

Shire of Tammin

ORDINARY COUNCIL MEETING

Minutes



NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Shire of Tammin was held on **Wednesday 24th April 2024** at the Council Chambers at 1 Donnan Street Tammin, commencing at **5:00pm**.

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

Joanne Soderlund
Chief Executive Officer
25 April 2024

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 5.04 pm.

2. ACKNOWLEDGEMENT TO COUNTRY

We begin today by acknowledging the Ballardong Noongar People as traditional custodians of the land and skies on which we gather, and we pay our respects to their Elders, past, present and emerging.

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

Present: All, Cr Stephens attended via Teams

In Attendance:

Leave of Absence previously granted: Nil

Apologies: Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

Nil

8. DECLARATION OF RELATED PARTY DISCLOSURE IN AGENDA ITEMS

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Council Meeting Minutes – 27 March 2024

Officers Recommendation

That the minutes of the Ordinary Council Meeting held on 27 March 2024 be confirmed as a true and accurate record of proceedings.

Moved: Cr Caffell

Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 6/0

10. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

12. MATTERS FOR CONSIDERATION – FINANCE

12.1 List of Payments for March 2024

Location:	Shire of Tammin
Applicant:	Administration & Finance Officer
Date:	19 April 2024
Author:	Teresa Brindley-Stevens
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	FIN05
Attachment/s:	Attachment Item 12.1 – Payment Listing Attachment Item 12.1 - Credit Card Statement Attachment Item 12.1 – Credit Card Summary Attachment Item 12.1 – Fuel allocation costs

Purpose of Report

For Council to ratify the accounts paid under delegated authority.

Background

The attached List of Accounts paid during the month of March 2024 totaling \$211,465.15 by way of:

Cheque numbers	6840	977.64
Direct debit payments	01/03/2024 – 31/03/2024	\$9,687.32
Licensing transfers	01/03/2024 – 31/03/2024	\$2,666.05
Bank fees	01/03/2024 – 31/03/2024	\$108.39
VISA payments	01/03/2024 – 31/03/2024	\$11,404.81
EFT payments	EFT6775- EFT6866	\$133,072.95
Salaries and wages	01/03/2024 – 31/03/2024	\$53,547.99
Total payments	01/03/2024 – 31/03/2024	\$211,465.15

The Shire of Tammin made the following significant purchases during the month of March 2024:

Peak Transport Semi Trailer Hire to Cart material on the Bungulla North Project	\$25,619.00
Luke Stephen Stewart Cooinda shop repairs, window and ceiling replacement, new stair case	\$25,377.00
Youlie and Son Spreading Services Bungulla road preparation works, progress payment	\$15,747.50
Wright Express Australia Pty Ltd (Caltex) Fuel card charges for Feb 2024	\$9,453.46
Millard Machinery 300mm digging bucket, 600mm digging bucket, excavator ripper, side cutter 7 twin tiger tooth including all hardware.	\$6352.50
Farmarama PTY LTD Yara Mila Complex in 25kg bags. (48 x 25kg bags to a pallet) Supply 5 x Glyphosate 450 in 20lt drums..	\$5,589.10
Pestex Co Pest control service on various Shire Buildings in Tammin	\$5093.00

Comment

Nil

Financial Implications

All liabilities have been settled in accordance with the Shire of Tammin 2023/2024 Operating Budget.

Policy Implications

Nil

Statutory Implications

Local Government (Financial Management) Regulations 1996

11. Payment of accounts

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
- a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
 - b) Petty cash systems.

- (1) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (2) Payments made by a local government —
 - a) Subject to sub-regulation (4), are not to be made in cash; and
 - b) Are to be made in a manner which allows identification of —
 - (i) The method of payment;
 - (ii) The authority for the payment; and
 - (iii) The identity of the person who authorised the payment.
- (3) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

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

12. Payments from municipal fund or trust fund

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

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

13. Lists of accounts

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

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

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

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

Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation

6.2.1 Ensure sound long-term financial management and deliver value for money

6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

Officers Recommendation

That Council, pursuant to Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to payments made from municipal funds for the period 1 March 2024 to 31 March 2024 totaling \$211,465.15 as contained in attachments 12.1.

Municipal Fund payments totaling \$211,465.15 detailed:

Cheque numbers	6840 - 6840	\$977.64
Direct debit payments	01/03/24 – 31/03/24	\$9,687.32
Licensing transfers	01/03/24 – 31/03/24	\$2,666.05
Bank fees	01/03/24 – 31/03/24	\$108.39
VISA payments	01/03/24 – 31/03/24	\$11,404.81
EFT payments	EFT 6775 – EFT6835	\$133,072.95
Salaries and wages	01/03/24 – 31/03/24	\$53,547.99

Moved: Cr Courtney Thomson

Seconded: Cr Caffell

Vote: Simple Majority

Carried/Lost: 6/0

12.2 Financial Management Report for the month of March 2024

Location:	Shire of Tammin
Applicant:	Manager of Finance and Corporate Services
Date:	5 April 2024
Author:	Racheal King
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 – March 2024 Monthly Financial Report

Purpose of Report

For Council to receive the Monthly Financial Statement.

