

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

9.1 Tammin Seniors Committee

Mrs Joan Button and other Committee members were to address Council regarding maintenance and repairs at Tamma Village however have deferred the visit.

Comment

Whilst at the Village on 22 February 2006 (with the Tammin Fire & Emergency Services) a request was made by Hidde Knol for units 1 to 6 to be fitted with back gates to provide an alternative exit in the event of a fire. This matter should be held over for discussion with the Committee.

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 Northam Saleyards (AGR-11)

Meeting held in Northam on 13 February 2006 and attended by Cr Caffell together with the CEO.

Essentially, the project is to the point where earthworks are nearing completion and tenders have been called for the shed and yards. The tenders submitted are near the budget but do not have sufficient detail to be evaluated. \$2.85m has been committed (including the Shire of Tammin's \$50,000) and the current budget estimate is \$3.4m. A further approach is to be made to those local governments in the catchment area who have not committed, together with a further approach to the State Government. Both the Town and Shire of Northam have indicated they may be prepared to increase their contributions to cover the shortfall – if unable to be found elsewhere.

Earthworks are being arranged by the Shire of Northam and the Shire of Tammin has committed the new truck/trailer combination to assist. Details of these contributions will be documents for future use.

Notes of the meeting are available.

Crs Caffell and Stokes, together with the CEO reported on a further meeting at Cunderdin on 7 March 2006. An approach is to be made to the State Government to become a partner to meet the funding shortfall. In the interim, research work will continue.

10.2 Wheatbelt North Regional Road Group - Kellerberrin Sub Group (ENG-43)

Meeting held in Cunderdin on 15 February 2006 and attended by the CEO. Delegates (Cr Leslie and Stokes unavailable).

Issues discussed included:

- Cr Graeme Cooper, Shire of Cunderdin President, elected as Chair (unopposed).
- Cunderdin, Quairading, Beverley, York, Brookton VROC is to undertake a study on road standards in that region.
- Cr Graeme Cooper and Cr Lindsay Hagboom (Dowerin) elected as Sub-Group delegate and deputy to the Regional Road Group.
- 2025 submissions were endorsed. The Shire of Tammin has not completed the necessary submission documentation for the addition of Bungulla North Rd, Ralston Rd and Tammin South Rd (together with the re-nomination of Goldfields Rd, Tammin Wyalkatchem Rd).
- The funding distribution model under consideration by the Technical Committee – which favours the Mid West Regional Road Group multi criteria assessment (MCA) model. It is proposed that RRG funding for the Wheatbelt North Regional Road Group will be distributed to the Sub-Groups on the Asset Preservation Model and then split between the local governments using the MCA.

- The need for all local governments to be represented at the Sub-Group by a councillor – Staff are unable to vote.

Minutes of the meeting are available.

10.3 Small Towns Survival Workshop

Workshop held in Doodlakine on and attended by Crs Caffell and Wheeldon.

10.4 WE-ROC (ORG-15)

Meeting held on 22 February 2006 and attended by Cr Caffell and the CEO.

Issues discussed included:

- New Wheatbelt Central map and visitor guide (Pam Masters). 10,000 copies (18 months supply) printed. Budget of \$60 per Shire for distribution.
- New Wheatbelt tourism web site – www.wheatbelttourism.com (Pam Masters).
- Office of Crime Prevention – local government partnerships – see Item 11.15 (Trevor Blight).
- Wheatbelt Development Commission key objective areas and projects 2005/06 (Andrew Prior)
- Progress of the introduction of wireless broadband.
- Proposed Northam sheep saleyard.
- Meeting dates for 2006 – generally the third Wednesday of each month.
- Employment of Executive Officer – see Item 11.14
- Shared purchasing of local government financial and rates software – WE-ROC has resolved to investigate the options for the joint purchase by interested local governments. Tammin will participate in the investigation.
- Central Wheatbelt Tourism Strategy Review – consideration is to be given to the formation of a Central Wheatbelt Visitor Centre in Merredin and proposals to address a coordinated approach to the improvement of major tourism sites in each Shire.
- Health Services Plan and Medical Services Agreement.
- WE-ROC strategic plan.
- State Infrastructure Strategy submission.
- Bio-fuels.
- Bruce Rock CCC waste treatment plant site proposal.
- Biosecurity Committee Officers.
- 100/110kph speed limits. The reconstructed Great Eastern Hwy (Lakes to Sawyers Valley) is to be 90kph.

