

Shire of Tammin
ORDINARY COUNCIL MEETING
Thursday July 28th 2016

MINUTES

NOTICE OF MEETING

Dear Elected Member

The ordinary meeting of the Shire of Tammin was held on **Thursday July 28th, 2016** in the Council Chambers, 1 Donnan St, Tammin, commencing at **5:00pm.**



Peter Naylor
Chief Executive Officer
Friday 29th July 2016

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. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	3
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
4. PUBLIC QUESTION TIME.....	3
5. APPLICATIONS FOR LEAVE OF ABSENCE	3
6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS.....	3
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	3
7.1 ORDINARY COUNCIL MEETING MINUTES - (23 rd June 2016).....	3
8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION	3
9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSION.....	3
10. AGENDA ITEMS	4
10.1 List of Payments – June 2016.....	4
10.2 Financial Report to 30/06/2016.....	6
10.3 Western Australian Local Government Association – Annual General Meeting Agenda	8
10.4 Resource Sharing Committee Minutes 28 th June 2016	14
10.5 2016/17 Annual Budget	16
10.6 Lots 8 & 9 Nottage Way, Tammin	19
10.7 Tammin Tavern – Application for Temporary Part Closure of Redmond Street	22
10.8 Cunderdin, Tammin, Quairading Well-Aged Precinct.....	25
10.9 CONFIDENTIAL ITEM – Appointment of Manager Finance & Administration	27
11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	30
12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	30
12.1 Application to Keep more than Two Dogs	30
13 CLOSURE OF MEETING	33
14 REFERENCES.....	34

AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Attendance:

Cr S Uppill	Shire President
Cr C Crane	Deputy President
Cr G Batchelor	Member
Cr P Bell	Member
Cr M Greenwood	Member
Cr D Thomson	Member
Peter Naylor	Chief Executive Officer
Nathan Gilfellon	A/Deputy Chief Executive Officer
Greg Stephens	Works Supervisor

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 ORDINARY COUNCIL MEETING MINUTES - (23rd June 2016)

MIN 44/16 MOTION:

That the Minutes of the Ordinary Council meeting held on 23rd June 2016 be confirmed as a true record of proceedings.

Moved: Cr Bell

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 6/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSION

10. AGENDA ITEMS

10.1 List of Payments – June 2016

Location:	Shire of Tammin
Applicant:	Finance Officer
Date:	20 th July 2016
Author:	Sarah Symons
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	2 Pages

BACKGROUND

Accounts paid for June 2016 is listed totaling:

Cheque numbers	6628-6631	\$3,438.91
Direct debit payments	01.06.- 30.06.2016	\$22,990.34
Licensing transfers	01.06.- 30.06.2016	\$11,374.70
Bank fees	01.06.- 30.06.2016	\$151.49
VISA payments	01.06.- 30.06.2016	\$154.76
EFT payments	EFT 636-692	\$228,548.69
Salaries and Wages	01.06.- 30.06.2016	\$44,110.93
Total payments	01.06. – 30.06.2016	\$310,769.82

COMMENT

Nil

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

See attached reference point 14

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

MIN 45/16 MOTION:

That the list of payments made for June 2016 be endorsed as follows:

Cheque numbers	6628-6631	\$3,438.91
Direct debit payments	01.06.- 30.06.2016	\$22,990.34
Licensing transfers	01.06.- 30.06.2016	\$11,374.70
Bank fees	01.06.- 30.06.2016	\$151.49
VISA payments	01.06.- 30.06.2016	\$154.76
EFT payments	EFT 636-692	\$228,548.69
Salaries and Wages	01.06.- 30.06.2016	\$44,110.93
Total payments	01.06. – 30.06.2016	\$310,769.82

Moved: Cr Bell

Seconded: Cr Greenwood

Simple Majority Required

Carried: 6/0

10.2 Financial Report to 30/06/2016

Location:	Shire of Tammin
Applicant:	A/ Deputy Chief Executive Officer
Date:	21 th July 2016
Author:	Nathan Gilfellow
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	23 Pages

BACKGROUND

The Monthly Financial Report to 30 June 2016 is attached.

COMMENT

The Financial Report has been prepared in the format requested by Council.

The effect of the Council's Policy decision on reporting variances is shown in the far right column – being the calculated variance between the Actual Column and the YTD Budget column figures where the variance is greater than 10% and \$5,000.

FINANCIAL IMPLICATIONS

No significant implications.

POLICY IMPLICATIONS

Council resolved (Item 5 – 15 August 2013) that in accordance with section 34(5) of the Local Government (Financial Management) Regulations 1996 a variance percentage of 10% and \$5,000 be adopted for reporting material variances.

STATUTORY ENVIRONMENT

See attached reference point 15

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

MIN 46/16 MOTION:

That the Financial Report for 30 June 2016 be received.

Moved: Cr Thomson

Seconded: Cr Crane

Simple Majority Required

Carried: 6/0

10.3 Western Australian Local Government Association – Annual General Meeting Agenda

Location:	Perth Convention and Exhibition Centre
Applicant:	Chief Executive Officer
Date:	5 th July 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	83 Pages (1 attachment)

Proposal/Summary

For Council to discuss and provide guidance to the voting delegates attending the WA Local Government Association Annual General Meeting on how to vote on the various matters for consideration.

Background

The 2016 WA Local Government Annual General Meeting (AGM) will be held at the Perth Convention & Exhibition Centre on Wednesday 3rd August 2016 commencing at 1:30pm.

Whilst Council will be represented by Councillors Uppill, Crane, Batchelor, Greenwood and Thompson at the Local Government Week Convention, Councillors Batchelor and Greenwood have been nominated by Council as the voting delegates at the AGM. Cr Crane and the Chief Executive Officer are the proxy voting delegates.

Comment

The following motions from the AGM Agenda are summarised for Council to consider. Council appointed Delegates attending the Annual General Meeting of the WA Local Government Association are required to vote according to the indicative determinations from the Council, however it should also be recognised that additional information on each item may be brought forward at the AGM whilst the matters are being deliberated on and these may in the end have an impact on how the Council delegates cast their votes.

A full copy of the AGM with the Member Motions is attached to this Agenda Item for detailed Council reading and direction to appointed Delegates;

Agenda Item	Local Government Proponent	Motion Title
4.1	WA Local Government Assoc	Amendments to the WALGA Constitution

MOTION

That the WALGA Constitution be amended as follows:

1. In Clause 5(7)(b) of the Constitution for “sub-clause 5(9)” read “sub-clause 5(11)”.
2. Clause 10 (2) of the Constitution be amended with the last sentence to read:

The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16.”

