

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 **Thursday 26th September 2024** at the Council Chambers at 1 Donnan Street Tammin, commencing at **5:00pm**.

Darren Mollenoyux
Acting Chief Executive Officer
26 September 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 5.02 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: Cr Charmaine Thomson
Cr Nicholls
Cr Courtney Thomson
Cr Caffell
Cr Leslie (via Phone)

In Attendance: Darren Mollenoyux – Acting CEO
Bevan Klein – Manger of Works and Services
Racheal King – Manager of Finance & Corporate Services

Leave of Absence previously granted:

Apologies: Cr Jill Rogers

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 – 21 August 2024

TSC Motion 56/24

That the minutes of the Ordinary Council Meeting held on 21 August 2024 be confirmed as a true and accurate record of proceedings.

Moved: Cr Nicholls

Seconded: Cr Courtney Thomson

Vote: Simple Majority

Carried/Lost: 5/0

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 August 2024

Location:	Shire of Tammin
Applicant:	Finance Officer
Date:	20/09/2024
Author:	Kelsey Pryer
Item Approved by:	Acting 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 August 2024 totaling \$297,944.93 by way of:

Cheque numbers	6845- 6845	\$1,237.61
Direct debit payments	01/08/2024- 31/08/2024	\$11,245.02
Licensing transfers	01/08/2024- 31/08/2024	\$2,047.50
Bank fees	01/08/2024- 31/08/2024	\$69.07
VISA payments	01/08/2024- 31/08/2024	\$2,236.53
EFT payments	EFT7086- EFT7167	\$226,103.89
Salaries and wages	01/08/2024- 31/08/2024	\$53,005.31
Total payments	01/08/2024- 31/08/2024	\$297,944.93

The Shire of Tammin made the following significant expenditure during the month of August 2024:

Supplier	Description	Amount
Luke Stephen Stewart	Repair doors and locks at pavilion, supply build and fit kitchen at Depot, pavilion repairs as per building inspection, supply, build and fit cupboard to cover new speaker system at Pavilion, supply and fit new kitchen cabinet to 12 Russell St, supply and fit new aerial to 12 Russell St and Yorkrakine Hall repairs as per building inspection	\$ 19,140.00
Wheatbelt Diesel Services	Repairs to TN2203 & TN6	\$9,009.96
LGIS (WA)	Insurance policies for 2024/25	\$58,954.13

Wright Express Australia Pty Ltd (Caltex)	Fuel expenses for July 2024 for Shire vehicles	\$5,875.44
Enviro Pipes Pty Ltd	750mm corrugated pipe for Chappell Wheeldon Road, 375mm corrugated pipe for Quatemaine Road floodway, 450mm corrugated pipe for Tammin York Road SLK 9.00-SLK 10.24	\$6,010.40
Garpen	Outdoor pump and accessories as per capex budget	\$8,103.87
Jetwave (WA) Pty Ltd	Purchase of Water Gurney, hot box & 30m hose on hose reel	\$12,985.50
Scintex Pty Ltd	Purchase of Paddock 6ft heavy duty slasher and blade to suit as per quote QU-22919	\$6,619.00
Shire of Quairading	CESM Shared costs from July 2023- March 2024	\$12,131.32
Department of Fire and Emergency Services	ESLB 1st Quarter Contribution 24/25	\$10,801.80
Vizona	Nomad 3 series bollard light, footing cages and delivery for Tamma Village outdoor lighting upgrade	\$7,954.93

Comment

Nil

Financial Implications

All liabilities have been settled in accordance with the Shire of Tammin 2024/2025 Operating Budget.

Policy Implications

Nil

Statutory Implications

Local Government (Financial Management) Regulations 1996

11. Payment of accounts

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
- a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
 - b) Petty cash systems.
- (1) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (2) Payments made by a local government —
- a) Subject to sub-regulation (4), are not to be made in cash; and
 - b) Are to be made in a manner which allows identification of —
 - (i) The method of payment;
 - (ii) The authority for the payment; and

(iii) The identity of the person who authorised the payment.

(3) Nothing in sub-regulation (3) (a) prevents a local government from making payments in cash from a petty cash system.