10.5 WALGA Great Eastern County Zone Teleconference (ORG-02)

Teleconference held on 23 February 2006 and participated by the CEO. Issues discussed included:

- Wheatbelt Health Region.
- Review of Caravan Parks and Camping Grounds Act 1995.
- State Emergency Plan.
- National Tourism Accreditation for Holiday Accommodation Managers.
- Regional Tourism Review.
- An Alternative Settlement Framework for Native Title.
- Connect Australia Submission – “Broadband Connect” and “Clever Network”.
- State Administrative Tribunal.
- Biosecurity and Agricultural Management Bill.
- Review of Pesticide Legislation and Policy.
- Rural Renewable Energy Program.
- Local Government Amendment Bill No.4.
- Review of Interstate Distribution of Local Roads Grants.

Minutes of the meeting are available.

11. AGENDA ITEMS

Agenda Reference:	11.1
Subject:	Town Beautification Committee
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	ORGL-20
Disclosure of Interest:	Nil
Date:	8 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Council resolved in February (MIN 26/06) to determine the Charter of the Town Beautification Committee and appoint it's members. This followed on from a variety of advice apparently originating from an advertisement in the Tammin Tabloid for interested Community Persons to assist with the Town Beautification Committee in August / September 2005.

COMMENT

The details of the persons proposed to be appointed to this Committee and the Charter proposed for the Committee are unknown.

FINANCIAL IMPLICATIONS

Unknown

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Local advertising, direct contact.

STAFF RECOMMENDATION

That Council determine the Charter of the Town Beautification Committee and appoint it's members.

Absolute Majority Required

MIN 32/06 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon

That a Town Beautification Committee with a Charter to advise Council on town beautification issues and carry out town beautification projects be appointed. Further, that the membership of the Committee be:

- Anne Batchelor
- Joan Button
- Louise Caffell
- Gloria Dixon
- Beryl Greenwood
- Mary Harrison
- Stephen Jefferies
- Val McMillan
- Barbara Moore
- Ypie Thompson
- Margaret Wheeldon

be appointed with the power to co-opt other members and the quorum be set at 4 members.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Agenda Reference:	11.2
Subject:	Ordinary Council Meeting Dates
Location:	Shire of Tammin Council Chambers
Applicant:	Shire of Tammin
File Ref:	ADM-41
Disclosure of Interest:	Nil
Date:	8 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Meeting dates for 2006 were set by Council (Min 208/05 – October 2005) as the second Wednesday of the month with Councillors briefing session commencing at 1:00pm, meeting commencement time at 2:00pm and public question time commencing at 2.15pm and limited to 15 minutes.

COMMENT

Council is required under legislation, to advertise its Ordinary meeting dates, time and place, once a year. This process was carried out late in 2005.

The second Wednesday of the month does not provide sufficient time for the preparation of financial reports for the previous month for inclusion in the Agenda – resulting in consideration of aged financial statements and reports.

Councillors discussion has centred around the third Wednesday of the month – however this date will conflict with WE-ROC meetings.

The third Tuesday or Thursday are possibilities. The Shire of Cunderdin meets on the third Thursday whilst the Shire of Kellerberrin meets on the third Tuesday.

There does not appear to be legislative provision to limit public question time to 15 minutes – in fact the Local Government Act provides that a minimum of 15 minutes is to be provided and that provision should be made for all questions to be allowed and responded to.

FINANCIAL IMPLICATIONS

2005/2006 Budget – expense for statutory advertising.

Cost of local advertising of Council meeting times.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 5.25(1)(g) of the Local Government Act provides:

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to —
 - (g) the giving of public notice of the date and agenda for council or committee meetings;

Regulation 12 of the Local Government (Administration) Regulations provides:

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.

- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Section 5.24 of the Local Government Act provides that:

- (1) Time is to be allocated for questions to be raised by members of the public and responded to at —
- (a) every ordinary meeting of a council; and
 - (b) such other meetings of councils or committees as may be prescribed.
- (2) Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

Regulation 5 of the Local Government (Administration) Regulations provides for the purposes of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are —

- (a) every special meeting of a council;
- (b) every meeting of a committee to which the local government has delegated a power or duty.

Regulation 6 of the Local Government (Administration) Regulations provides:

- (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.
- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in subregulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the date for Ordinary Council meetings be changed to the third Thursday of the month commencing at 2pm (public question time 2.15pm) with Councillor briefing sessions commencing at 1pm.

Simple Majority Required

MIN 33/06 MOTION – Moved Cr Wheeldon 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

Cr Greenwood declared an interest and left the Chamber at 3.06pm.

Agenda Reference:	11.3
Subject:	Sale of land for non-payment of rates
Location:	Lots 31 & 32 Walston Street & lot 39 Dreyer Street
Applicant:	Shire of Tammin
File Ref:	ASS-304
Disclosure of Interest:	Nil
Date:	8 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Council was advised in February 2006 (IB 19) of correspondence from Mayberry Hammond & Co that the registration of the transfer of lot 31 and lot 32 (C/T Vol 2132 Folio 15) from the Shire of Tammin to Greenwood & Fourie is unable to be registered as the time limit (12 months) had expired.

