marketing Support Australia Pty Ltd Supply and delivery of Motor Grader GD555-5 as per your quote 5018094201 attached.	\$396,300.30
Earthstyle Contracting Pty Ltd Tammin Southern Link Claim 4, work completed including, gravel sub-base, road sub-base, mobe/demobe, Supervision and survey, crossovers, pavement testing, variations for drainwork	\$530,651.00

Comment

Nil

Financial Implications

All liabilities have been settled in accordance with the Shire of Tammin 2022/2023 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 17/23 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 2023 2022 to 28 February 2023 totaling \$1,164,050.96 as contained in attachments 12.1.

Municipal Fund payments totaling \$1,164,050.96 detailed:

Cheque numbers	006822 - 006822	\$35,870.69
Direct debit payments	01/02/23 – 28/02/23	\$9,351.90
Licensing transfers	01/02/23 – 28/02/23	\$18,642.50
Bank fees	01/02/23 – 28/02/23	\$125.26
VISA payments	01/02/23 – 28/02/23	\$4,089.36
EFT payments	EFT 5964 – EFT 6011	\$1,043,958.94
Salaries and wages	01/02/23 – 28/02/23	\$52,012.31

Moved: Cr Thomson

Seconded: Cr Nicholls

Vote: Simple Majority

Carried: 6/0

12.2 Financial Management Report for the month of February 2023

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	9 March 2023
Author:	Morgan Ware
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 - February 2023 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 2023 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

Rates were issued on 5 August 2022 with payments due in full by 12 September 2022. Payment arrangements have been made with rate payers if required. 91.5% of rates have been received as of 28 February 2023. Maintenance road works underway and Capex projects underway. Accordingly, our cash flow position remains strong having received an advance payment of the Financial Assistance Grants and the Southern Link project first payment, with some upcoming large creditor payments to be made.

Financial Implications

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

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 18/23 MOTION

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 28 February 2023 comprising;

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

Moved: Cr Thomson

Seconded: Cr Nicholls

Vote: Simple Majority

Carried: 6/0

12.3 Mid-Year Budget Review 2022/23 Financial Year

Location:	Shire of Tammin
Applicant:	Manager of Finance and Administration
Date:	17 March 2023
Author:	Morgan Ware
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.3 – FY 2022-23 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 2023, with any amendments, for the financial Year 1 July 2022 to 30 June 2023.

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 2023, as at 28 February 2023, is presented for consideration. Statements of Financial Activity at 28 February 2023 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 2023 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 \$1,514,759, 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 \$1,514,759, an increase of \$110,520 in funds available.

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 2022/23 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:

Assets	Account	Job	Original Budget	Revised Budget	Variance Original Budget to Revised Budget
			\$	\$	\$
<i>Level of completion indicator (based on expenditure), please see table at the end of this note for further detail.</i>					
Land and Buildings					
Recreation & Culture					
Trophy Cabinets & Memorabilia	113401	DPB5	5,000	5,000	0
Disabled Access & Concrete works	113401	DPB6	7,500	7,500	0
Outdoor BBQ area	113401	DPB7	14,000	14,000	0
Depot - Airconditioning	121408	DPB8	8,500	0	(8,500)
Administration Office Solar	145521	AO003	20,000	0	(20,000)
Administration Office Disabled Carpark & Access	145521	AO006	15,000	15,000	0
Golf Club Restoration Project	113521	GC001	257,500	257,500	0
Total - Land and Buildings			327,500	299,000	(28,500)
Furniture and Equipment					
Other Property and Services					
It Equipment Upgrade	145522	FE004	18,950	18,950	0
Total - Furniture and Equipment			18,950	18,950	0
Plant, Equip. & Vehicles					
Transport					
Grader	123400	PT009	383,800	360,273	(23,527)
Multi Wheel Roller	123400	PT010	202,000	184,958	(17,042)
Toro Wheel Mower	123400	PT011	65,650	65,650	0
Other Property and Services					
Purchase of CEO vehicle TN1	145401		56,500	57,133	633
Purchase of TN2 Administration Vehicle	145400		0	45,000	45,000
Total - Plant and Equipment			707,950	713,014	5,064