3. Clause 10 of the Constitution be amended by inserting as sub-clause (9):
“(9) State Council shall adopt Standing Orders that will apply to all meetings.”
4. Clause 14(4a) and Clause 20 of the Constitution be amended by inserting as sub-clause (h) and sub-clause (j), respectively:
“is a Councillor of an Ordinary Member that has been peremptorily suspended under Section 8.15C (2)(c) of the Local Government Act 1995”
5. Clause 16(2)(b) of the Constitution be amended to read:
“(b) representatives are to vote on the matter by secret ballot.”
6. Clause 17 of the Constitution be amended by inserting as sub-clause (5):
“(5) Where the incumbent President seeks and is re-elected for a consecutive term, that person shall not hold office beyond two (2) full consecutive terms.”

4.2 Shire of Dardanup Natural Disaster Recovery Support Funding

MOTION

Request that WALGA State Council investigates the development and implementation of Natural Disaster Recovery Support Funding that will provide advice and financial support for Local Governments affected by the impacts of natural disasters that meet the Western Australia Natural Disaster and Recovery Arrangements (WANDRRA) criteria.

4.3 Shire of Bridgetown-Greenbushes Non Operational Rail Corridors

MOTION

That the Public Transport Authority and Brookfield Rail work with WALGA and any interested Local Governments in developing a policy and/or procedures in order to facilitate third party use of non-operational rail corridors, in particular uses that demonstrate a clear community benefit.

4.4 City of South Perth Planning Systems Review

MOTION

1. Request the Western Australian Local Government Association to advocate for an independent review of decision making in the Western Australian Planning System, including the roles of local government, delegated authorities, Joint Development Assessment Panels and State Administrative Tribunal appeal processes that gives consideration to:
 - 1.1 How the aspirations or values of the community are incorporated into the decision making framework;
 - 1.2 Improvements to the statutory framework, including Local Planning Schemes, that would improve the transparency, certainty and consistency of the decision making process;
 - 1.3 Ensure that decision making occurs at appropriate levels that promotes good and efficient decisions for the community;
 - 1.4 Ensure that Local Governments have a third party right to present local community views to the State Administrative Tribunal;
 - 1.5 The erosion of the roles of Local Government in planning for their communities.
2. In the event that the State Government is unwilling to pursue an independent review of the decision-making process, request the Western Australian Local Government Association to engage with members and advocate for practical reforms that will ensure

greater accountability, transparency and procedural fairness for ratepayers through the Joint Development Assessment Panel's decision making processes.

4.5 City of Subiaco

Abolitions of DAPS

MOTION

That WALGA:

1. Advocates for the abolition of Development Assessment Panels (DAPs) on the basis that:
 - 1.1. DAPs by means of their majority unelected membership are not democratic bodies representing the ratepayers and accordingly do not reflect the aspirations or values of the community;
 - 1.2. DAPs represent a significant erosion of planning powers by elected representatives who have been given a mandate by ratepayers to make these decisions; and
 - 1.3. Previous decisions made by the Joint Development Assessment Panel have gone well beyond the purpose, intent and application of relevant Local Planning Scheme and Policies adopted by each local council; and
2. Advocates for consideration of the following reforms, in the event that DAPs remain in place, to ensure greater accountability, transparency and procedural fairness for ratepayers through the Panel's assessment and decision making processes:
 - 2.1. Abolishing the current opt-in mechanism which allows applicants to choose either elected Councils or the DAP as the decision maker in favour of a Ministerial call-in power for projects of state or regional significance, with a minimal value of \$20 million, as has been adopted in the eastern states;
 - 2.2. Requiring equal membership on the DAP between Local Government and Appointed Specialist members with an independent chair approved by both State and Local Governments;
 - 2.3. Requiring the DAP to set the meeting date for consideration of the development applications no later than five working days after the application being received to enable inclusion within the community consultation process;
 - 2.4. Requiring the DAP agenda and local government report and recommendation to be published no less than ten business days prior to the scheduled meeting date;
 - 2.5. Requiring a minimum of five business days between publishing the DAP agenda and the date by which ratepayers can make public presentations to the DAP, to provide more time to prepare a formal response;
 - 2.6. Mandating that respondents to the development application can nominate e-mail or Australia Post as their preferred contact method for information and requiring the local government to contact registered respondents throughout the process as deadlines are reached;
 - 2.7. Providing a public template for ratepayers to assist with the preparation of feedback as part of the Community consultation process;
 - 2.8. Requiring any changes to a development application between the community consultation period and final proposal for decision by the DAP to be published on the local government's website and to notify all respondents to the original community consultation of those changes;
 - 2.9. Removing the need for the local government to obtain the applicant's consent for further consultation or an extension of time to report the applicant's development proposal to a DAP meeting for determination; and
 - 2.10. Providing a Local Government aggrieved by a DAP decision a right of review at the State Administrative Tribunal.
3. Advise the Minister for Planning of its concerns with the actions and decisions of the Development Assessment Panels.

4.6 Shire of Dandaragan Introduction of Container Deposit Scheme

MOTION

That WALGA:

1. Continue to actively advocate for the implementation of a Container Deposit Scheme in Western Australia; and
2. Include the implementation of a Container Deposit Scheme in the Association's Election Platform.

4.7 Shire of Dardanup Declared Pest Plant C3 Review by DAFWA

MOTION

Request that WALGA lobby the Minister for Agriculture and Food WA to ensure that the Biosecurity and Agriculture Management Act 2007 (BAM Act) review results in the Act giving the Department of Agriculture and Food WA the responsibility to control, manage and facilitate the eradication of pest plants and weeds, including Cotton Bush, and that the Department be adequately funded to undertake eradication programs for all species that have the potential to negatively impact on the production of agriculture in Western Australia, including but not limited to Cotton Bush, wild dogs, cane toads, skeleton weed, Blackberry and Patterson's Curse.

4.8 City of Bunbury Renewable Energy

MOTION

That the Western Australian Local Government Association advocates for reforms to the parameters applied by the WA Government regarding generation of energy through renewable sources by local governments, either individually or in partnership with private sector specifically seeking a fixed feed in tariff for extended periods to enable effective business planning and funding arrangements.