Mayberry Hammond & Co confirmed on 2 May 2002 that the land was sold by the Cunderdin Bailiff on 5 February 2002 for a total price of \$1,000 for non payment of rates. These funds were disbursed as follows:

Bailiff Fees	\$282.77
Title Search	\$129.00
Mayberry Hammond & Co (part payment of \$2,341.25 costs)	<u>\$588.23</u>
	\$1,000.00

It is understood that the property was sold to Michael Greenwood.

It is further understood that Mr Greenwood attempted to lodge the Transfer of Land form with State Revenue Department who rejected the form.

Mr Greenwood has indicated that DOLA rejected the Transfer of Land form as DOLA was not advised at the time of the Land Warrant being served, that the land was being transferred back to the Shire or that it was being sold by auction. Further, there were outstanding caveats on the property's title at the time.

COMMENT

The responsibility for the lodgement and finalisation of the transfer process rests with the purchaser.

The responsibility for the collection of rates rests with local government.

Rate accounts and follow-up action continue to be taken against the name on the title – James Ian Arnold and Kathlyn Mary Arnold. It is considered that this action satisfies section 6.68(1) of the Local Government Act.

Six years rates and charges, totalling \$1,395.18 remain outstanding.

The simple remedy to resolve this situation would appear to re-commence the sale of the land for non-payment of rates in accordance with Section 664(1)(b) of the Local Government Act. This will leave Mr Greenwood without further access to the property's title (as in reality the current situation).

FINANCIAL IMPLICATIONS

Costs associated with the sale of the land process. Resolution of the outstanding rates.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 6.64 of the Local Government Act provides that:

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
 - (a) from time to time lease the land;
 - (b) sell the land;
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Section 6.68 provides that:

- (1) Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the “power of sale”) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.
- (2) A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land.
- (3) Schedule 6.3 has effect in relation to the exercise of the power of sale.

Section 6.69 provides that:

- (1) Up to 7 days prior to the time of the actual sale of any land for non-payment of rates or service charges a person having an estate or interest in the land may pay the rates or service charges and the costs and expenses incurred to that time in proceedings relating to the proposed sale.
- (2) At any time after the 7 days referred to in subsection (1) but prior to the time of the actual sale of any land the local government may, upon such terms and conditions as are agreed between the parties, accept payment of the outstanding rates or service charges.
- (3) On payment being made under subsection (1) or (2) the proceedings relating to the proposed sale are stayed and the local government is required to make such notifications and take such measures as are prescribed in relation to the payment and the cancellation of the proposed sale.

Section 6.72 provides that where a transfer or conveyance of an estate in fee simple in land is made in purported exercise of a power under section 6.64(1)(b), (c) or (d) the title transferred or conveyed is not impeachable on the ground that —

- (a) no case had arisen to authorise the sale;
- (b) the proper procedures were not followed; or
- (c) the power was otherwise improperly or irregularly exercised,

and a person who claims there has been an unauthorised or improper or irregular exercise of the power has a remedy in damages against the relevant local government but not against the Crown or the State with the Registrar as the nominal defendant under the Transfer of Land Act 1893.

Section 6.73 provides that a sale of land by a local government or a transfer or conveyance of land to the Crown or a local government under this Subdivision discharges —

- (a) the land; and
- (b) the owners (present and past) of the land, from any liability to the local government for rates, service charges or other money due to the local government which were, at the time of the sale, transfer or conveyance —
- (c) secured by a charge over the land; or
- (d) otherwise recoverable, whether under this Act or another written law, by the local government in respect of the land.

Section 6.75 provides that:

- (1) Where, at the expiration of 12 years from the taking of possession of any rateable land by a local government under section 6.64 —
 - (a) all rates and service charges due and payable in respect of the land have not been paid; and
 - (b) the land has not, under the provisions of this Subdivision, been —
 - (i) sold by the local government;
 - (ii) transferred to the local government; or
 - (iii) transferred to the Crown,by operation of this section the fee simple in the land is to be transferred to the local government subject to —
 - (c) easements in favour of the public which affect the land;
 - (d) the rights of the Crown in right of the State or Commonwealth or a department, agency, or instrumentality of the Crown in right of the State or Commonwealth; and

(e) rates and taxes (other than local government rates and service charges) due on the land, but free from other encumbrances.

(2) Schedule 6.3 has effect in relation to a transfer under this section.

Regulation 72 of the Local Government (Financial Management) Regulations 1996 provides that for the purposes of section 6.64(2) the notification to be given by a local government on taking possession of land under that section is to be in the form of Form 2.

Regulation 73 provides that for the purposes of section 6.64(2) the notice to be affixed on land by a local government on taking possession of land under that section is to be in the form of Form 3.

