

Shire of Tammin

ORDINARY COUNCIL MEETING

AGENDA



NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Shire of Tammin will be held on **Thursday August 23rd, 2018** in the Council Chambers, 1 Donnan St, Tammin, commencing at **5:00pm**.

Neville Hale
Chief Executive Officer
Friday 17th August 2018

MISSION STATEMENT

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

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AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President will declare the meeting open at _____ pm.

2. PRESENT / IN ATTENDANCE / LEAVE OF ABSENCE PREVIOUSLY GRANTED / APOLOGIES

Present:

| | |
|----------------|------------------|
| Cr M Greenwood | Shire President |
| Cr D Thomson | Deputy President |
| Cr G Batchelor | Member |
| Cr T Daniels | Member |
| Cr N Caffell | Member |

In Attendance:

| | |
|--------------|----------------------------------|
| Neville Hale | Chief Executive Officer |
| Kelsey Pryer | Manager Finance & Administration |

Leave of Absence previously granted:

Apologies:

Nil

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

Recommendation

That the Minutes of the Ordinary Council Meeting held on 26th July 2018 be confirmed as a true record of proceedings

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

10. MATTERS FOR CONSIDERATION – FINANCE

10.1 List of Payments for July 2018

| | |
|--------------------------------|---|
| Location: | Shire of Tammin |
| Applicant: | Administration / Finance Officer |
| Date: | 13 th August 2018 |
| Author: | Georgie Crane |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | FIN05 |
| Attachment/s: | Attachment Item 10.1 - Credit Card Statement 29.05.2018 – 28.06.2018 |

Background

Accounts paid for July 2018 is listed totaling:

| | | |
|-----------------------|---------------------------|---------------------|
| Cheque numbers | 6702 - 6703 | \$517.06 |
| Direct debit payments | 01/07/18 – 31/07/18 | \$27,872.79 |
| Licensing transfers | 01/07/18 – 31/07/18 | \$11,907.95 |
| Bank fees | 01/07/18 – 31/07/18 | \$216.21 |
| VISA payments | 01/07/18 – 31/07/18 | \$2,232.89 |
| EFT payments | EFT 2323 - 22381 | \$154,396.37 |
| Salaries and Wages | 01/07/18 – 31/07/18 | \$26,414.68 |
| Total payments | 01/07/18- 31/07/18 | \$223,557.95 |

Comment

Nil

Financial Implications

Directly impacts the Shire of Tammin 2018/2019 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 Implications

Nil

Community Consultation

Nil

Recommendation

That Council notes that during the month of July 2018, the Chief Executive Officer has made the following payments.

Municipal Fund payments totaling \$223,557.95 on licensing transactions, bank fees, EFT, Cheques, Visa, Direct Debit and salaries and wages payments.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