4.9 Shire of Toodyay Reducing Regulatory Burden on Local Government

MOTION

That all new legislation, regulation or quasiregulation imposed on Local Government be accompanied by an independent regulatory impact assessment including the opportunity for input from the Local Government sector.

4.10 City of Bunbury Most Accessible Regional City in Australia Awards

MOTION

That the Western Australian Local Government Association:

1. Develop assessment criteria to formally recognise the contribution that Western Australian local governments are taking to promote and improve accessibility within their jurisdictions.
2. Conduct an annual awards process coinciding with Local Government Week to recognise local governments nominated for work undertaken in no. 1 above based on metropolitan, Regional and remote categories.
3. Nominate the winning local government from each category for the National Awards for Local Government – Disability Access and Inclusion Awards conducted by the Department of Infrastructure and Regional Development.

4.11 Shire of Bridgetown-Greenbushes Discussion Paper Excessive Force

MOTION

That WALGA, recognising that a significant role of local government is to lobby and advocate to higher levels of government on matters of concern to local constituents, advocate to the State Government for a discussion paper to be prepared on the issue of decriminalising the use of excessive force by members of the public when such force is effected in the course of defending family and property from intruders.

Late Agenda Item

4.12 City of Rockingham Corella Management Strategy

MOTION

“That the State Government through the auspices of the Department of Parks and Wildlife, in consultation with Perth metropolitan local governments take a leadership role in the development and implementation of a Perth metropolitan area wide Corella Management Strategy with the objective of:

- (a) Managing populations of corellas at a sustainable and ecologically appropriate level.
- (b) Limiting the deleterious impact current Corella populations are having on local ecosystems.
- (c) Limiting the significant damage current Corella populations are inflicting on public open space and associated infrastructure.
- (d) Limiting the public health risks that are being created, and public amenity being threatened, by the large levels of Corella faeces being deposited in public open spaces.”

Cr Batchelor, who has been elected as a voting delegate for the Shire of Tammin at the WALGA AGM, informed the meeting that she is currently employed by the Department of Agriculture and Food WA on their Biosecurity program and therefore declares an interest in AGM Agenda Item 4.7 Shire of Dardanup, Declared Pest Plant C3 Review by DAFWA, and stated that she will not be voting on this specific matter.

Council acknowledged Cr Batchelor’s declaration of interest and requested that when item 4.7 is raised that she either refrain from voting on this specific item or, if possible, pass the voting baton to another Shire of Tammin representative at the meeting, if available.

Consultation

Nil (elected body to determine).

Statutory Implications

Nil (not known at this time – decision making processes).

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

MIN 47/16 MOTION:

That Council:

- 1. Directs its appointed voting delegates for the WA Local Government Association Annual General Meeting to vote as follows on the various agenda items being presented for consideration:**

Item 4.1	Support
Item 4.2	Support
Item 4.3	Support
Item 4.4	Support
Item 4.5	Oppose
Item 4.6	Support
Item 4.7	Support
Item 4.8	Support
Item 4.9	Support
Item 4.10	Support
Item 4.11	Oppose
Item 4.12	Support

- 2. Acknowledges that additional information on each item may be brought forward at the AGM whilst the matters are being deliberated and this additional information may have an impact on how the Council delegates, in consultation, cast their final votes.**

Moved: Cr Greenwood

Seconded: Cr Thomson

Vote: Simple Majority

Carried: 6/0

10.4 Resource Sharing Committee Minutes 28th June 2016

Location:	Shire of Tammin
Applicant:	Chief Executive Officer
Date:	5 th July 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	22 Pages (2 attachments)

Proposal/Summary

For Council to receive the Minutes of the Resource Sharing Committee Meeting held on Tuesday 28th June 2016, and endorse the recommendation from the Committee to Council.

Background

The Resource Sharing Committee, at the meeting held in Tammin on Tuesday 28th June 2016, considered a Business Plan prepared by Darren Long Consulting on a “Shared Services Proposal for Rating Services” for the Shires of Tammin and Cunderdin.

Further to the Shared Chief Executive Officer (CEO) arrangement in place, it has been identified that there is an opportunity to share further staff resources and improve the efficiency and effectiveness of rating services within the two local governments. Particularly now with the imminent departure of the current Shire of Tammin Acting Deputy Chief Executive Officer whose duties include the rates functions at the Tammin Shire.

The Business Plan proposes that the Rates Officer from the Shire of Cunderdin provide the Shire of Tammin with a rating service for one day per week. The use of a specialised rates officer to fulfil the rating function at the Shire of Tammin will enable the Manager of Finance and Administration to assist the CEO with other administrative arrangements.

At the meeting the Committee resolved as follows:

“that the Resource Sharing Committee recommends to the Shires of Cunderdin and Tammin that the Draft “Shared Services Proposal for Rating Services” Business Plan be endorsed.”

Comment

A copy of the meeting minutes and the “Shared Services Proposal for Rating Services” Business Plan are circulated as attachments with the agenda item.

Consultation

Shire of Tammin & Shire of Cunderdin Staff.

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

MIN 48/16 MOTION:

That Council:

- 1. Receives the Minutes from the Resource Sharing Committee Meeting held on Tuesday 28th June 2016.**
- 2. Endorses the recommendation at item 5.2.1 of the Minutes.**

Moved: Cr Crane

Seconded: Cr Greenwood

Vote: Simple Majority

Carried: 6/0

10.5 2016/17 Annual Budget

Location:	Shire of Tammin
Applicant:	A/ Deputy Chief Executive Officer
Date:	22 nd July 2016
Author:	Nathan Gilfellow
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	37 Pages

Proposal/Summary

To consider and adopt the Annual Budget included rate in the dollar, minimum rates, discounts, interim charges and interest and penalty interest rate for the 2016/17 financial year.

Background

A copy of the draft 2015/16 Budget, prepared in accordance with the requirements of the local government (finance) regulations is attached.

On the 23rd of June 2016 Council agreed with income and expenditure to be placed in the budget during a budget workshop. This has now been presented in a statutory format for formal adoption.

Comment

The Budget allows for an increase of approximately 7.0% in the general rates for both GRV and UV valued properties and a increase of \$30 or (6.5%) to the minimum rates.