Regulation 74 provides that for the purposes of Item 1(2)(e) of Schedule 6.3 of the Act a notice requiring payment of outstanding rates and service charges is to be in the form of Form 4.

Regulation 75 provides that for the purposes of Item 2(1)(a) of Schedule 6.3 of the Act a Statewide public notice of a sale of land is to be in the form of Form 5.

Regulation 76 provides that to stay sale of land for non-payment:

- (1) As soon as practicable after the payment in accordance with section 6.69 of outstanding rates, service charges, costs and expenses on any land the local government is to deliver to the Registrar of Titles or the Registrar of Deeds, as the case requires, a certificate signed and dated by the CEO certifying that all outstanding rates, service charges, costs and expenses have been paid.
- (2) Upon receipt of the certificate referred to in subregulation (1) the Registrar of Titles or the Registrar of Deeds is to endorse a memorandum that the land has ceased to be bound by the memorial.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That:

- The Shire of Tammin take formal possession of lots 31 & 32 Walston Street pursuant to section 6.64(1) of the Local Government Act;
- formal notice be served on JI & KM Arnold at their last known addresses advising that the Shire of Tammin has taken possession of the land pursuant to section 6.64(2) of the Local Government Act;
- a caveat be lodged on the titles of the land to preclude dealings in respect of the land pursuant to section 6.64(3) of the Local Government Act; and
- Staff be instructed to take whatever administrative action necessary to sell the land for non-payment of rates pursuant to section 6.64(1)(b) of the Local Government Act.

Simple Majority Required

MIN 34/06 MOTION – Moved Cr Stokes 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

Cr Greenwood entered the Chamber at 3.10pm.

Agenda Reference:	11.4
Subject:	Merredin Visitor Centre
Location:	Wheatbelt Region
Applicant:	CEO
File Ref:	ORG-17
Disclosure of Interest:	Nil
Date:	1 March 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence from the Merredin Visitor Centre advising of the next meeting of the General meeting to be held on Monday, 27 March 2006 at Southern Cross.

COMMENT

Currently, the Shire of Tammin does not have a representative on Merredin Visitor Centre / Wheatbelt Tourism Association.

It is considered that the Shire of Tammin is not making or receiving full benefit from this organisation due to the lack of representation.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council appoint a delegate to the Merredin Visitor Centre organisation.

Simple Majority Required

Cr Leslie suggested Mrs Denise Goulden or a member of the TALEC Committee may be interested.

MIN 35/06 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the CEO seek an interested community representative to be the Shire of Tammin delegate to the Merredin Visitor Centre.

CARRIED 6/0

Agenda Reference:	11.5
Subject:	Financial Assistance – Royal Flying Doctor Service
Location:	Australia
Applicant:	Chris & Kathy Littlemore
File Ref:	ADM-00
Disclosure of Interest:	Nil
Date:	14 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence seeking a donation towards the Royal Flying Doctor Service. This not for profit organisation is independent of church and state. It relies on a combination of private, corporate and Government support for the important work it does each year.

The applicants have chosen to help the Royal Flying Doctor Service by entering the Outback Air Race 2006 - an event where private pilots take part in a time trial across the outback from Alice Springs to Broome via North West Queensland. Each participant is required to raise funds which could be donations to the RFDS or sponsorship of expenses. All of the applicant's fundraising is going to be for donations with their contribution being the expenses associated with the journey. Money raised through my endeavours from Western Australia will stay in Western Australia.

A contribution of \$100 is sought. GST is not applicable as it is a donation.

COMMENT

Whilst the applicants are remote, the appeal purpose is considered to be worthwhile – although of little direct relevance to Tammin residents.

FINANCIAL IMPLICATIONS

No provision exists in the 2005/06 Budget for this purpose.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the request for financial assistance be declined as no budget provision exists.

Simple Majority Required

MIN 36/06 MOTION – Moved Cr Stokes 2nd Cr Caffell

That the Staff recommendation be adopted.

CARRIED 6/0

MIN 37/06 MOTION – Moved Cr Caffell 2nd Cr Stokes

That provision of a donation of \$200 to the RFDS be included in the draft 2006/07 Budget.

CARRIED 6/0

Agenda Reference:	11.6
Subject:	Storm Water Drainage
Location:	Corner of Ridley and Redmond Streets
Applicant:	Mrs Wendy Wilkins
File Ref:	ENG-34
Disclosure of Interest:	Nil
Date:	13 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

The storm water pipes underneath this intersection are lower than the kerb drainage on either side resulting in water laying in the pipes long after the rain event has passed.

Mrs Wilkins has indicated she has complained several times over a number of years regarding this situation and queried why spoon drains have not been installed.

COMMENT

This culvert is similar to several other in the townsite.