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

12. Payments from municipal fund or trust fund

(1) A payment may only be made from the municipal fund or the trust fund —

- a) If the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- b) Otherwise, if the payment is authorised in advance by a resolution of the council.*

(2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

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

13. Lists of accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- a) The payee's name;*
- b) The amount of the payment;*
- c) The date of the payment; and*
- d) Sufficient information to identify the transaction.*

(2) A list of accounts for approval to be paid is to be prepared each month showing —

- a) For each account which requires council authorisation in that month —
 - (i) The payee's name;*
 - (ii) The amount of the payment; and*
 - (iii) Sufficient information to identify the transaction; and**
- b) The date of the meeting of the council to which the list is to be presented.*

(3) A list prepared under sub-regulation (1) or (2) is to be —

- a) Presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- b) Recorded in the minutes of that meeting.*

Strategic Plan & Corporate Business Plan Implications

Civic Leadership Strategies

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

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

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

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

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

Outcome 6.2 An efficient and effective organisation

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

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

TSC Motion 57/24

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 August 2024 to 31 August 2024 totaling \$297,944.93 as contained in attachments 12.1.

Municipal Fund payments totaling \$297, 944.93 detailed:

Cheque numbers	6845- 6845	\$1,237.61
Direct debit payments	01/08/2024- 31/08/2024	\$11,245.02
Licensing transfers	01/08/2024- 31/08/2024	\$2,047.50
Bank fees	01/08/2024- 31/08/2024	\$69.07
VISA payments	01/08/2024- 31/08/2024	\$2,236.53
EFT payments	EFT7086- EFT7167	\$226,103.89
Salaries and wages	01/08/2024- 31/08/2024	\$53,005.31
Total payments	01/08/2024- 31/08/2024	\$297,944.93

Moved: Cr Nicholls

Seconded: Cr Caffell

Vote: Simple Majority

Carried/Lost: 5/0

12.2 Financial Management Report for the month of August 2024

Location:	Shire of Tammin
Applicant:	Manager of Finance and Corporate Services
Date:	20 th September 2024
Author:	Racheal King
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 12.2 – August 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 August 2024 inclusive of the Statement of Financial Activity, Current Ratios and Capital Expenditure Report.

Comment

With the Budget approved at the last Council meeting, work has begun on a number of Capex jobs. Fees and Charges adopted at Council's last meeting have come into effect. Rates were issued on 20th August 2024 with payments due in full by 28 October 2024. As of 31 August 2024, 1% of rates have been received, largely in part as the due date falling in October 2024. Payment arrangements will be made for those requiring it.

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

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

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

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

Outcome 6.2 An efficient and effective organisation

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

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

TSC motion 58/24

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 August 2024 comprising;

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

Moved: Cr Nicholls

Seconded: Cr Courtney Thomson

Vote: Simple Majority

Carried/Lost: 5/0

13 MATTERS FOR CONSIDERATION – ADMINISTRATION

13.1 WALGA Annual General Meeting

Location:	N/A
Applicant:	WALGA
Date:	16 September 2024
Author:	Darren Mollenoyux
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	WALGA AGM Agenda

Proposal/Summary

Council needs to determine its position on the motions put forward for the 2024 Annual General Meeting.

Background

Council has received the agenda for the WALGA Annual General Meeting to be held on Monday 9th October 2024 at the Perth Convention and Exhibition Centre. Council has already appointed Cr Charmain Thomson and Cr Tanya Nicholls as voting delegated and the review of the agenda will assist in providing them with direction whilst voting at the meeting. Cr Courtney Thomson and Cr Barry Leslie are proxy delegates.

A copy of the Agenda papers have been included as an attachment.

Comments

Council's position is sought on the following listed WALGA AGM agenda items, the CEO has provided a brief comment and proposed Council position on each item;

7.1 Amendments to the Cat Act 2011 – Allow Local Governments to make Local Laws to contain cats to the owner's property.

This Shire's of Esperance and Dardanup have both submitted items seeking to enable Local Governments to develop Cat Local Laws.

The Motion is;

That WALGA advocate to the State Government to make changes to the Cat Act 2011 to permit local laws to be made to the following effect:

- 1. Cats are to be confined to the cat owner's residence premises;*
- 2. Cats within public places are to be under effective control and not to create a nuisance;*
- 3. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance;*
- 4. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law.*

The Motion generally aligns with current WALGA advocacy in relation to a review of the Cat Act 2011:

That the Local Government sector advocates for a commitment from the State Government...to prioritize reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

The 2019 Review included proposals that penalties should be incurred when cats wander/trespass on property without consent or cats should be confined to their property.