| Ref | Date | Name | Description | Amount |
|---------------------------|------------|--|--|---------------------|
| Licensing Transfer | | | | |
| 37 | 02/07/2018 | Department of Transport | Daily licensing transactions | \$ 3,669.65 |
| 37 | 05/07/2018 | Department of Transport | Daily licensing transactions | \$ 2,081.50 |
| 37 | 09/07/2018 | Department of Transport | Daily licensing transactions | \$ 23.70 |
| 37 | 11/07/2018 | Department of Transport | Daily licensing transactions | \$ 87.60 |
| 37 | 13/07/2018 | Department of Transport | Daily licensing transactions | \$ 393.55 |
| 37 | 16/07/2018 | Department of Transport | Daily licensing transactions | \$ 3,511.25 |
| 37 | 17/07/2018 | Department of Transport | Daily licensing transactions | \$ 14.95 |
| 37 | 25/07/2018 | Department of Transport | Daily licensing transactions | \$ 375.90 |
| 37 | 30/07/2018 | Department of Transport | Daily licensing transactions | \$ 792.90 |
| 37 | 27/07/2018 | Department of Transport | Daily licensing transactions | \$ 930.10 |
| 37 | 31/07/2018 | Department of Transport | Daily licensing transactions | \$ 26.85 |
| | | | Subtotal | \$ 11,907.95 |
| Bank Fees | | | | |
| 37 | 03/07/2018 | 5 - MERCHANT FEES | MERCHANT FEES | \$ 81.87 |
| 37 | 04/07/2018 | 1 - BANK FEES | NAB TRANSACT FEE | \$ 4.90 |
| 37 | 26/07/2018 | 1 - BANK FEES | DEPOSIT BOOK | \$ 5.00 |
| 37 | 31/07/2018 | 5 - MERCHANT FEES | MERCHANT FEES | \$ 22.00 |
| 37 | 31/07/2018 | 1 - BANK FEES | NAB CONNECT FEES | \$ 35.74 |
| 37 | 31/07/2018 | 1 - BANK FEES | BANK FEES | \$ 46.70 |
| 37 | 31/07/2018 | 1 - BANK FEES | BANK FEES | \$ 20.00 |
| | | | Subtotal | \$ 216.21 |
| EFT Payments | | | | |
| EFT2323 | 06/07/2018 | Adapt Electrical Solutions | Lighting & exit lights upgrade at Pavilion | \$ 7,525.32 |
| EFT2324 | 06/07/2018 | Crowe Certification | Building surveying and environmental health services | \$ 2,750.00 |
| EFT2325 | 06/07/2018 | Donald Thomson | Sitting fee and travel expenses for June Council meeting | \$ 140.12 |
| EFT2326 | 06/07/2018 | Glenice Batchelor | Sitting fee and travel expenses for June Council meeting | \$ 105.00 |
| EFT2327 | 06/07/2018 | Glenwarra Development Services | Planning services | \$ 1,375.00 |
| EFT2328 | 06/07/2018 | IT Vision | User licence for mapping for 01/07/18 - 30/06/19 | \$ 4,086.86 |
| EFT2329 | 06/07/2018 | LGIS Risk Management | RRC Programme 2nd instalment 2017/18 | \$ 1,472.90 |
| EFT2330 | 06/07/2018 | Marketforce | Extraordinary Elections - Close on Enrolments Advert | \$ 3,905.96 |
| EFT2331 | 06/07/2018 | Michael Greenwood | Sitting fee and travel expenses for June Council meeting | \$ 258.94 |
| EFT2332 | 06/07/2018 | Moore Stephens | Financial Reporting Template 2018 | \$ 990.00 |
| EFT2333 | 06/07/2018 | Nick Caffell | Sitting fee and travel expenses for June Council meeting | \$ 130.86 |
| EFT2334 | 06/07/2018 | Northam Carpet Court | Supply and install carpet in pavilion | \$ 5,899.00 |
| EFT2335 | 06/07/2018 | Officeworks | Admin stationery and other expenses | \$ 357.02 |
| EFT2336 | 06/07/2018 | P. J. Moore Painter & Decorator | Painting of walls & woodwork at Tammin Pavilion | \$ 2,805.00 |
| EFT2337 | 06/07/2018 | Perfect Computer Solutions | UPS for server | \$ 2,367.50 |
| EFT2338 | 06/07/2018 | QC Ultimate Clean | Steam clean carpets at Tammin Pavilion | \$ 335.50 |
| EFT2339 | 06/07/2018 | RAMM Software Pty Ltd | RAMM annual support and maintenance for 18/19 | \$ 7,542.10 |
| EFT2340 | 06/07/2018 | Regional Concrete & Plumbing | Unblocking drains in Tamma Village Units | \$ 429.00 |
| EFT2341 | 06/07/2018 | Rob's Auto Electrics and Airconditioning | Auto electrical work to repair alternator on TN15 | \$ 426.90 |
| EFT2342 | 06/07/2018 | STS West | 2 x Twin batteries for TN15 | \$ 460.00 |
| EFT2343 | 06/07/2018 | T-Quip | Oil filter and air filter for Toro Reel Mower | \$ 46.25 |
| EFT2344 | 06/07/2018 | Tania Daniels | Sitting fee and travel expenses for June Council meeting | \$ 130.86 |
| EFT2345 | 06/07/2018 | Telstra | Telstra charges (23/06/2018 - 22/07/2018) | \$ 954.62 |
| EFT2346 | 06/07/2018 | The Workwear Group Pty Ltd | Work uniform samples | \$ 630.71 |
| EFT2347 | 06/07/2018 | Tourism Council Western Australia Ltd | TCWA 2018/19 Membership renewal | \$ 289.00 |
| EFT2348 | 06/07/2018 | Wheatbelt Office and Business Machines | Fuji Xerox meter reading for June 2018 | \$ 530.67 |
| EFT2349 | 06/07/2018 | Wheatbelt Renovations | Maintenance at Donnan Park pavilion | \$ 1,593.90 |
| EFT2350 | 06/07/2018 | Wright Express Australia Pty Ltd (Puma) | Account charges for June 2018 | \$ 4,222.55 |
| EFT2351 | 12/07/2018 | AMPAC Debt Recovery (WA) Pty Ltd | Commissions and costs for the month of June 2018 | \$ 549.97 |
| EFT2352 | 12/07/2018 | Adapt Electrical Solutions | Replace 2 x submersible pumps behind the Town Hall | \$ 1,296.50 |
| EFT2353 | 12/07/2018 | Australia Post | Account charges for June 2018 | \$ 52.40 |
| EFT2354 | 12/07/2018 | Avon Waste | Account charges for June 2018 | \$ 2,478.59 |