To change the culvert would require reconstruction of the road.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That culvert be listed for inspection.

Simple Majority Required

MIN 38/06 MOTION – Moved Cr Wheeldon 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.7
Subject:	Members Allowances & Expenses
Location:	Shire of Tammin
Applicant:	Members
File Ref:	ADM-41
Disclosure of Interest:	Nil
Date:	14 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Members are entitled to claim sitting fees and to be reimbursed expenses whilst attending Council and Committee meetings.

COMMENT

Members seeking to establish details of previous claims on an irregular basis have caused unwieldily sub-systems to be put in place by Staff.

It is considered that claims would be easier handled on a more regular basis. A Members Expenses Claim form (tick a box) has been developed as an alternative approach.

The form has been produced for the meetings of 8 February 2006 and this meeting.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 5.98 provides for attendance fees and expenses reimbursement to be paid to members attending Council and Committee meetings.

Section 5.98(5) provides for the President to be paid the prescribed minimum annual local government allowance or an allowance set by the local government.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That members use the revised Members Expenses Claim form for fees and expenses as from 1 January 2006.

Simple Majority Required

MIN 39/06 MOTION – Moved Cr Jefferies 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.8
Subject:	Code of Conduct
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	ADM-52
Disclosure of Interest:	Nil
Date:	8 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

The completion of the 2005 Compliance Audit Return (Item 11.1.3 – 8 February 2006) has highlighted the need to complete the review of the Shire of Tammin Code of Conduct.

COMMENT

WALGA’s draft *Code of Conduct for Elected Members and Staff* has been distributed to Councillors for consideration.

Within the draft, the value for Item 2.4(a) and Item 2.4(b) need to be addressed. This relates to the value of gifts able to be accepted, subject to declaration. A figure of \$250 would seem appropriate.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 5.103 of the Local Government Act provides that:

- (1) Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.
- (2) A local government is to review its code of conduct within 12 months after each ordinary elections day and make such changes to the code as it considers appropriate.
- (3) Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That WALGA's draft *Code of Conduct for Elected Members and Staff*, with the inclusion of \$250 in items 2.4(a) and 2.4(b), be adopted.

Simple Majority Required

MIN 40/06 MOTION – Moved Cr Stokes 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.9
Subject:	Banners in the Terrace
Location:	Shire of Tammin
Applicant:	WALGA
File Ref:	OLGOV-12
Disclosure of Interest:	Nil
Date:	9 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence inviting participation in the *Banners In The Terrace* as part of Local Government Week 2006 (5 August – 7 August)

COMMENT

The "Banners in the Terrace" competition is one of the State's largest single community arts projects. It is widely acknowledged that the Local Government week banners are the most colourful and vibrant banners flown in the Terrace each year.

The Banners will be on display in St George's Terrace from 23 July through to 6 August and the winners will be announced at the 2006 Local Government Week Convention on Sunday, 6 August 2006.

Banners are required to be in Perth by 7 July 2006.

Banners can be produced on either canvas or vinyl with the blanks cost ranging from \$77-\$135 plus GST and freight.

Categories for the competition are:

- Junior primary school (pre-primary – Year 4)
- Upper primary school (Year 5 – Year 7)
- Secondary school (Year 8 - Year 12)

- Community groups
- Creative artist/professional

FINANCIAL IMPLICATIONS

No specific provision appears to have been made in the 2005-2006 Budget. Total costs (including paints) are likely to be in the region of \$200-\$300.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Banners in the Terrace Information be advertised and a closing date for expressions of interest be Friday, 12 April 2006 to allow inclusion in the April Ordinary Council meeting Agenda.
Simple Majority Required

MIN 41/06 MOTION – Moved Cr Jefferies 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.10
Subject:	BEC Committee
Location:	Shire of Tammin
Applicant:	BEC
File Ref:	ORG-04
Disclosure of Interest:	Nil
Date:	
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

The Board to oversee the operations of the BEC are seeking one representative from within the boundaries of each of the local governments to serve on the Board.

Details of the changes to the BEC structure were reported to Council in February (IB 35).

The Board will be servicing the Shires of Northam, York, Beverley, Cunderdin, Toodyay, Goomalling, Dowerin, Wongan-Ballidu, Dalwallinu, Wyalkatchem, Tammin and Kellerberrin together with the Town of Northam.

Meetings will be held quarterly – with the location still to be determined. It may be in a central town or it may rotate around the Region.

It is desirable that the representative be familiar with small business – not necessarily a Councillor.

The role is voluntary and no fees or expenses are payable.

COMMENT

Nil

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council consider nominating a suitable representative to serve on the BEC Board.
Simple Majority Required

MIN 42/06 MOTION – Moved Cr Caffell 2nd Cr Stokes

That Crs Greenwood and Jefferies be nominated as community representatives to serve on the BEC Board.