7.2 Advocacy for legislative reforms to counter land-banking

Town of Bassendean have put forward a motion to address the issue of people banking land;

In Brief

- *Land-banking reduces the availability of sites for development.*
- *Premature demolition of viable housing is unacceptable in what is a dire housing shortage for this nation.*
- *Additional legislative changes are required to enable Local Authorities the flexibility to apply additional levies to long term unoccupied housing.*

The Motion is;

That WALGA:

1. In line with its 2020-2025 Strategic Plan to provide a Sector Vision that enables Local Governments to be agile enhancing community wellbeing and economic prosperity, develops a draft Advocacy Position for Legislative Reforms to address Land-Banking practices including, but not limited to consideration of the following:
 - a. Prohibiting demolition of habitable housing until a Development Application (DA) has been approved;
 - b. b. development applications that result in the demolition of existing habitable housing be time limited so that reasonable time periods for project commencement and project completion are conditions of the development application.
 - c. provide Local Authorities with the ability to apply a “penalty fee” over and above any differential rating on vacant land, where the time conditions on the development application in (b) have not been met.
 - d. Development of a mandatory register of unoccupied residential properties, with the ability of Local Governments to apply rates or levies on long term unoccupied residential properties, which could increase incrementally over time.
2. Distributes the draft “WALGA Advocacy Position for Legislative Reforms to counter Land-Banking” to all West Australian Local Authorities for comment, and that a subsequent report be provided for consideration by WALGA Zones.

7.3 Advocacy for expansion of differential rating to include long term unoccupied commercial buildings (Property Activation Levy)

This item has been put forward by the Town of Bassendean.

The Motion is;

That That WALGA:

1. *Explores expanding Item 2.1.8 Differential Rates of its Advocacy Position Statement to consider inclusion of the following:*
 - a. *Advocating for Local Authorities to have the ability to apply a differential rate to long term unoccupied commercial buildings; and*
 - b. *Developing legislation that requires commercial property owners to demonstrate that in order to avoid the imposition of a differential rate on unoccupied commercial property the property;*
 - i. *is commercially habitable with annual investment in maintenance*
 - ii. *remains connected to essential services*
 - iii. *is undergoing periodic compliance checks and,*
 - iv. *has a plan in place to redevelop or make operational.*
 - c. *Develop legislation that enables Local Government to provide exemptions to the above differential rating based on an approved periodic activation program for the vacant commercial property by the Local Government.*

2. *Distributes the draft expanded WALGA Advocacy Position for Differential Rates to counter long term unoccupied commercial buildings to all West Australian Local Authorities for comment, and that a subsequent report be made available for consideration by WALGA Zones.*

The purpose of the property activation levy is to encourage owners of unoccupied commercial buildings to activate and maintain their properties to improve commercial precincts

7.4 Action on Asbestos for Western Australia

The Asbestos Safety and Eradication Agency (ASEA) has released its 2024-2030 Strategic Plan, which identifies the need to take action to save lives, as asbestos materials are degrading, increasing the risk they pose.

The approach to asbestos is unlikely to change unless Local Governments and their communities, particularly in regional areas, are provided with additional funding and support.

The ASEA Strategic Plan has identified an increasing need to take action on asbestos. As the material degrades over time there is an increasing human health risk and costs associated with removal escalate. As identified in the AGM item, WALGA's recent Submission on the ASEA Strategic Plan noted that Asbestos management is an ongoing and increasing challenge for Local Governments, particularly in regional areas, and additional focus is needed. The approach of providing targeted funding and support would assist regional Local Government to address issues such as limited availability and cost of suitably qualified contractors and ability to fund asbestos removal.

The Motion is;

That WALGA advocates for the state and federal governments to take urgent action to assist Local Governments and their communities in safely removing asbestos, including providing targeting funding programs and support for regional areas.

7.5 Addressing the impracticality of Local Governments funding State Government Regional Employee Housing

This matter is an issue that is having significant impact on Local Government and has previously been discussed at a local and regional level in various forums such as WEROC and WALGA Great Eastern Zone.

In Brief

- Housing Funding Impracticality: Local Governments face impracticalities in funding housing due to the extra budgetary constraints then placed on the Local Government.
- Financial Risk: Investment in providing housing can be risky over the long term due the volatility of the housing market (particularly in areas where mining is the predominant industry) and the constraints placed on Local Governments that are borrowing money to fund these builds.
- State Responsibility: Housing should be funded through state taxes and mining royalties, not Local Government budgets.

The Motion is;

That WALGA advocates to the State Government for the State Government to fully fund Department of Communities (Social) and Government Regional Officer Housing.