| | | | | |
|------------------------------|------------|--|--|---------------------|
| EFT2355 | 12/07/2018 | Eastern Hills Saws & Mowers Pty Ltd | Parts for chainsaw | \$ 22.35 |
| EFT2356 | 12/07/2018 | Environmental Health Australia | I'm Alert' Food safety program 2018/19 subscription | \$ 330.00 |
| EFT2357 | 12/07/2018 | Gull Tammin Roadhouse | Account charges for June 2018 | \$ 26.24 |
| EFT2358 | 12/07/2018 | LGIS (WA) | Insurance renewals - LGIS property | \$ 26,728.77 |
| EFT2359 | 12/07/2018 | LGIS Broking (Local Government Insurance Services) | Insurance renewals - Motor vehicle | \$ 28,591.52 |
| EFT2360 | 12/07/2018 | LGRCEU | Payroll deductions | \$ 61.50 |
| EFT2361 | 12/07/2018 | Michael Greenwood | Reimbursement for NGA Conference expenses | \$ 285.46 |
| EFT2362 | 12/07/2018 | Shire of Merredin | 2018/19 Contribution to central Wheatbelt visitor centre | \$ 1,250.00 |
| EFT2363 | 12/07/2018 | Shire of Quairading | CESM Shared costs | \$ 2,011.01 |
| EFT2364 | 12/07/2018 | Wheatbelt Renovations | Sand down and varnish bookcases, shelves and table | \$ 3,000.00 |
| EFT2365 | 26/07/2018 | Alan's Auto Electrics & Air Conditioning | Repairs to bus faulty battery | \$ 98.00 |
| EFT2366 | 26/07/2018 | Australia's Golden Outback | 2018 Gold membership of Australia Golden Outback | \$ 295.00 |
| EFT2367 | 26/07/2018 | Australian Taxation Office - BAS | June 2018 BAS Payment | \$ 7,331.00 |
| EFT2368 | 26/07/2018 | DKT Rural Agencies | Depot consumables | \$ 365.65 |
| EFT2369 | 26/07/2018 | LGRCEU | Payroll deductions | \$ 61.50 |
| EFT2370 | 26/07/2018 | Luke White | Reimbursement - Bus bond | \$ 200.00 |
| EFT2371 | 26/07/2018 | Merredin Community Resource Centre | Advertising Comedy Gold Quarter Page (Colour) | \$ 70.00 |
| EFT2372 | 26/07/2018 | Northam & Districts Glass Service | Supply and replace smashed library door with glass panel | \$ 1,052.70 |
| EFT2373 | 26/07/2018 | Officeworks | Various admin consumables | \$ 336.58 |
| EFT2374 | 26/07/2018 | Perfect Computer Solutions | Computer maintenance | \$ 255.00 |
| EFT2375 | 26/07/2018 | Rob's Auto Electrics and Airconditioning | Inspect and repair bus and sprayer unit | \$ 249.40 |
| EFT2376 | 26/07/2018 | Synergy | Street lighting charges | \$ 1,701.60 |
| EFT2377 | 26/07/2018 | Tammin Glass and Auto | Supply and install front windscreen on bus (TN0) | \$ 440.00 |
| EFT2378 | 26/07/2018 | Triset Boss Business Forms | 1000x rates notices | \$ 638.00 |
| EFT2379 | 26/07/2018 | Western Australian Local Government Association | Various association memberships | \$ 20,217.09 |
| EFT2380 | 26/07/2018 | Wheatbelt Renovations | Repairs to Admin Office after break in | \$ 2,439.00 |
| EFT2381 | 26/07/2018 | Kellerberrin District High School | BUS BONDS REIMB | \$ 200.00 |
| | | | Subtotal | \$154,396.37 |
| Cheques | | | | |
| 6702 | 06/07/2018 | Water Corporation | Water charges | \$ 98.04 |
| 6703 | 26/07/2018 | Water Corporation | Repairs to damaged service | \$ 419.02 |
| | | | Subtotal | \$ 517.06 |
| Direct Debit Payments | | | | |
| DD950.1 | 02/07/2018 | Western Australian Treasury Corporation | Loan payments 2/7/18 | \$ 23,050.71 |
| DD959.1 | 10/07/2018 | WA Local Government Superannuation Plan | Payroll deductions | \$ 1,682.28 |
| DD959.2 | 10/07/2018 | Australian Super | Superannuation contributions | \$ 159.11 |
| DD968.1 | 24/07/2018 | WA Local Government Superannuation Plan | Payroll deductions | \$ 1,681.71 |
| DD968.2 | 24/07/2018 | Australian Super | Superannuation contributions | \$ 159.11 |
| DD970.1 | 23/07/2018 | Western Australian Treasury Corporation | WATC GFEE | \$ 1,139.87 |
| | | | Subtotal | \$ 27,872.79 |
| NAB Visa Payment | | | | |
| DD964.1 | 04/07/2018 | NAB Business Visa | June Visa Transactions for the month of June 2018 | \$ 2,232.89 |
| | | | Subtotal | \$ 2,232.89 |
| Salaries and Wages | | | | |
| | 24/07/2018 | Shire of Tammin | Salaries and wages | \$ 13,173.60 |
| | 10/07/2018 | Shire of Tammin | Salaries and wages | \$ 13,241.08 |
| | | | Subtotal | \$ 26,414.68 |
| | | | Total for Municipal Fund | \$223,557.95 |