CARRIED 6/0

Agenda Reference:	11.11
Subject:	Properties Inspection
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	
Disclosure of Interest:	20 Ridley Street - Tennant
Date:	17/2/2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Discussions with Councillors on 30 January 2006 suggested that a full inspection of all of the Shire of Tammin's property and a roads inspection would be beneficial.

COMMENT

It is not considered appropriate that the internals of rented houses be inspected by all Councillors. An outside inspection would be appropriate with a full inspection being conducted by the Manager, Development Services together with the CEO.

Shire of Tammin properties include:

Houses:

Ass: 509	Lot 9 Nottage Way (Meat Inspector)
Ass: 510	Lot 8 Nottage Way (Charlie Puglia)
Ass: 1050	45 Draper Street (Rebecca Chown)
Ass: 460	10 Ridley Street (Vacant)
Ass: 439	22 Ridley Street (Tammin Abattoir)
Ass: 1066	20 Ridley Street (Mick Oliver)
Ass: 1078	4 Yorkrakine Road (Marc Anderson)
Ass: 1070	5 Strang Street (Bob McMeeken)
Ass: 1079	6 Yorkrakine Road (Arthur Patten)

Vacant Land:

Ass: 1054	5 Dreyer Street
Ass: 511	3 Dreyer Street
Ass: 1062	11 Donnan Street
Ass: 309	47 Donnan Street
Ass: 430	49 Donnan Street
Ass: 1051	43 Draper Street
Ass: 1067	4 McLaren Street
Ass: 1068	8 McLaren Street
Ass: 1088	13 Nottage Way
Ass: 507	15-17 Dreyer Street

Other:

Heritage Park	Ass: 485 26 Walston Street
Frearson Park	Ass: 10799 Donnan Street
Memorial Park	Ass: 1063 1 Donnan Street
Donnan Park	Ass: 1158 Booth Street
	Ass: 1157 Booth Street
	Ass: 1156 Booth Street
Donnan Park Oval	Ass: 1076 Booth Street
Tennis Courts	Ass: 1065 Donnan Street
Bowling Club	Ass: 1064 Donnan Street
Ambulance Shed	Ass: 1060 40 Walston Street
Depot	Ass: 1073 8 Redmond Street (Bus Shed)
Depot	Ass: 1074 3 Redmond Street
Cooinda Centre	Ass: 1061 15-16 Donnan Street
Shire Office	Ass: 1063 1 Donnan Street
Town Hall	Ass: 1063 1 Donnan Street
Yorkrakine Hall	Ass: 1091 Yorkrakine
Seniors Units	Ass: 1076 Booth Street
F1-11 Engineering	Ass: 1370 Donnan Street
Hunts Well	Ass: 22 Res: 27515
Railway Reserve	Res: 29291 (Donnan & Walston Street)
Old Quarry Tip	Res: 26250 Yorkrakine
Tammin Refuse Site	Res: 13163
Charles Gardner Reserve	Res: 20041

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council determine a suitable time to conduct an inspection of all of the Shire of Tammin's property, with the exception of rented houses.

Simple Majority Required

Cr Stokes suggested that the local school bus contractors be invited to participate in the road inspection to provide local knowledge and issues.

MIN 43/06 MOTION – Moved Cr Jefferies 2nd Cr Caffell

That a properties inspection be carried out on 23 March 2006 commencing at 8am.

CARRIED 6/0

MIN 44/06 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon

That a roads inspection be carried out on 19 April 2006 commencing at 8am and that school bus contractors be invited to provide details of local issues.

CARRIED 6/0

Agenda Reference:	11.12
Subject:	Wheatbelt Sports Council Representation
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	SPREC-02
Disclosure of Interest:	Nil
Date:	1 March 2006
Author:	Carol Crane, Community Development Officer

BACKGROUND

The Wheatbelt Sports Council has had no representative from the Shire of Tammin. Representatives are currently from Bruce Rock, Westonia, Merredin, Yilgarn and Kellerberrin. This Committee is responsible for development of programs for sports throughout the Wheatbelt and the annual Be-Active games.

COMMENT

This role can be filled by either a Councillor, community member or both (to share travel).

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council nominate a representative to the Wheatbelt Sports Council.

Simple Majority Required

MIN 45/06 MOTION – Moved Cr Wheeldon 2nd Cr Caffell

That Cr Stokes be appointed as representative to the Wheatbelt Sports Council.

CARRIED 6/0

Agenda Reference: 11.13
Subject: Barrack Rd
Location: Tammin
Applicant: D McCreery
File Ref: ENG-34
Disclosure of Interest: Nil
Date: 21 February 2006
Author: Mick Oliver, Chief Executive Officer

BACKGROUND

Mr McCreery seeks the repair of the bituminised section of Barrack Rd east of the railway crossing and Livesey Crossing.