The surplus brought forward totals \$696,709 with \$193,180 of these funds being marked for projects that were uncompleted at the end of 2015/16. The remaining \$503,529 has been placed into the Shires Tammin Sports, Recreation and Community Facilities Upgrade and Improvements Reserve Fund. The final amount will not be accurately known until the full audit of the 2015/16 financial statements and may change significantly at that time.

Statutory Implications

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 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 30 June next following that 31 August.

* Absolute majority required.

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —

(a) the expenditure by the local government; and

(b) the revenue and income, independent of general rates, of the local government; and
(c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

(3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.

(4) The annual budget is to incorporate —

(a) particulars of the estimated expenditure proposed to be incurred by the local government; and (b) detailed information relating to the rates and service charges which will apply to land within the district including —

(i) the amount it is estimated will be yielded by the general rate; and

(ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges; and

(c) the fees and charges proposed to be imposed by the local government; and

(d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and

(e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and

(f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and

(g) such other matters as are prescribed.

(5) Regulations may provide for —

(a) the form of the annual budget; and

(b) the contents of the annual budget; and

(c) the information to be contained in or to accompany the annual budget.

Financial Implications

Nil

Strategic Implications

Nil

MIN 49/16 MOTION:

That Council:

- 1) Adopt an administration charge of \$10.00 per instalment notice.**
- 2) Impose interest of 5.5% per annum on rates paid by instalments in 2016/17.**
- 3) Adopt a penalty interest rate of 11.0% to be imposed on outstanding rates.**
- 4) Offer a discount of 5.0% of the value of current rates (rates levied in 2016/17) if all rates and charges appearing on the rate notice, including arrears, are paid in full within 35 days of issue of the rates assessment notice.**
- 5) Adopt a minimum rate for the 2016/17 year at:**

Unimproved Value	\$495.00
Gross Rental Value	\$495.00
- 6) Adopt a rate in the dollar of 1.7064 cents for the Unimproved Valuation rating in 2016/17.**
- 7) Adopt a rate in the dollar of 11.0992 cents for the Gross Rental Valuation rating in 2016/17.**
- 8) Adopt the attached Shire of Tammin 2016/17 Annual Budget.**

Moved: Cr Thomson

Seconded: Cr Crane

Vote – Absolute majority

Carried: 6/0

10.6 Lots 8 & 9 Nottage Way, Tammin

Location:	Lots 8 & 9 Nottage Way, Tammin
Applicant:	Chief Executive Officer
Date:	12 th July 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	A509 / A510
Attachment/s:	15 Pages (3 attachments)

Proposal/Summary

For Council to formally consider the sale of Lots 8 & 9 Nottage Way, Tammin.

This report recommends that the properties be sold in accordance with the provisions of the *Local Government Act 1995*.

Background

Council entered into a Deed of Agreement with the State Housing Commission on 25th May 1993, for the development of staff housing at Lots 8 & 9 Nottage Way.

Since the recent development of staff housing at Lots 5 & 6 Nottage Way the use of the properties at Lots 8 & 9 are surplus to Council staff requirements.

Council, at its Ordinary meeting held on Thursday 20th August 2015, resolved “*to advise the Department of Housing that lots 8 & 9 Nottage Way are no longer required by the Shire and that Council agrees that the best course of action is to sell them as is*”.

Subsequent to this a letter was forwarded to the Department of Housing on 27th August 2015.

A response has now been received from the Department, dated 5th July 2016, confirming that, conditional on any Ministerial and internal approvals required, it is agreeable to termination of the Deed by mutual consent and the sale of the properties. The response also proposes the method in which the Deed is terminated and disposal of property can be progressed.

The termination of the Deed and sale of the properties is catered for in clause 7 of the Deed.

In addition this matter Lot 8 is currently tenanted by Mr Charlie Puglia. The Tenancy Agreement between the Shire of Tammin and Mr Puglia, condition 20, provides for the termination of the Agreement by the owner giving the tenant at least 30 days notice of termination if a contract has been entered into for the sale of the premises under which vacant possession of the premises is required to be given.

Copies of the Department of Housing correspondence, Deed of Agreement between the Shire and State Housing Commission, and Tenancy Agreement between the Shire and Mr Puglia, are included as attachments with the Council meeting agenda.

Comment

The process for sale of land by a local government is prescribed in section 3.58 of the Local Government Act 1995, details of which follow.

Statutory Implications

Local Government Act 1995

3.58. Disposing of property

- (1) *In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) *Except as stated in this section, a local government can only dispose of property to —
(a) the highest bidder at public auction; or
(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
(a) it gives local public notice of the proposed disposition —
(i) describing the property concerned; and
(ii) giving details of the proposed disposition; and
(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
and
(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
(a) the names of all other parties concerned; and
(b) the consideration to be received by the local government for the disposition; and
(c) the market value of the disposition —
(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —
(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*

(d) any other disposition that is excluded by regulations from the application of this section.

Financial Implications

Nil or minor. Council will retain a share (13.01%) of the net sale proceeds, the amount which can be allocated by Council at the time of sale of the properties..

Strategic Implications

The proposal supports the Shire of Tammin Strategic Plan in that it is making available more affordable housing infrastructure within the Tammin Townsite.

MIN 50/16 MOTION:

That Council:

- 1. Receives the Department of Housing correspondence of 5th July 2016, and endorses the proposed actions therein for the termination of the Deed of Agreement between the Shire of Tammin and the State Housing Commission dated 25th May 1993, and the sale of Lots 8 & 9 Nottage Way, Tammin.**
- 2. Authorises the Chief Executive Officer and Shire President to work with the Department of Housing on this matter and to execute legal documents on behalf of Council to progress the termination of the Deed and sale of the two properties.**

Moved: Cr Uppill

Seconded: Cr Bell

Vote – Simple majority

Carried: 6/0

10.7 Tammin Tavern – Application for Temporary Part Closure of Redmond Street

Location:	Tammin
Applicant:	Tammin Tavern
Date:	19 th July 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

For Council to consider the temporary part closure of Redmond Street, between Donnan Street and Shields Street, Tammin, on Saturday 24th September 2016.

Background

The Tammin Tavern is proposing to conduct a “Sun Down Spring Music Festival” at the Tavern on Saturday 24th September 2016, commencing at 12:00noon.

The Tavern is seeking Council approval for part of Redmond Street, between Donnan and Shields Streets, to be closed to traffic from 11:00am to 12:00midnight.

The purpose of the road closure is to provide an access point for St John Ambulance, who are setting up a medical tent for the event, and shuttle buses.