Background

Enclosed is the Monthly Financial Report for the month of March 2024 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

Rates were issued on 8 August 2023 with payments due in full by 12 September 2023. Payment arrangements have been made with rate payers if required. 91.5% of rates have been received as of 31 March 2024 with minimal overdue rates. The majority of Capex jobs have been completed with the remaining due to be finalised within the financial year.

Financial Implications

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

Statutory Implications

Local Government (Financial Management) Regulations 1996

34. Financial activity statement report — s. 6.4

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

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

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

Policy Implications

Council resolved that in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* a variance percentage of 10% or \$10,000, whichever is greater, be adopted for reporting material variances.

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

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

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

Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

6.1.2 Undertake the civic duties of Council with the highest degree of ethics

Outcome 6.2 An efficient and effective organisation

6.2.1 Ensure sound long-term financial management and deliver value for money

6.2.2 Provide community leadership and lobby Federal and State Government to strengthen service provision within the Shire. Explore diverse income streams including grants

Officers Recommendation

That Council, pursuant to the *Local Government (Financial Management) Regulations 1996* adopt the Monthly Financial Report as contained in attachment 12.2 for the period ending 31 March 2024 comprising;

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

Moved: Cr Leslie

Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 6/0

13. MATTERS FOR CONSIDERATION – ADMINISTRATION

13.1 Standardised Meeting Procedures – Public Consultation

Location:	N/A
Applicant:	WALGA
Date:	19 April 2024
Author:	Joanne Soderlund
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.1 – Attachment 1 Department of Local Government Consultation Paper – Standardised Meeting Procedures Attachment Item 13.1 – Attachment 2 WALGA Discussion Paper – Standardised Meeting Procedures

Proposal/Summary

Council is asked to consider making a submission to the Department of Local Government, Sport and Cultural Industries department in relation to their Consultation Paper for Standardised Meeting Procedures and to provide comment on the WA Local Government Association’s proposed submission.

Background

On the 28th February 2024 Councils received notification from the Department advising they have commenced a three month consultation period for their proposed Standardised Meeting Procedures for Local Government.

The State Government is implementing a number of reforms to the Local Government Act 1995 (the Act) to improve transparency and accountability in local government in Western Australia and deliver benefits to ratepayers and residents.

Standardising Council and committee procedures is part of these reforms. Establishing a consistent approach to all local government council and committee meetings will make it easier and simpler for people to participate in and observe Council meetings, wherever they are held.

Establishing one standard is expected to simplify and improve training for Council members and local government staff. It can also strengthen the enforcement of breaches of meeting procedures (for instance, if a person repeatedly and unreasonably disrupts a meeting).

A copy of the public consultation paper is provided as Attachment 1 to this item. The Department has advised that submissions close on the 29th May 2024. Subsequently WALGA has advised Councils of their

proposed approach to the responding to Consultation Paper and provided a WALGA Discussion Paper, seeking a response by the 29th April 2024.

Comments

The Shire of Tammin does not have Local Laws / Standing Orders for the conduct of Council and Committee Meetings. The WALGA Discussion Paper on Standardised Meeting Procedures will assist Council in a clearer understanding of the proposed meeting procedures.

The Chief Executive Officer has provided comment and direction via the questions in the WALGA Discussion Paper. A copy is provided at ATTACHMENT 2 with answers and comments in red.

Consultation

WALGA, DLGSC

Statutory Implications

Currently, it is usual practice for local governments to have local laws and policies in place to govern the conduct of Council meetings. However, this approach means that there can be variation in how members of the public can engage with Council meetings.

The Shire of Tammin does not have Local Laws / Standing Orders for the conduct of Council and Committee Meetings.

The Local Government Amendment Act 2023 inserts section 5.33A to allow standardised meeting procedures for all local governments to be made in the form of Regulations or model provisions.

The State Government intends, under section 5.33A, to make Regulations that apply to all local governments and an order of the Governor under section 3.17 of the Act to repeal all existing local government meetings procedures, standing orders or Council meeting local laws.

It is intended that the new standard meeting procedures (also known as “standing orders”) apply to all Council and committee meetings held by local governments. It is also intended that Regulations will contain consistent rules for how meetings are held.

It is envisaged that relevant elements of Parts 2 and 3 of the Local Government (Administration) Regulations 1996 (the Regulations) would be incorporated into the new standardised meeting procedures.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan 2018 - 2027

Outcome 6.1 Strong governance and leadership, demonstrating fair and equitable community values.