Assets	Account	Job	Original Budget	Revised Budget	Variance Original Budget to Revised Budget
Transport					
<u>Council</u>					
Information Bay	121400	C0000	28,000	48,000	20,000
Yorkrakine Road	121400	C0006	57,000	57,000	0
Quartermaine Rd	121400	C0022	0	98,000	98,000
Underwood Rd - CBH Roads Project	121400	C0033	0	100,000	100,000
Youering Rd SLK 2.6 to 4.6	121400	C0057	49,000	0	(49,000)
Rabbit Proof Fence Road SLK 0.0 to 5.5	121400	C0059	0	8,780	8,780
Turon Road	121400	C0086	49,000	0	(49,000)
Cubbine SLK 3-4	121400	C0090	57,000	57,000	0
<u>BRC</u>					
Southern Link Project	121400	RRG085	746,588	1,082,652	336,064
<u>Roads to Recovery</u>					
Southern Link Project	121403	R2R085	186,771	186,771	0
<u>Heavy Vehicle Safety and Productivity Program</u>					
Southern Link Project	121407	HVSPP1	938,187	938,187	0
Total - Roads			2,111,546	2,576,390	464,844
Footpaths					
Transport					
Foothpath Construction - General	121407	FOOT	20,000	20,000	0
Walston, Ridley & Shields St - LRCl Phase 3	121407	FOOT03	132,229	132,229	0
Total - Footpaths			152,229	152,229	0
Other Infrastructure					
Economic Services					
Information Bay Refurbishment	132153	OI002	56,200	52,500	(3,700)
Recreation & Culture					
Kadjininy Kep Re-development	113545	KEP003	102,200	0	(102,200)
Total - Other Infrastructure			158,400	52,500	(105,900)
Capital Expenditure Total			3,476,575	3,812,083	335,508

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 2022/23 Annual Budget Review, for the period 1 July 2022 to 30 June 2023, is based on current trends, actual expenditures as at 28 February 2023 and anticipated additional revenue and expenditure.

Consultation

Chief Executive Officer
 Manager of Works & Services
 Megan Shirt – 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 19/23 MOTION

That Council:

1. Adopt the 2022/23 Annual Budget Review, as presented in Attachment Item 12.3 – FY 2022-23 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 Leslie

Seconded: Cr Nicholls

Vote: Absolute Majority

Carried: 6/0

13 MATTERS FOR CONSIDERATION – ADMINISTRATION

13.1 Restricted Access Vehicle Network Assessment and Upgrade

Location:	Shire of Tammin
Applicant:	Manager of Works and Services
Date:	10 th March 2023
Author:	Fabian Houbrechts
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council is requested to consider the proposed RAV upgrade and assessment by Main Roads WA Heavy Vehicle Services of the Shire of Tammin road network as detailed below

Background

To be able to undertake an assessment for RAV network on the new section of York Tammin Rd, Heavy Vehicle Services (HVS) is requesting the Shire of Tammin to consider the upgrade of the York-Tammin Rd (inclusive of Hunt Rd) and a section of Little Underwood Rd to Level 6.1

Dimension Requirements					
Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
4250081	York-Tammin Rd	LG Border (0.00)	York-Tammin Rd realignment to Underwood Rd	Tandem Drive Network 4	Tandem Drive Network 6
4250084	Little Underwood Rd	Underwood Rd (0.00)	CBH Access Rd (0.06)	Tandem Drive Network 4	Tandem Drive Network 6

Following the completion of the Southern Link, the appropriate process to have the new road assessed is taking place and this agenda item is reflecting the change to be applied to ensure connectivity to CBH. Currently, the York-Tammin Rd (Goldfields Rd) is rated 4.1 from the boundary with the Shire of Cunderdin all the way to the township of Tammin. The section of road within the Shire of Cunderdin is rated RAV 6.1 (see attachment) and upgrading the section within the Shire of Tammin to RAV 6.1 would provide connectivity all the way through.

Under the current rating RAV 4.1, the limitations are that trucks combinations are not to exceed a length of 27.5m and a maximum mass of 88.5t. Under a rating of RAV 6.1, the limitations of trucks combinations are not to exceed a length of 36.5m and a maximum mass of 88.5t.

Therefore, the impact on the current road will not change from the existing conditions. Should the AMMS mass level required to change in the future, this will need to be considered and Council approval will be requested.