7.6 Advocacy for accessibility

This item is put forward by The Town of Victoria Park seeking advocacy for adoption of National Construction Code minimum accessibility standards.

In Brief

- Advocacy for adoption of National Construction Code minimum accessibility standards
- Australia should have national building standards guaranteeing new homes have access for all abilities.
- WALGA should develop a policy to reflect its organisation commitment to accessibility, including but not limited to ensuring any venues WALGA utilises for its services or events have universal accessibility entry points (and are not dependent on one accessible entry point).

The Motion is;

That WALGA develops an Advocacy Position calling for the WA Government to adopt the Liveable Housing Design Standards for accessibility as part of the National Construction Code, consistent with WALGA’s 2020-2025 Strategic Plan Sector Vision to enable inclusive Local Governments enhancing community wellbeing and economic prosperity.

Consultation

Nil

Statutory Implications

Nil

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.

TSC Motion 59/24

That Council consider the motions for the WALGA Annual General Meeting to be held on the 9th October 2024 and provide guidance to the voting delegates.

Moved: Cr Courtney Thomson

Seconded: Cr Caffell

Vote: Simple Majority

Carried/Lost: 5/0

13.2 Amended Policy – Drug & Alcohol Policy

Location:	N/A
Applicant:	Shire of Tammin
Date:	20 th September 2024
Author:	Manager of Finance & Corporate Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.2– DRAFT Drug & Alcohol Policy Attachment Item 13.2 – Current Drug & Alcohol Policy

Proposal/Summary

This item brings an amended Drug & Alcohol Policy before the Council and seeks a Council resolution to replace the current Drug & Alcohol policy.

Background

The Shire currently has a drug and alcohol policy that sets out the Shire’s expectations regarding Drug & alcohol use within the workplace and Shire events. The current policy has recently been reviewed and it has been determined that it is insufficient regarding risk management and insurance concerns.

The revised policy provides clearer guidelines on critical areas like testing procedures and acceptable use, which strengthens its enforceability. It's important for policies addressing sensitive issues like drugs and alcohol to be explicit, so this change adds value by removing ambiguity.

Addressing risk management and insurance concerns is vital for mitigating liabilities. By clarifying prohibitions around the use of Shire vehicles, equipment, and plant while under the influence, the policy better safeguards the Shire against potential legal and financial risks.

Clarifying the approach to testing (e.g., under what circumstances it can occur, how results will be handled, and privacy considerations) ensures that employees understand the process and consequences. It can also help avoid misunderstandings and possible disputes.

The policy clearly defines what constitutes "acceptable use" at Shire events, especially in cases where alcohol may be present. A distinction between private events and official Shire-sponsored events is provided, ensuring the policy is both fair and practical.

By prohibiting the use of equipment, vehicles, or machinery while under the influence, the draft policy places employee safety and public responsibility at the forefront, promoting a safe working environment and reducing the likelihood of accidents or misuse.

Comment

Both the existing policy and the proposed policy are attached to this item for review. Overall, the draft policy is a positive step toward addressing the gaps in risk management and insurance coverage, while also promoting a safer, more responsible workplace environment.

Consultation

WALGA
LGIS
Other Local Government Entities

Policy Implications

Current Drug and Alcohol Policy will be withdrawn.

Financial Implications

Nil

Strategic Implications

Civic Leadership Strategies

Our Councilor's 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.

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

- 6.1.1 Deliver sustainable governance through transparent and robust policy and processes
- 6.1.2 Undertake the civic duties of Council with the highest degree of ethics

TSC Motion 60/24

That Council, by Simple Majority, pursuant to Section 3.18 of the *Local Government Act 1995 (WA)* resolves to adopt the proposed Drug and Alcohol Policy.

Moved: Cr Caffell

Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 5/0

13.3 Amended Policy – Employee Leave Policy

Location:	N/A
Applicant:	Shire of Tammin
Date:	20 th September 2024
Author:	Manager of Finance & Corporate Services
Item Approved by:	Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Attachment Item 13.3– Current Employee Leave Policy Attachment Item 13.2 – DRAFT Employee Leave Policy

Proposal/Summary

This item brings an amended Employee Leave Policy before the Council and seeks a Council resolution to replace the current Employee Leave Policy, removing the Covid Leave.

Background

Removal of COVID-19 Leave Provisions

As the COVID-19 pandemic is now largely under control and health risks have significantly reduced, our organization will be removing the special COVID-19 leave provisions from the employee leave policy. This decision reflects both the improved public health situation and evolving government guidelines.