Comment

Whilst the proposed road closure may be a minor inconvenience to local residents there are plenty of other avenues available for them to access their properties.

The proposed event is an inaugural event for the tavern and is a great initiative to increase their business activity and at the same time help promote Tammin.

Council has the capacity in accordance with the provisions of S3.50 of the *Local Government Act 1995* to support the application.

There is a requirement for local public notice to be given to the local community and effected business and land owners / occupiers.

Consultation

Tammin Tavern
Local Residents

Statutory Environment

Local Government Act 1995

3.50. Closing certain thoroughfares to vehicles

- (1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
- (1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.
- (2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.
- [(3) deleted]
- (4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —
- (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and
- (b) give written notice to each person who —
- (i) is prescribed for the purposes of this section; or
- (ii) owns land that is prescribed for the purposes of this section; and
- (c) allow a reasonable time for submissions to be made and consider any submissions made.
- (5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).
- (6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.
- [(7) deleted]
- (8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.
- (9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.
- [Section 3.50 amended by No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

MIN 51/16 MOTION:

That Council:

- 1. Supports the application from the Tammin Tavern for the temporary part closure of Redmond Street, Tammin, between Donnan and Shields Streets, on Saturday 24th September 2016, from 11:00am to 12:00midnight..**
- 2. Informs the local community and effected business and property owners / occupiers of the part road closure by Local Public Notice to be provided in accordance with the provisions of S3.50 of the *Local Government Act 1995*.**

Moved: Cr Thomson

Seconded: Cr Greenwood

Vote: Simple Majority

Carried: 6/0

10.8 Cunderdin, Tammin, Quairading Well-Aged Precinct

Location:	Tammin
Applicant:	Cunderdin-Meckering Cottage Homes Tamma Village
Date:	19 th July 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	10 Pages (1 attachment)

Proposal/Summary

Council to consider approving the development of a Project Execution Strategy (PES) relating to the Cunderdin, Tammin, Quairading Well-Aged Precinct (“the Precinct”) project. If the PES is supported by Council, staff will continue to work with the Wheatbelt Development Commission (WDC) to progress the project to the final business case stage.

Background

The Shires of Cunderdin, Tammin and Quairading have been discussing with the Development Commission the opportunity to work collaboratively in progressing the development of Aged Support and Care Solutions within the three Shires. The PES is to formalise a strategy for a business case to seek funding for the delivery of additional Age Friendly Accommodation (Cottage Homes) units across the three Shires.

Comment:

The Cunderdin-Meckering Cottage Homes Committee have been considering for some time to increase the number of cottage homes available within the Shire of Cunderdin to meet the demands of the growing waiting list.

This is an ideal opportunity for the three local governments to work together, and with the Wheatbelt Development Commission, in a regional capacity for the future delivery of additional aged accommodation within our respective districts and to help retain the aging population within their local communities.

Consultation:

Cunderdin-Meckering Cottage Homes
Shires of Tammin and Quairading
Wheatbelt Development Commission
Heartlands WA

Statutory Environment:

Nil

Policy Implications

Nil

Financial Implications

Nil at this time, however it is envisaged that the Shire of Tammin will at some time in the future be required to make a financial contribution to the Well Aged Precinct project.

Tammin Community Strategic Plan

Social: Building a Sense of Community

- Our community will be inclusive and inviting; a place where all people, young and old, are accepted and valued.
- Community leadership and involvement will ensure our different communities recreate, network and interact, building strong relationships and support.
- Our diverse community has access to services within their local area.

Built Environment: Enhanced Lifestyle Choices

- Our local area will be maintained through the provision of housing and employment choices for all ages, whilst protecting our viable farmland.
- 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.

MIN 52/16 MOTION:

That Council

- 1. Supports a regional approach for the construction of dedicated aged persons independent living units;**
- 2. Endorses the development of a Project Execution Strategy (PES) to prepare a comprehensive business case with assistance from the Wheatbelt Development Commission for the purpose of attracting State and/or Federal funding to construct additional aged person independent living units (cottage homes) in the Shires of Cunderdin, Tammin and Quairading a part of a regional initiative and alliance;**
- 3. Subject to the Business Case, in the future agrees to contribute in-kind support by allocating land, contributing to earthworks and landscaping for the construction of aged persons independent living units located in the Shire of Tammin; and**
- 4. Subject to the Business Case, in the future may agree to a cash contribution for the construction of aged persons independent living units in Tammin with the contribution amount being allocated on the completion of a detailed project costings report.**

Moved: Cr Batchelor

Seconded: Cr Crane

Vote – Absolute majority

Carried: 6/0

10.9 CONFIDENTIAL ITEM – Appointment of Manager Finance & Administration

Location:	Shire of Tammin
Applicant:	Chief Executive Officer
Date:	21 st July 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

Council to endorse the appointment of to the position of Manager Finance & Administration with the Shire of Tammin.

Background

The Manager Finance & Administration position is becoming vacant with the departure of Nathan Gilfellow on 30th September 2016.

The position was advertised in the West Australian and Avon Advocate newspapers on Wednesday 8th June 2016, and also local publications, with applications closing on Wednesday 6th July 2016.

At the closure of the application period 18 applications were received.

Comment:

The Chief Executive Officer and A/Deputy CEO shortlisted the applications and conducted interviews with five of the applicants on Thursday 14th July 2016.

Following the interview process, and associated reference checks, the position has been offered and accepted with a commencement date of Monday 5th September 2016.

This will provide the new incumbent with four weeks of learning experience with the A/DCEO.