AMMS

Accredited Mass Management Scheme (AMMS) is a concessional loading scheme, similar to the schemes it replaced, i.e. the Certified Weighbridge Mass Management Scheme (CWMMS) and the Concessional Loading Bulk Products Scheme (CLBPS). Other existing concessional loading schemes include the Concessional Livestock Scheme and the Import/ Export Containerised Cargo Concessional Scheme.

AMMS Mass Levels

There are three (3) approved mass levels under AMMS, as shown in the table.

	Single Steer Axle	Tandem Axle Group	Tri Axle Group
Level 1	6.0 -7.0 t	17.0t	21.5t
Level 2	6.0 -7.0 t	17.0t	22.5t
Level 3	6.0 -7.0 t	17.5t	23.5t

Any of the three levels are available to transport operators provided appropriate loading control methods are in place to ensure compliance with the allowable mass limits. The decision which level to apply for is determined by the mass requirements of the operator.

Heavy Vehicle Services is committed to providing efficient service to its customers by finalising route assessment applications within reasonable timeframes and ensures both applicants and road owners are kept informed of progress or delays at regular intervals.

*More information is supplied on the attachment and additional information on the Main Roads website

Comments

Main Roads HVS have asked if the Shire will support amending the classification of this road under the Restricted Access Vehicle (RAV) Network.

For the process to move ahead the Shire will need:

- Support to have the roads assessed with the view to upgrading the RAV classification of this road; or
 - Decline the request.
1. If the Shire is in favor of supporting the request, HVS will assess the mentioned roads and a condition report will be send to the Shire on its findings.

2. If the roads are suitable and are to the RAV requirements, they then will be added to the network as per the requested RAV rating.
3. Any roads that require maintenance or works will not be added to the network until the condition of the road is to the requirements of the assessment (noting that either the applicant or the Shire will need to get the road to the required standard) for it to be upgraded to the RAV rating.

Any upgrade will or may require increased on-going maintenance.

Consultation

Main Roads Heavy Vehicle Service (HVS)

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Cost of road upgrading if required and ongoing road maintenance.

Strategic Implications

Infrastructure – appropriate for local business operations

TSC 20/23 MOTION

That Council:

Agree to the assessment and amendment of the RAV rating of current approved road in the Restricted Access Vehicle (RAV) Network

Dimension Requirements					
Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
4250081	York-Tammin Rd	LG Border (0.00)	York-Tammin Rd realignment to Underwood Rd	Tandem Drive Network 4	Tandem Drive Network 6
4250084	Little Underwood Rd	Underwood Rd (0.00)	CBH Access Rd (0.06)	Tandem Drive Network 4	Tandem Drive Network 6

subject to:

1. Advise Main Roads – Heavy Vehicle services that Council supports having it assess the above mentioned roads.
2. Any roads that require maintenance or works, not be added to the network until the condition of the road is to the requirements of the assessment.

Moved: Cr Nicholls

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 6/0

13.2 Southern Link road naming – March 2023

Cr Caffell declared a proximity interest in item 13.2 and vacated the chamber at 5:41pm.

Location:	Tammin
Applicant:	Tammin Shire Council
Date:	16 st March 2023
Author:	Joanne Soderlund
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	ADM – 51
Attachment/s:	Attachment Item 13.2 – Geographic names policies Attachment Item 13.2 – Letter from G & L Caffell Attachment Item 13.2 – Road naming – Harry Caffell Attachment Item 13.2 – Tammin Geographical approval Attachment Item 13.2 – Map naming options Southern Link

Proposal/Summary

For Council to consider a request to rename the new section of road created from the Southern Link project from Hunt Rd to Caffell Bypass.

Background

As part of the process to subdivide the land for the new road as part of the Southern Link project the Shire was required to submit a name to the licensed surveyor for dealings with the Western Australian Planning Commission (WAPC).

This was considered at the March 2022 Council meeting to allow the surveyed plans to be lodged. At the March 2022 Ordinary Council Meeting, Council resolved the following:

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.

Option 1 as set out in the agenda report was:

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 (see attached map).

The primary driver for naming the new section of the road Hunt Rd and extending McLaren St was the timeframe required for Community Consultation if it was to instead choose a commemorative name as per Landgate Policies and Standards for Geographical Naming in Western Australia guidelines. The Licensed Surveyor required the Road Name in order to submit for dealings with WAPC and there was concern that delaying that process could delay the whole project.

The Shire received notification from Landgate on the 5th of May 2022 that it had approved the new road names as per the March 2022 Council Resolution (attached).