10.2 Financial Management Report for the month of July 2018

| | |
|--------------------------------|---|
| Location: | Shire of Tammin |
| Applicant: | Manager of Finance and Administration |
| Date: | 10 th August 2018 |
| Author: | Kelsey Pryer |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | Nil |
| Attachment/s: | Attachment Item 10.2 - July 2018 Monthly Financial Report |

Background

Enclosed is the Monthly Financial Report for the month of July 2018.

Financial Implications

Financial Management of 2018/2019

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.

Comment

Nil

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 Implications

Nil

Community Consultation

Nil

Recommendation

That Council adopt the Financial Report for the month of July 2018 comprising;

a) Statement of Financial Activity

b) Note 1 to Note 12

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

10.3 Fees & Charges – Request for Discount

| | |
|--------------------------------|---|
| Location: | Shire of Tammin |
| Applicant: | Kim Cook |
| Date: | 9 th August 2018 |
| Author: | Brooke Jasper |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | Nil |
| Attachment/s: | Attachment Item 10.3 - Letter from Kim Cook Attachment Item 10.3 - Response to Kim Cook from Shire |

Proposal/Summary

To consider a 50% discount on the Fees & Charges for Hire of Town Hall Zumba/Yoga/Dance Classes (per night), for Kim Cook.

Background

Kim Cook has been holding her Zumba classes at the Town Hall for a few years. She provides fitness classes to the residents of the Shire of Tammin on a Thursday night.

As a result of the adopted Schedule of Fees & Charges for 2018/19, she feels the \$30.00 per night for Zumba/Yoga/Dance Classes is far too high for her to continue to hold her class at the Town Hall in Tammin as the fee is greater than the net benefit of participation fees and her travel costs.

She is requesting to have the fee of \$30.00 reduced to \$15.00.

Comment

It is recognised that during the winter months, classes attract a lower than usual number of participants. It is agreed that the Zumba classes are a beneficial activity to the wider community and should be supported. It is expected that class sizes should increase during the warmer months.