In accordance with the provisions of section 5.37 of the Local Government Act 1995, the appointment of a person to a Senior Employee position is to be presented to Council for endorsement.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

5.37. Senior employees

- (1) *A local government may designate employees or persons belonging to a class of employee to be senior employees.*
- (2) *The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.*
- (3) *Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*
- (4A) *Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.*
- (4) *For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.*

5.39. Contracts for CEO and senior employees

- (1) *Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.*
- (1a) *Despite subsection (1) —*
 - (a) *an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and*
 - (b) *a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.*
- (2) *A contract under this section —*
 - (a) *in the case of an acting or temporary position, cannot be for a term exceeding one year;*
 - (b) *in every other case, cannot be for a term exceeding 5 years.*
- (3) *A contract under this section is of no effect unless —*
 - (a) *the expiry date is specified in the contract; and*
 - (b) *there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and*
 - (c) *any other matter that has been prescribed as a matter to be included in the contract has been included.*
- (4) *A contract under this section is to be renewable and subject to subsection (5), may be varied.*
- (5) *A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section.*
- (6) *Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.*
- (7) *A CEO is to be paid or provided with such remuneration as is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7A.*
- (8) *A local government is to ensure that subsection (7) is complied with in entering into, or renewing, a contract of employment with a CEO.*

Policy Implications

Nil

Financial Implications

Nil

Tammin Community Strategic Plan

Nil

MIN 53/16 MOTION:

That Council

- 1. Endorses the Chief Executive Officer appointment of Ms Kelsey Pryer to the position of Manager Finance & Administration Officer with the Shire of Tammin for a three year contractual period, with three month probationary period, commencing on Monday 5th September 2016.**
- 2. Endorses the appointment being in accordance with the salary package advertised to a value of \$87,438 with cash component of \$64,000.**

Moved: Cr Uppill

Seconded: Cr Batchelor

Vote – Simple majority

Carried: 6/0

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

MIN 54/16 MOTION:

That Late Agenda Item 12.1 Application to Keep more than Two Dogs within the Tammin Townsite be accepted by Council.

Moved: Cr Uppill Seconded: Cr Crane

Vote: Simple Majority Carried: 6/0

12.1 Application to Keep more than Two Dogs

Location:	20 Dreyer Street, Tammin
Applicant:	Mr Terry Munday
Date:	26 th July 2016
Author:	Peter Naylor
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	PUBH-00
Attachment/s:	Nil

Proposal/Summary

An application has been received from Mr Terry Munday requesting permission to keep more than Two Dogs on a property he is intending to purchase at 20 Dreyer Street, Tammin.

Background

It is a requirement of the Shire of Tammin Dogs Local Law 2006 that the maximum number of dogs that can be kept on a premise within a townsite is two (2) unless an exemption is granted by Council under the provisions of section 26(3) of the *Dog Act 1976* (as amended).

Comment

The property is currently in the ownership of Mr Munday's sister in law, Ms Janet Munday. Mr Munday has indicated in his letter that he is considering to purchase the property.

Mr Munday also explains that they are part of the Greyhound as Pets program and request permission to house 2 – 3 greyhounds in addition to their one house dog.

The indication of 2 – 3 additional dogs may be cause for concern and perhaps it would be appropriate for Council, should it be in favour of granting an exemption, to impose certain conditions in respect to the absolute number of dogs that can be housed at the property to provide an opportunity for the exemption to be revoked or varied, in accordance with the provisions of the *Dog Act 1976*, as mentioned above.

It would also be appropriate to have the ranger services inspect the property fencing to ensure it was adequate to restrict the dogs to the property and consult with neighbouring property owners.

Consultation

Contract Ranger Services
Neighbouring property Owners / Occupiers

Statutory Implications

Dog Act 1976 (as amended)

Part V — The keeping of dogs

6. Limitation as to numbers

- (1) *A local government may, by a local law under this Act —*
 - (a) *limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or*
 - (b) *limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.*
- (2) *A local law mentioned in subsection (1) —*
 - (a) *may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only; and*
 - (b) *cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and*
 - (c) *cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and*
 - (d) *cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).*
- (3) *Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —*
 - (a) *may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and*
 - (b) *cannot authorise the keeping in or at those premises of —*
 - (i) *more than 6 dogs that have reached 3 months of age; or*
 - (ii) *a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;*

and

 - (c) *may be revoked or varied at any time.*
- (4) *A person must not keep in or at any premises, not being licensed under section 27 as an approved kennel establishment —*
 - (a) *in the case of dogs that have reached 3 months of age, other than dangerous dogs (declared) or dangerous dogs (restricted breed), more than the number of dogs than the limit imposed under —*
 - (i) *a local law mentioned in subsection (1); or*
 - (ii) *an exemption granted under subsection (3);*

or

- (b) *more than —*
 - (i) *2 dangerous dogs (declared); or*
 - (ii) *2 dangerous dogs (restricted breed); or*
 - (iii) *one of each of those kinds of dangerous dogs, that have reached 3 months of age; or*
- (c) *any pup, of a dangerous dog (restricted breed), that is under 3 months of age.*

Penalty:

- (a) *for an offence relating to a dangerous dog —*
 - (i) *a fine of \$10 000, but the minimum penalty is a fine of \$500;*
 - (ii) *for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$500;*
 - (b) *for an offence relating to a dog other than a dangerous dog —*
 - (i) *a fine of \$5 000;*
 - (ii) *for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$100.*
- (5) *Any person who is aggrieved —*
- (a) *by the conditions imposed in relation to any exemption under subsection (3); or*
 - (b) *by the refusal of a local government to grant such an exemption, or by the revocation of an exemption, may apply to the State Administrative Tribunal for a review of the decision.*
- (6) *An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.*

Shire of Tammin Dogs Local Law 2006

PART 3 - REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

- (1) An occupier of premises on which a dog is kept must -
- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
 - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
 - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
 - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been -
- (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act -
- (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or
 - (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite.

- (3) Subject to subclause (1) where an owner or occupier fails to comply with subclause (2), he or she commits an offence.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

MIN 55/16 MOTION:

That Council approves the application to keep three dogs at 20 Dreyer Street, Tammin, subject to the following conditions:

- 1. The applicant proceeds with the purchase of the property, if not a letter of endorsement be provided from the property owner granting approval for the dogs to be kept at the property.**
- 2. The Contract Ranger Services be requested to carry out an inspection of the property fences to ensure they are sufficient to restrict the dogs to the property, and also consult with neighbouring property owners / occupiers in relation to the keeping of the additional dogs at the property.**
- 3. The applicant must maintain and hold valid registrations for each of the dogs kept at the premises.**
- 4. The exemption is only valid for the life of the three dogs initially registered to the property, should one (1) of the dogs become deceased it cannot be replaced prior to seeking further approval from Council.**
- 5. Should there be any significant breach of the *Dog Act 1976*, or the Shire of Tammin Dogs Local Law 2006, then the exemption may be withdrawn at any time.**

Moved: Cr Bell

Seconded: Cr Thomson

Simple Majority Required

Carried: 6/0

13 CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 5:38pm.

14 REFERENCES

6 **DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS**

The Local Government Act (Section 5.60 – 5.62) provides that it is the Councillor's obligation to declare an interest if they believe that they have a financial interest, proximity interest, closely associated persons interest or an interest affecting impartiality in a matter being discussed by Council.