COMMENT

This is the old section (before realignment) of the Great Eastern Hwy and links the Great Eastern Hwy to Mr McCreery's tree farm.

The road surface is badly potholed and sections have in the past been sheeted with gravel.

The section is approximately 250m long.

FINANCIAL IMPLICATIONS

Cost of repairs outside the 2005/06 Budget.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

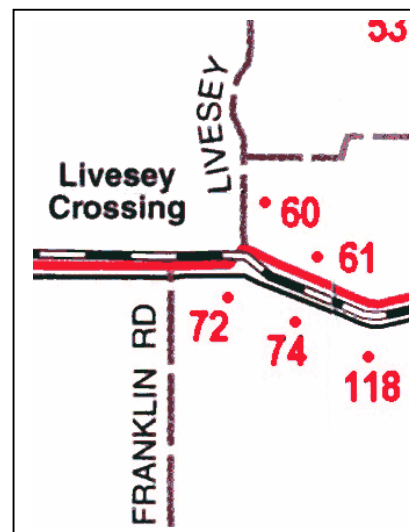
That section of Barrack Road near Livesey Crossing be listed for inspection.

Simple Majority Required

MIN 46/06 MOTION – Moved Cr Jefferies 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 6/0



Agenda Reference:	11.14
Subject:	WE-ROC Executive Officer
Location:	Eastern Wheatbelt
Applicant:	WE-ROC
File Ref:	ORG-15
Disclosure of Interest:	Nil
Date:	22 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Currently the Executive Officer role is undertaken by the CEO of the Council holding the Chair. The Shire of Westonia has the role of Chair with a two year term expiring after the 2007 local government elections (Tammin was to take the Chair however with the impending split with Kellerberrin, Westonia kindly offered to assist).

The Shire of Westonia CEO has had preliminary discussions with Mr Niel Mitchell who provides similar executive support services to the Central Country Zone and Great Eastern Zone of WALGA, and to NEWROC. Mr Mitchell has indicated an initial interest in taking on a similar role with WE-ROC. Mr Mitchell's charges are \$0.65/km travel and \$44/hr for his time. The following is an estimate of travel and professional costs including an allowance for sundry expenses for 2006:

	Qty	Unit \$	Total \$
Total km per year	7,500	0.65	\$4,875.00
11 ordinary meetings per year @ 5hrs	55	44.00	\$2,420.00
2 special meeting per year @ 5hrs	10	44.00	\$440.00
Preparation & Follow Up @ 15hrs/month	175	44.00	\$7,700.00
Phone, Fax, other disbursements	500	1.00	<u>\$500.00</u>
			\$15,935.00

Mr Mitchell has advised based on his experience with NEWROC that depending on the workload, he would estimate that the cost of executive services to WE-ROC would be in the range of \$16-20k per year.

The cost of employing an Executive Officer would be shared equally between Councils, i.e. \$2,600 to \$3,300 per year.

The purpose of employing a paid Executive Officer is to ensure a professional and focused approach to the activities of WE-ROC. The provision of executive services by serving CEO's, whilst adequate, is tempered by the competing demands of the Council that employ them.

In considering the employment of an Executive Officer, WE-ROC Councils need to evaluate the potential gain in effectiveness against the additional cost of the service.

WE-ROC Councils need to be given the opportunity to consider the cost implications of employing an Executive Officer on current and future budgets before a decision can be made to proceed.

WE-ROC has referred the employment of an Executive Officer to its member Councils and seek their views on funding the position based on an annual contribution in the range of \$2,600 to \$3,300 per year per Council.

COMMENT

Whilst the intent of WE-ROC is supported, it would seem that the size of the Shire of Tammin and the Shire of Westonia in comparison with the Shire of Merredin should not result in equal contribution.

It is considered that a tiered contribution, based on either Revenue, Area or Population, would be more equitable.

It is also considered that the proposal should not be implemented before the commencement of the 2006/2007 Budget.

FINANCIAL IMPLICATIONS

2006/2007 budget provision required.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Shire of Tammin support the employment of an Executive Officer by WE-ROC on the basis of a tiered contribution based on either Revenue, Area or Population of the member local governments commencing in 2006/2007.

Simple Majority Required

MIN 47/06 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.15
Subject:	Community Safety & Crime Prevention
Location:	Shire of Tammin
Applicant:	Office of Crime Prevention
File Ref:	LAW-01
Disclosure of Interest:	Nil
Date:	22 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence offering the Shire of Tammin a community safety and crime prevention partnership. The offer was presented to WE-ROC with the Shire of Bruce Rock, having already signed the partnership, agreeing to take the lead roll (or go it alone if the other local governments did not sign).