It is suggested the discount requested should be supported for the current period and be reviewed in November 2018.

Given the important contribution of the Zumba classes, the Shire President has authorised a reduction in the fees charges, by way of an offsetting donation, to ensure the classes remain available.

Having given authorization for a concession by way of a donation, in accordance with s6.8(c) and s6.8(2) of the Local Government Act, 1995 this arrangement is reported for Council's information and ratification.

Consultation

Nil

Statutory Implications

Local Government Act 1995 states;

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* *Absolute majority required.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

Section 6.12. Power to defer, grant discounts, waive or write off debts

(1) Subject to subsection (2) and any other written law, a local government may —

- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
- (b) waive or grant concessions in relation to any amount of money; or
- (c) write off any amount of money, which is owed to the local government. * Absolute majority required.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

[Section 6.12 amended by No. 64 of 1998 s. 39.]

Policy Implications

Nil

Financial Implications

The original fee of \$30.00 per night is to be reduced to \$15.00 per night. Over the months of July to November 2018 this equates to a reduction in the Shire’s fee income of approximately \$500.

Strategic Implications

Nil

Recommendation

That Council:

1. ratify the decision of the Shire President to reduce the hall hire fee for Zumba classes provided by Kim Cook to \$15.00 per night; and
2. review the fee at its 22nd November 2018 Ordinary Council Meeting.

Moved: Cr _____

Seconded: Cr _____

Vote: Absolute Majority

Carried/Lost: ___/___

10.4 Sale of Mazda 6 Sport Sedan

| | |
|--------------------------------|--|
| Location: | Shire of Tammin |
| Applicant: | Trevor & Lisa Ford |
| Date: | 16 th August 2018 |
| Author: | Kelsey Pryer |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | 1TN |
| Attachment/s: | Attachment Item 10.4 – Expression of Interest for Mazda 6 Sport Sedan – Trevor & Lisa Ford |

Proposal/Summary

To consider the offer received from Trevor & Lisa Ford on the 15th August 2018 for the Mazda 6 Sport Sedan.

Background

On the 23rd July 2018 the Shire prepared the following advertisement for the tender of a Fleet Vehicle.

*PUBLIC NOTICE
Invitation to Tender on Fleet Vehicle*

Council is currently inviting tenders for the purchase of the below vehicle under Section 3.58 of the Local Government Act 1995. Details of the vehicle as at 20th July 2018 are:-

| <i>Vehicle</i> | <i>Registration</i> | <i>Paint</i> | <i>Licence</i> | <i>Trans</i> | <i>Kms</i> | <i>Interior</i> |
|----------------------------|---------------------|---------------|------------------|--------------|---------------|-----------------|
| <i>Mazda 6 Sport Sedan</i> | <i>1TN</i> | <i>Silver</i> | <i>10/02/201</i> | <i>Auto</i> | <i>43,000</i> | <i>Cloth</i> |

The above vehicle is available for inspection on request. All vehicles are sold on "as is where is basis". The car will be available in September 2018.

Written offers addressed to the undersigned

*Neville Hale
Chief Executive Officer
Shire of Tammin
1Donnan Street
TAMMIN WA 6409*

And close on Friday 17th August 2018 at the Office of Council at 12.00 noon.

*Neville Hale
Chief Executive Officer*

Comment

The Shire has given the public an opportunity to purchase an ex Shire owned vehicle currently driven by the Manager of Finance & Administration.

At the closing of the advertising period only one offer was received to the value of \$18,000 including GST.

The online Redbook valuation for a 2015 Automatic Mazda 6 Sport Sedan is as follows:

Valuation Prices

| | |
|-----------------------|--------------------------------|
| Private Price Guide | \$16,000 - \$18,000 |
| *Trade In Price Guide | \$12,500 - \$14,500 |
| *Average Km | 30,000 - 50,000 |
| *Price When New | \$32,540* Price Guide (EGC) |

Quotes were obtained from Northam Mazda and Northam Toyota which indicated a trade in range of approximately \$16,000 – \$17,000 inclusive of GST. Accordingly the offer of \$18,000 including GST is considered reasonable.