The Act provides that the interest may be declared in writing to the CEO prior to the meeting or declared prior to discussion of the agenda item at the meeting. Forms for this purpose are available to Councillors.

The Act further provides that the extent of the interest needs to be declared if the Councillor seeks to remain in the Chamber during the discussion, debate or voting on the item.

A Councillor declaring a financial or proximity interest must leave the meeting prior to the matter being discussed or voted on (including the question as to whether they are permitted to remain in the Chamber). Councillors remaining in the Chamber may resolve to allow the member to return to the meeting to participate in the proceedings.

7.1 **STATUTORY ENVIRONMENT**

Section 5.22(2) of the Local Government Act provides that minutes of all meetings to be kept and submitted to the next full Council meeting for confirmation.

11.1 List of Financial Payments Reference -**STATUTORY ENVIRONMENT**

Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that:

- (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.*

11.2 **Financial Report Reference - STATUTORY ENVIRONMENT**

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires a Statement of Financial Activity to be prepared each month, which is to contain the following details:

- (a) *annual budget estimates;*
- (b) *budget estimates to the end of the month;*
- (c) *actual amount of expenditure and revenue;*
- (d) *material variances between comparable amounts in (b) and (c) above; and*
- (e) *the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).*

The Statement is to be accompanied by:

- (a) *explanation of the composition of net current assets, less committed assets and restricted assets;*
- (b) *explanation of the material variances; and*
- (c) *such other information considered relevant by the local government.*

Attachment item 11.1 Payments List June 2016

PAYMENTS LIST JUNE 2016

Date	Reference	Supplier Name	Details	Amount
Cheque Payments				
07/06/2016	6628	Water Corporation	Water consumption 11/03-11/06/16	62.78
16/06/2016	6629	Water Corporation	Water consumption 6/04-2/06/2016	3,292.33
	6630	cheque dated 1/7/16 - will appear on next payments list		
29/06/2016	6631	Shire of Tammin	Petty cash recoup	83.80
			Sub-total	3,438.91
Direct Debit payments				
03/06/2016	Debit	Commonw ealth Bank of Australia	CBA POS FEES MAY 16	24.83
23/06/2016	Debit	ClickSuper	Superannuation contributions - May 16	7,371.55
30/06/2016	Debit	Western Australian Treasury Corporation	WATC Loan 78/79/80 repayments	15,593.96
			Sub-total	22,990.34
Licensing Transfer				
01/06/2016	Debit	Department of Transport	LICENSING 30/05/2016	788.85
02/06/2016	Debit	Department of Transport	LICENSING 31/05/2016	25.00
03/06/2016	Debit	Department of Transport	LICENSING 01/06/2016	372.55
07/06/2016	Debit	Department of Transport	LICENSING 02/06/2016	881.50
08/06/2016	Debit	Department of Transport	LICENSING 07/06/2016	343.85
08/06/2016	Debit	Department of Transport	LICENSING 03/06/2016	132.00
10/06/2016	Debit	Department of Transport	LICENSING 08/06/2016	361.00
13/06/2016	Debit	Department of Transport	LICENSING 09/06/2016	132.00
14/06/2016	Debit	Department of Transport	LICENSING 10/06/2016	24.70
15/06/2016	Debit	Department of Transport	LICENSING 13/06/2016	1,035.00
16/06/2016	Debit	Department of Transport	LICENSING 14/06/2016	3,771.45
17/06/2016	Debit	Department of Transport	LICENSING 15/06/2016	100.20
20/06/2016	Debit	Department of Transport	LICENSING 16/06/2016	26.40
21/06/2016	Debit	Department of Transport	LICENSING 17/06/2016	49.40
22/06/2016	Debit	Department of Transport	LICENSING 20/06/2016	370.60
23/06/2016	Debit	Department of Transport	LICENSING 21/06/2016	1,584.70
24/06/2016	Debit	Department of Transport	LICENSING 22/06/2016	343.85
29/06/2016	Debit	Department of Transport	LICENSING 27/06/2016	662.15
30/06/2016	Debit	Department of Transport	LICENSING 28/06/2016	369.50
			Sub-total	11,374.70
Bank Fees				
01/06/2016	Debit	National Bank of Australia	NAB Merchant Fee - May 16	22.00
01/06/2016	Debit	Commonw ealth Bank of Australia	CBA Merchant Fee - May 16	36.50
07/06/2016	Debit	National Australia Bank	NAB Transact Fee - Access & Usage for May 2016	4.90
24/06/2016	Debit	National Australia Bank	NAB Connect Fee - Access & Usage for June 2016	29.49
30/06/2016	Debit	National Australia Bank	Account Fees for June 2016 for Muni Account	38.60
30/06/2016	Debit	National Australia Bank	Account Fees for June 2016 for Trust Account	20.00
			Sub-total	151.49
VISA Payments				
02/06/2016	VISA	Coles Express	Fuel - 1TN	55.81
02/06/2016	VISA	Westnet Pty Ltd	Westnet for May 2016	89.95
02/06/2016	VISA	National Australia Bank	Monthly Visa fee for May 2016	9.00
			Sub-total	154.76
EFT Payments				
02/06/2016	EFT693	Battery World Midland	Battery	338.00
02/06/2016	EFT694	Carolyn Crane	May Council Meeting	105.00
02/06/2016	EFT695	Donald Thomson	May Council Meeting	140.20
02/06/2016	EFT696	Glenice Batchelor	May Council Meeting	100.00
02/06/2016	EFT697	LGRCEU	Union payments	184.50
02/06/2016	EFT698	Michael Greenw ood	May Council Meeting	155.86
02/06/2016	EFT699	Patricia Bell	May Council Meeting	105.00
02/06/2016	EFT700	Regional Concrete & Plumbing	Stormw ater drain installation	4,174.84
02/06/2016	EFT701	Scott Uppill	May Council Meeting	224.70
02/06/2016	EFT702	Tammin Hotel	Refreshments council	99.00
02/06/2016	EFT703	Telstra	Broadband, Councillor ipads, CEO&WS mobile	466.26
02/06/2016	EFT704	Wheatbelt Renovations	Mens change room maintenance	2,343.00