Officers Recommendation

That Council, in accordance with Section 2.7(1)(a) of the *Local Government Act 1995*:

- a) Considers the comments provided in the WALGA Discussion Paper on Standardised Meeting Procedures and endorses the responses outlined in red; and
- b) Agress to submit a response to the Department of Local Government Sport and Cultural Industries and WALGA on the proposed Standardised Meeting Procedures.

Moved: CrCourtney Thomson

Seconded: Cr Leslie

Vote: Simple Majority

Carried/Lost: 6/0

14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

15. MATTERS FOR CONSIDERATION – TOWN PLANNING

15.1 Request for comment – Petroleum Special Prospecting Authority with Acreage Option

Location:	N/A
Applicant:	Department of Energy, Mines, Industry Regulation and Safety
Date:	18 April 2024
Author:	Joanne Soderlund
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 15.1 - Referral to Shire – DMIRS Attachment Item 15.1 – Cadastre Map Attachment Item 15.1 – Application Form Attachment Item 15.1 – Tengraph Appraisal

Proposal/Summary

This report seeks Council's endorsement to respond to the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) in relation to the proposal by 2H Resources Pty Ltd and Gehyra Flux Pty Ltd for a Petroleum Special Prospecting Authority with Acreage Option (SPA/AO), as detailed in the attached documentation.

Background

Council has received notice from DEMIRS seeking comment on a proposal from 2H Resources and Gehyrua Flux Pty Ltd for a Petroleum Sprcial Prospecting Authority with Acreage Option. The proposal involves soil gas sampling across 484 km within the Shire's road reserves as part of the 2H2-Perth-Area-D survey. The works are intended to assess the presence of natural gases which may be indicative of deeper petroleum resources.

Comments

Given the limited disturbance and short duration at each site, alongside commitments to environmental management as outlined in the Environmental Plan required by the Petroleum and Geothermal Energy Resources (Environment) Regulations 2012, initial considerations suggest minimal impact on the community and environment. However, Council may wish to stipulate specific conditions to safeguard local flora, traffic safety, and land restoration post-sampling.

Consultation

Joe Douglas - Exurban

Statutory Implications

Petroleum and Geothermal Energy Resources Act 1967

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan 2018 - 2027

Outcome 4.1 Support and foster industry, initiative and innovation in seeking new opportunities to enhance our Shire's economic health.

Officers Recommendation

That Council, in accordance with Section 2.7(1)(a) of the *Local Government Act 1995*, raise no objection in principle to the Application subject to the following conditions:

- a) No native vegetation being removed to accommodate the proposed works unless otherwise approved by the Department of Water and Environmental Regulation if required;
- b) The immediate reinstatement of all open voids for sampling to the same condition before the voids were created; and
- c) Suitable traffic management arrangements being put in place where required to ensure all works within road reserve areas are undertaken safely for the benefit of workers and the traveling public.

Moved: Cr Nicholls

Seconded: Cr Caffell

Vote: Simple Majority

Carried/Lost: 6/0

15.2 CONFIDENTIAL ITEM: OAG Performance Audit – ICT Disaster Recovery Planning

Location:	Shire of Tammin
Applicant:	Office of the Auditor General
Date:	19 April 2024
Author:	Chief Executive Officer
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachment/s:	Attachment Item 15.2– Emerging Findings Letter

Proposal/Summary

For Council to note the Emerging Findings Letter that has been received following the Office of the Auditor General (OAG) Local Government ICT Disaster Recovery Planning Performance Audit.

Background

The Shire of Tammin was advised on the 24th of November 2023 that they had been selected for inclusion in the Auditor General’s performance audit on the management of ICT Disaster Recovery Planning.

An onsite audit by the OAG was conducted on the 31st of January and 1st of February 2024.

Comment

The Office of the Auditor General has conducted a performance audit focusing on the Shire of Tammin's readiness and effectiveness in managing IT disruptions. The Emerging Findings Letter that has been issued raises four areas where improvements could be made to strengthen the Shire’s ICT Disaster Recovery Plans and Systems.

The attached Emerging Findings Letter incorporates the Management’s comments in response to each finding. The Shire has committed to reviewing/investigation each finding to see where improvements can be made. Where there are budgetary implication such as the back up testing the costs will be assessed against the benefits to determine how often this should be undertaken.

Consultation

Perfect Computer Solutions
OAG

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Civic Leadership Strategies

Outcome 6.2 An efficient and effective organisation

Officer Recommendation

That Council receive the Emerging Findings Letter from the Office of the Auditor General Performance Audit – ICT Disaster Recovery Planning and notes the management response to each recommendation.

Moved: Cr Courtney Thomson

Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 6/0

16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

18. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 5.24 pm.