Consultation

Chief Executive Officer

Community via the Tabloid, Shire Newsletter, Social Media & Shire Website

Statutory Implications

Local Government Act 1995 – Part 3, Division 3

Section 3.58

- (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; gives local public notice of the proposed disposition*
- i. *describing the property concerned;*
 - 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 date specified in 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;*
 - b. *the consideration to be received by the local government for the disposition; and*
 - c. *the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.*

Policy Implications

Nil

Financial Implications

Shire of Tammin 2018/2019 Budget makes provision of \$15,000 exclusive of GST for the sale of the Mazda 6 Sport Sedan. The offer of \$18,000 now being considered is \$16,364 nett of GST.

Strategic Implications

Nil

Recommendation

That Council in accordance to section 3.58(2) of the Local Government Act:

1. Authorises the sale of the Mazda 6 Sport Sedan - 1TN - \$18,000 (inc GST) to Trevor & Lisa Ford, 68 Malata Ridge, Lakelands, WA, 6180
2. Delegates authority to the Chief Executive Officer to execute the transfer of the vehicle documents for 1TN – Mazda 6 Sport Sedan
3. Retain the ownership of 1TN vehicle registration plates to be affixed to the replacement vehicle.

Moved: Cr _____

Seconded: Cr _____

Vote: Absolute Majority

Carried/Lost: ___/___

11. MATTERS FOR CONSIDERATION – ADMINISTRATION

11.1 Wheatbelt Secondary Freight Route (WSFRP)

| | |
|--------------------------------|--|
| Location: | Shire of Tammin |
| Applicant: | Rick Storer – WBN RRG |
| Date: | 8 th August 2018 |
| Author: | Neville Hale |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | Nil |
| Attachment/s: | Attachment Item 11.1 - Email from Rick Storer regarding Wheatbelt Secondary Freight Route Attachment Item 11.1 - WSFR Summary |

Proposal/Summary

For Council to provide support to the Wheatbelt North Regional Road Group (WBN RRG) initiative to source funding for the Secondary Freight Route Project.

Background

Mr Rick Storer, Koorda Shire President has written to Wheatbelt Local Governments seeking a Shire contribution to support the WSFR Working Group in its efforts to secure BBRF funding for the WSFR Project. When the WSFR Working Group met with MRWA sometime ago to put forward the BBRF Funding proposal, the LGA contribution was estimated to be in the order of \$15,000 to \$20,000 per local government. This has subsequently been reduced to an amount of \$6,000 per LGA.

At the most recent meeting of the WBN RRG the delegates asked that all Council's reaffirm commitment to the Wheatbelt Secondary Freight Project and commit \$6000 towards the co-contribution required from all 42 Wheatbelt local governments for the proposed funding application that will be submitted over the coming months to undertake the detailed planning and design works necessary to enable a Level 4 Infrastructure Australia Submission to be prepared.

The initial request was for a co-contribution to be made in the 2018/19 financial year as the Working Group was unsure if those contributions needed to be in the year of the grant approval or over the life of the project. It has since been advised that the contributions can be extended over the project life. It is now not necessary to make the allocation in 2018/19, but could be in 2019/20. The commitment will still be required to enable a BBRF application to be lodged.

Any contribution would only be required if the BBRF application is successful.

Furthermore, the Working Group has been made aware that there is some Federal funding available from the Major Project Business Case Fund, that it is investigating to see if this can be used instead of the BBRF. I am not certain how much or in fact if any co-contribution is required.

To assist Councillors that may not be fully aware of the project, Garrick Yandle together with the Working Group have prepared a detailed Briefing document that is attached for your information.

WBN RRG is requesting that all LGs adopt the below recommendation so that we continue to present a united front. It is this collaboration and agreement that is getting significant traction both at a Federal and State Government Level. The Chair of WBN RRG requests written confirmation that the motion was passed by council.

For those that may not be aware, the WSFR Project has been working on this project since mid-2016; the project stemmed from considerable work done by both WBS & WBN in looking at their road networks in an attempt to improve connectivity through our RRG funding and road projects. This mapping process started in 2014, once the RRG together with Main Roads identified that improving the connectivity was a major project that would bring significant economic benefit to the Ag Region. Subsequently, a working group was formed and RDA via Juliet Grist helped obtain initial funding to further progress this as a regional road project. The last 2 ½ years have seen considerable work undertaken by all 42 LG's and the Working Group to get this project to a point where the Working Group is starting to have constructive and positive meetings with the State Government, Federal Government, Infrastructure Australia, Freight & Logistics Council WA, CBH and other key stakeholders.