02/06/2016	EFT705	Youlie and Son Spreading Services	Grading	5,559.40
10/06/2016	EFT706	Aqua Pump & Irrigation	Supplies for Tamma Village maintenance	79.00
10/06/2016	EFT707	Aussie Modular Solution	Abulution block	41,140.00
10/06/2016	EFT708	Bunnings Group Ltd	Gutter guards	265.20
10/06/2016	EFT709	Courier Australia	Freight charges	19.17
10/06/2016	EFT710	Cunderdin Farmers Cooperative Company Ltd	Chest freezer	335.00
10/06/2016	EFT711	Earthstyle Contracting Pty Ltd	Heavy patching	8,219.75
10/06/2016	EFT712	F-111 Engineering Pty Ltd	Material for new changerooms at Oval	919.60
10/06/2016	EFT713	Gull Tammin Roadhouse	May 2016 Account	149.43
10/06/2016	EFT714	IT Vision	Monthly Synergysoft fee for May 2016	1,925.00
10/06/2016	EFT715	QC Ultimate Clean	Carpet cleaning	1,713.80
10/06/2016	EFT716	Regional Concrete & Plumbing	Replace leaking tank	1,352.74
10/06/2016	EFT717	Synergy	Electricity consumption 15/03-26/05/2016	681.95
10/06/2016	EFT718	Telstra	Telephone and Broadband May 2016	861.69
10/06/2016	EFT719	WA Contract Ranger Services Pty Ltd	Rangers services 10/05/2016 and 25/05/2016	374.00
10/06/2016	EFT720	WA Hino Sales & Service	TN 302 Hino tipper parts	83.89
10/06/2016	EFT721	WALGA	Roman II Ramm 202 Training - G Stephens	440.00
10/06/2016	EFT722	Youlie and Son Spreading Services	Grading	3,095.40
17/06/2016	EFT723	Daves Tree Service	Remove fallen tree from Memorial Park	1,430.00
17/06/2016	EFT724	Dennis Heppell	Work at abulution block	420.75
17/06/2016	EFT725	Department of Fire and Emergency Services	2015/16 ESL Quarter 4 Emergency Service Levy	2,299.51
17/06/2016	EFT726	Kleenheat Gas	LPG Bulk	207.74
17/06/2016	EFT727	Pacific Brands Workwear	Staff uniform	408.70
17/06/2016	EFT728	Precision Laser Systems	SP Focus 10 Robotic Nomad Data Collector	14,749.00
17/06/2016	EFT729	Tammin Glass and Auto	Supply and fit front screen glass for TN251	990.00
17/06/2016	EFT730	Youlie and Son Spreading Services	Maintenance grading	895.40
23/06/2016	EFT731	Anderson Munro & Wyllie	Interim audit for the year ended 30/06/2016	5,174.95
23/06/2016	EFT732	Avon Waste	Domestic refuse collection	2,098.29
23/06/2016	EFT733	Bitutek Pty Ltd	Spray seal works on Tammin Wyalkatchem Rd	49,939.43
23/06/2016	EFT734	CWA Tammin Branch	Annual donation as per 2015/16 budget	650.00
23/06/2016	EFT735	DKT Rural Agencies	Weed spray	525.10
23/06/2016	EFT736	Dennis Heppell	Concrete for culvert	561.00
23/06/2016	EFT737	Earthstyle Contracting Pty Ltd	Maintenance grading	24,975.28
23/06/2016	EFT738	F-111 Engineering Pty Ltd	Repair ramps on excavator trailer	3,641.00
23/06/2016	EFT739	Fairfax Media Publications Pty Limited	Display ad LPP Outbuilding & Sea Containers	194.04
23/06/2016	EFT740	Landgate	UV Interim Valuation	380.00
23/06/2016	EFT741	Perfect Computer Solutions	Computer maintenance	255.00
23/06/2016	EFT742	Ricoh Australia Pty Ltd	Ink for finance printer	286.00
23/06/2016	EFT743	Road Safety Auditing & Works Management	Road safety audit	4,070.00
23/06/2016	EFT744	Shire of Quairading	Reimbursement for food safety program	80.00
23/06/2016	EFT745	Synergy	Electricity consumption 7/04-7/06/2106	4,362.15
23/06/2016	EFT746	Tammin Primary School	Bus bond reimbursement	200.00
23/06/2016	EFT747	Valley Ford	TN 2 Service	977.85
23/06/2016	EFT748	WALGA	Strategy & Risk Management course - Cr Batchelor	100.00
23/06/2016	EFT749	Wheatbelt Office and Business Machines	Meter reading for Fuji Xerox ApeosPort	112.01
23/06/2016	EFT750	Wright Express Australia Pty Ltd (Puma)	May Fuel 2016	2,138.96
30/06/2016	EFT751	Anderson Munro & Wyllie	CLGF 12/13 Housing grant aquittal audit	1,182.50
30/06/2016	EFT752	Australia Post	Postage May 2016	41.75
30/06/2016	EFT753	Country Arts (WA) Inc	Annual membership fee to Country Arts WA	110.00
30/06/2016	EFT754	Donald Thomson	June Council Meeting	140.20
30/06/2016	EFT755	Glenice Batchelor	June Council Meeting	100.00
30/06/2016	EFT756	Greg Stephens	Reimbursement for work boots	189.95
30/06/2016	EFT757	LGRCEU	Payroll deductions	123.00
30/06/2016	EFT758	Michael Greenwood	June Council Meeting	152.77
30/06/2016	EFT759	Patricia Bell	June Council Meeting	105.00
30/06/2016	EFT760	Perfect Computer Solutions	Computer maintenance	297.50
30/06/2016	EFT761	Regional Concrete & Plumbing	Plumbing works at Donnan Park	4,263.51
30/06/2016	EFT762	Scott Uppill	June Council Meeting	224.70
30/06/2016	EFT763	Stabilised Pavements of Australia	Stabilising roadworks	23,194.25
30/06/2016	EFT764	Telstra	Broadband, councillors ipads, WS & CEO Mobile	470.02
30/06/2016	EFT765	Tourism Council Western Australia Ltd	VCMA Membership 2016/17	180.00
Sub-total				228,548.69
Salaries & wages				
01/06/2016		Shire of Tammin	Salaries & wages	15,318.21
15/06/2016		Shire of Tammin	Salaries & wages	14,509.27
29/06/2016		Shire of Tammin	Salaries & wages	14,283.45
Sub-total				44,110.93
Total				310,769.82

Attachment item 11.1 Financial Report June 2016.