Employees will revert to using standard sick leave, personal leave, or other applicable types of leave for illness or other needs, including any COVID-19-related situations.

While the special COVID-19 leave provisions will be discontinued, health and safety measures remain in place to protect employees in the workplace. Employees are encouraged to follow all health protocols and stay home if they feel unwell.

We understand that individual situations may vary. Employees facing extraordinary circumstances related to COVID-19 can still approach HR to discuss available options, including remote work flexibility, if applicable.

Comment

The removal of COVID-19 leave provisions from the employee leave policy is a reasonable and timely step, given the current state of the pandemic. As COVID-19 is now under control and the risk has diminished, transitioning back to standard sick leave policies reflects the broader return to normalcy in many workplaces. It also aligns with governmental and health authority guidelines, which have increasingly relaxed emergency measures.

Consultation

Nil

Policy Implications

Current Employee Leave Policy will be withdrawn and replaced with the Proposed Policy

Financial Implications

Nil

Strategic Implications

Civic Leadership Strategies

Our Councilor's 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.

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

6.1.1 Deliver sustainable governance through transparent and robust policy and processes

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

TSC Motion 61/24

That Council, by Simple Majority, pursuant to Section 3.18 of the *Local Government Act 1995 (WA)* resolves to adopt the proposed Employee Leave Policy.

Moved: Cr Leslie

Seconded: Cr Caffell

Vote: Simple Majority

Carried/Lost: 5/0

13.4 Local Government Elections – Review of WALGA Advocacy Positions

Location:	N/A
Applicant:	WALGA
Date:	18 September 2024
Author:	Darren Mollenoyux
Item Approved by:	Acting Chief Executive Officer
Disclosure of Interest:	Nil
File Reference:	Nil
Attachment/s:	Nil

Proposal/Summary

WALGA is seeking each Local Government’s position to key components of Ordinary Local Government Elections, with responses due by 28th October 2024.

Background

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone’s, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

Comments

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA’s Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA State Council current advocacy positions:

The following is a summary of WALGA’s current Advocacy Positions in relation to Local Government Elections:

2.5.15 ELECTIONS

Position Statement

The Local Government sector supports:

1. *Four year terms with a two year spill*

2. *Greater participation in Local Government elections*
 3. *The option to hold elections through:*
 - *Online voting*
 - *Postal voting, and*
 - *In-person voting*
 4. *Voting at Local Government elections to be voluntary*
 5. *The first past the post method of counting votes*
- The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.*

Background *The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.*

State Council Resolution *February 2022 – 312.1/2022*
December 2020 – 142.6/2020
March 2019 – 06.3/2019
December 2017 – 121.6/2017
October 2008 – 427.5/2008

Supporting Documents [*Advocacy Positions for a New Local Government Act*](#)
[*WALGA submission: Local Government Reform Proposal \(February 2022\)*](#)

2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement *Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.*

State Council Resolution *February 2022 – 312.1/2022*
March 2019 – 06.3/2019
December 2017 – 121.6/2017

2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement *The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.*

Background *Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.*

State Council Resolution *May 2023 – 452.2/2023*
March 2019 – 06.3/2019

December 2017 – 121.6/2017

March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

(a) The sector continues to support voluntary voting at Local Government elections.

OR

(b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

(a) The sector continues to support four-year terms with a two year spill;

OR

(b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

(a) Electronic voting; and/or

(b) Postal voting; and/or

(c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

(a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

Consultation

Nil

Statutory Implications

Local Government Amendment Act 2023

Local Government Act Regulations - Elections

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.

TSC Motion 62/24

That the Shire of Tammin recommends that WALGA adopt the following Local Government Elections Advocacy Positions:

1. PARTICIPATION – Council support advocacy position A
2. TERMS OF OFFICE - Council support advocacy position A
3. VOTING METHODS - Council support advocacy position A
4. INTERNAL ELECTIONS - Council support advocacy position A
5. VOTING ACCESSIBILITY - Council support advocacy position B
6. METHOD OF ELECTION OF MAYOR - Council support advocacy position A

Moved: Cr Courtney Thomson

Seconded: Cr Nicholls

Vote: Simple Majority

Carried/Lost: 5/0

14. MATTERS FOR CONSIDERATION – BUILDING & HEALTH

Nil

15. MATTERS FOR CONSIDERATION – TOWN PLANNING

16. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

18. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 5.17 pm