Comment

Councillors and senior officers from the Shire have actively participated in workshops with neighbouring Shires during 2015 and 2016 seeking to identify and agree an integrated road network to meet the freight needs of industry.

On 1 September 2016, Council advised the WSFR Working Group that the Shire offered its support to the application for Regional Grants Scheme funding to undertake a technical assessment of the identified Secondary Freight Routes against the requirements for movement of Restricted Access Vehicles and to prioritise, scope and cost the work that would be required to provide a freight network at the required level of service.

To date the Shire has not identified any additional roads over and above those within the Regional Road network however it is suggested that Bungulla Road be put forward for consideration.

Consultation

WBN RRG

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

An amount of \$6,000 to be provided as a contribution to the project.

Strategic Implications

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.

Outcome 5.2 Improved road maintenance

5.2.1 Review roads, kerbs and footpaths for safety breaches. Consider the use of gophers and wheelchairs utilising these facilities (Cunderdin - Tammin Age Friendly Communities Plan 2017)

Recommendation

That Council :

1. Notes the Secondary Freight Routes Project Development report;
2. Supports the strategic intent of the Secondary Freight Routes project;
3. Authorises the Chief Executive Office to prepare and sign a letter of support in favour of an application for Federal Government Funding under the Building Better Regions Program to develop the Secondary Freight project; and
4. Endorses in principle an allocation of \$6,000 in 2018/19 to co-fund Secondary Freight Route Project development subject to a successful Building Better Regions Program application.
5. The funding to be sourced from Account 145116 – Consultants Contractors, if required.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

11.2 Freedom of Information Statement 2018/19

| | |
|--------------------------------|---|
| Location: | Shire of Tammin |
| Applicant: | Manager of Finance & Administration |
| Date: | 10 th August 2018 |
| Author: | Kelsey Pryer |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | OSGOV19 |
| Attachment/s: | Attachment Item 11.2 – Freedom of Information Statement 2018 - 2019 |

Proposal/Summary

For Council to approve the Shire of Tammin Freedom of Information Statement 2018 – 2019.

Background

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

Comments

Freedom of Information gives the public a right to access government documents, subject to some limitations. In Western Australia, under the *FOI Act 1992*, the right applies to documents held by most State Government agencies (such as departments, public hospitals, public universities and State Government authorities), Ministers and Local Government . Together, these bodies are referred to as “agencies”.

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

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

Consultation

Statutory Implications

Freedom of Information Act (1992)

Part 5 — Publication of information about agencies

94. Term used: information statement

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

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;
- (d) a description of the kinds of documents that are usually held by the agency including —
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and
 - (ii) which kinds of documents can be purchased; and
 - (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
 - (ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

96. Information statement, each agency to publish annually

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

- (a) within 12 months after the commencement of this Act; and
 - (b) at subsequent intervals of not more than 12 months.
- (2) In giving approval under subsection (1) the Minister has to have regard, amongst other things, to the need to assist members of the public to exercise their rights under this Act effectively.
- (3) In the case of an agency that comes into existence after the commencement of this Act the reference in subsection (1)(a) to the commencement of this Act is to be read as a reference to the time when the agency commences its operations.
- (4) A subcontractor does not have to comply with subsection (1) if the relevant contractor has complied with that subsection on behalf of the subcontractor.

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

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Tammin Strategic Community Plan 2017 – 2027

Civic Leadership

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

Outcome 6.1

Strong governance and leadership, demonstrating fair and equitable community values.

Outcome 6.2

An efficient and effective organisation.

Recommendation

That Council adopts the Shire of Tammin Freedom of Information Statement 2018 – 2019 and publishes the Information Statement as per the requirements of the *Freedom of Information Act 1992*.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

11.3 Delegations – Planning Matters Replacements

| | |
|--------------------------------|--|
| Location: | Shire of Tammin |
| Applicant: | Chief Executive Officer |
| Date: | 14 th August 2018 |
| Author: | Niel Mitchell, Consultant |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | Nil |
| Attachment/s: | Attachment Item 11.3 - Delegations amended |

Proposal/Summary

For Council to consider amendments to delegations for planning.