On the 18th of July 2022 the Shire received a letter from Gary and Louise Caffell requesting the new section of road to be called the Caffell Bypass (attached). The Shire's Chief Executive Officer (CEO) explained that the road had already been named by Council in March 2022 and was unsure if it was too late to make a change to it as Landgate approval had already been received. The CEO also explained that any commemorative naming request would need to meet the requirements set out in Landgates policy specifically:

The approval of a name to commemorate an individual will only be considered;

- *posthumously*
- *permission of the immediate family must be obtained. Where the person has been deceased for more than 10 years and contact with the immediate family could not be established appropriate consultation must be carried out*
- *based on a demonstrated record of achievement*
- *having had a direct and long-term association with the location and made a significant contribution to the area*
- *the proposal commemorating an individual with an outstanding national or international reputation has had a direct association with the area in which it is to be located*
- *such application is in the public interest*
- *there is evidence of broad community support for the proposal.*

The Shire then received a follow up supporting letter from Gary and Louise putting forward Mr Harry Caffell as the individual the road be considered to be named after (attached).

Comments

The Chief Executive Officer made enquiries with Landgate to investigate if it would be possible to change the proposed new road name even though approval had already been granted. Advice from landgate at the time was that it was too late to pull back the name as mapping had been done and the new titles issued would reflected the name Hunt Rd.

Whilst it was too late to pull back the submitted name the CEO made further enquires to landgate about the possibility of changing the road name once the project was completed. The advice received was as follows:

“Landgate would be agreeable to the renaming portion of Hunt Road to commemorate a local person who the community would like to honour. Our Policy on Geographic Naming outlines the requirements for commemorative Naming in Section 1.4 and require supporting information in relation to section 1.4.1. We recommend you seek preliminary in principle approval from us prior to proceeding to Council.

If a couple of names are identified, it is helpful to be put forward also as backup names in case our checks identify duplication with existing roads as the names are checked in a 50 km radius.”

Therefore, there is the opportunity to rename Hunt Rd should this be something Council would like to consider. Council have the following options in relation to this request:

Option 1: Respond to the applicant advising that the new section of the road has already been named Hunt Rd.

Option 2: Apply to Landgate to have the portion of the new road renamed from Hunt to Caffell Bypass. If council were to do this it would be recommended that their intention to do this is first advertised to the community for comment. This would be needed to help demonstrate the community support for the name.

Option 3: Call for Expressions of Interest from the community for options on a commemorative name. The request already received from the Gary and Louise Caffell could then be considered as part of that Expression of Interest. Council would need to consider how they would assess the Expressions of Interest and on what basis it would assess the names that are put forward.

Consultation

Landgate.

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 21/23 MOTION

That Council endorses option 1 in response to the request received from Mr Gary and Mrs Louise Caffell regarding the naming of the new road for the Southern Link Project.

Moved: Cr Batchelor

Seconded: Cr Nicholls

Vote: Simple Majority

Carried: 4/1

Cr Caffell returned to the room 6:02pm and the President read aloud the motion.

13.3 Compliance Audit Return - 2022

Location:	Shire of Tammin
Applicant:	Chief Executive Officer
Date:	14 March 2023
Author:	Joanne Soderlund
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.3 - Compliance Audit Return 2022

Proposal/ Summary

For Council to adopt the 2022 Compliance Audit Return as recommended by the Audit Committee at its meeting on 16 March 2023.

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 2023.

Comment

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

Section Reference /	Question	Response	Comments
Disclosure of Interest s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	No	One Elected Member submitted their primary return four months after their commencement date.
Other s5.127	Did the local government prepare a report on the training completed by council members in the 2021/2022 financial year and publish it on the local government's official website by 31 July 2022?	No, the report on the training completed by Council members was not published on the Shire of Tammin's website.	This oversight was rectified in March 2023 and this requirement has been added to our compliance calendar to ensure it occurs in future years.

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 22/23 MOTION

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

- 1. Adopt the attached Compliance Audit Return 2022;**
- 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 2022 with the Department of Local Government, Sport and Cultural Industries.**

Moved: Cr Nicholls

Seconded: Cr Thomson

Vote: Absolute Majority

Carried: 6/0

14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

15. MATTERS FOR CONSIDERATION – TOWN PLANNING

Nil

16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

18. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 6:07pm.