Background

Council's new Delegations Register was adopted in June 2018. In preparing similar delegations for the Shire of Cunderdin, and following further consultation with the Planner she has requested some alteration and clarification of planning delegations.

Comments

Delegations may be made, amended or revoked at any time by absolute majority.

Attached are the draft replacement delegations for consideration. No extension of delegations from those previously adopted is proposed. The drafts separate into several more specific delegations for clarity.

To maintain consistency for staff working across both Shires, renumbering of several delegations is also recommended. To avoid confusion, it is suggested that the whole of Part 10 be revoked, and readopted.

Consultation

Niel Mitchell – Conway – Highbury
Jacky Jurman, Planning Consultant

Statutory Implications

Compliance with various statutory requirements.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Delegations Register is to enable the effective and efficient implementation of Council’s instructions, legislative and local law obligations.

Recommendation

That Council revoke Part 10 of its June 2018 Delegations and adopt replacement delegations 10.1 to 10.6 as attached.

Moved: Cr _____

Seconded: Cr _____

Vote: Absolute Majority

Carried/Lost: ___/___

11.4 Policy – Elected Member Recognition of Service

| | |
|--------------------------------|---|
| Location: | Shire of Tammin |
| Applicant: | Chief Executive Officer |
| Date: | 14 August 2018 |
| Author: | Niel Mitchell, Consultant |
| Item Approved by: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| File Reference: | Nil |
| Attachment/s: | Attachment Item 11.4 - Draft Policy for Elected Member Recognition of Service |

Proposal/Summary

Consideration of a draft Policy for Elected Member Recognition of Service.

Background

Many Councils have a policy for recognition of the service given by elected members to the community.

Comments

The *Local Government Act 1995* s.5.100A specifies that a gift cannot be given to a Council member except as prescribed. The Administration Regulations r.34AC restricts the gift to –

- elected members who have completed at least one 4 year term.
- maximum amount of gifts is up to \$100 per year of service to a maximum of \$1,000.

It should be noted that a decision to make a gift is a financial interest for any person who may benefit from the adoption of the policy, and must therefore be declared under the Act. For the Councillors to consider the matter, the approval of the Minister will be required under the Act s.5.69, and if to be a Policy, a draft policy submitted.

Application under s.5.69 may be made by individual councillors or by the CEO on their behalf.

Consultation

Niel Mitchell, Conway – Highbury
Neville Hale, CEO

Statutory Implications

Local Government Act 1995 –

- s.5.60 – *when a person has an interest.*
- s.5.60A – *financial interest.*

- s.5.69 – Minister may allow members disclosing interests to participate etc. in meetings.
- s.5.100A – gifts to elected members may only be made in prescribed circumstances.

Local Government (Administration) Regulations 1996 –

- r.34AC – gifts to council members, when permitted etc.
(1) at least one 4 year term must be completed.
(2) maximum gift of \$100 per year of service to maximum of \$1,000.

Policy Implications

None

Financial Implications

Cost of gifts to departing councillors.

Strategic Implications

Nil

Recommendation 1

That Council considers the attached draft Policy for Elected Members Recognition of Service.

Moved: Cr _____

Seconded: Cr _____

Vote – Simple Majority

Carried/Lost: ___/___

The following Councillors declared an interest in the draft Policy for Elected Members Recognition of Service –

Recommendation 2

That approval of the Minister for Local Government under the *Local Government Act 1995* s.5.69 be sought to enable disclosing persons to participate and vote on the proposed Policy for Elected Members Recognition of Service when presented to Council for consideration.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

12 MATTERS FOR CONSIDERATION - TOWN PLANNING

Nil

13 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

Recommendation

That the meeting be moved behind closed doors.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

14.1 Chief Executive Officer Employment – Probationary Period

Recommendation

That the meeting move from behind closed doors.

Moved: Cr _____

Seconded: Cr _____

Vote: Simple Majority

Carried/Lost: ___/___

The President read allowed the resolution pertaining to confidential item.

15 CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at ____pm.

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.*