The Agreement recognises that the most effective approach to tackling crime and its causes to enhance community safety is through partnerships involving the WA Police Service, State Government agencies, Local Government and the community and the important role each party has in the prevention of crime and sustainable community safety and security.

The purpose of this agreement is to:

- Acknowledge that the State Government has primary responsibility for law enforcement, policing, community safety and crime prevention.
- Acknowledge the important role the Shire of Tammin has to play in the area of community safety and crime prevention.
- Promote the development and implementation of a Community Safety and Crime Prevention Plan for the Shire of Tammin community.
- Develop effective lines of communications between the State Government and the Shire of Tammin.

The community safety and crime prevention principles that underpin this agreement are:

- Recognise that partnerships between the community, and State and Local Government are essential to achieve sustainable community safety and crime prevention outcomes.
- Recognise and respect the role that State and Local Government plays in enhancing sustainable community safety and crime prevention.
- Engage all levels of the community in working to reduce and prevent crime.
- Develop an evidence-based and planned approach to crime prevention that focuses on areas of highest need and where outcomes can be observed.
- Continually work to improve the efficiency and effectiveness of government service delivery.
- Promote fairness, openness and transparency in managing community safety and crime prevention planning and service delivery.

The partnership agreement commits the parties to:

- Supporting, coordinating and administering a local community safety and crime prevention partnership and developing and implementing a local Community Safety and Crime Prevention Plan.
- Engaging and involving the whole community in planning and implementing community safety and crime prevention strategies.
- Evidence-based decision making that targets areas of greatest need, and monitors and evaluates policies, programs and services.
- Sharing information and experiences between the State Government and the Shire of Tammin.
- Promoting greater community awareness and involvement in community safety and crime prevention efforts to reduce fear of crime levels.
- Coordinating and integrating community safety and crime prevention activities through local service agreements between local government and State Government agencies.
- vii. Establishing measures to monitor progress towards improving community safety and reducing crime.

The Agreement acknowledges the responsibilities of the State Government:

- To provide leadership and direction for crime prevention in Western Australia.
- To develop a State Crime Prevention Strategy.
- To ensure that appropriate law enforcement strategies are maintained.
- To support the Shire of Tammin community safety and crime prevention activities.
- To provide funds to support the Shire of Tammin community safety and crime prevention planning and initiatives.
- To adopt a whole of Government approach to community safety and crime prevention and ensure that relevant State Government agencies
- participate in local Community Safety and Crime Prevention Partnerships.
- To produce relevant data to assist the Shire of Tammin in its community safety and crime prevention planning and activities.
- To support the development of the Shire of Tammin capacity to participate in community safety and crime prevention by providing information and advice about "what works" and "what does not work" in crime prevention.

The Agreement acknowledges the responsibilities of the Shire of Tammin:

- To support, coordinate and administer local Community Safety and Crime Prevention Partnership.
- To support and facilitate the development and implementation of a local Community Safety and Crime Prevention Plan.
- To have a final draft plan submitted to the Office of Crime Prevention within 6 months of receiving the planning monies.
- To ensure that the Community Safety and Crime Prevention Plan is consistent with the overall State Crime Prevention Strategy.
- To engage and involve the community, State Government agencies and non-government organisations in local Community Safety and Crime Prevention Partnerships.

- To build the community's capacity to participate in the Community Safety and Crime Prevention Partnership.
- To adopt evidence-based decision-making processes that target areas of greatest need.
- To monitor and evaluate the effectiveness of community safety and crime prevention activities.
- To build community capacity to participate in community safety and crime prevention by providing information and advice about "what works" and "what does not work" in crime prevention.

The Agreement will be reviewed in twelve months and thereafter every three years.

The Agreement can be modified or amended with the consent of the parties. This Agreement can be terminated by either of the parties giving written notice to the other party.

The Office of Crime Prevention will provide (between the 6 local governments) up to \$40,000 for planning, \$7,200 per annum for the Committee's administration and up to \$120,000 for the implementation of the plan projects.

COMMENT

In September 2005 the Community Development Officer reported to Council that Tammin had been targeted for 2006/07 to investigate a partnership. This involves Community consultation and a crime prevention plan being drawn up. Due to the size and the relative petty nature of the crimes in towns like Tammin the Department are looking at addressing it from a regional basis. What this means is that the Department supplies funding to cover administrative costs in implementing the plan and strategies and then offers funding opportunities to increase safety in your town i.e. street lighting etc. In anticipation, some of the ground work for the partnership has already be done.

FINANCIAL IMPLICATIONS

Funding will be provided to cover the preparation and implementation of the Plan together with the on-going administration.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

None to date but will be required in the process.

STAFF RECOMMENDATION

That the Community Safety & Crime Prevention partnership agreement be signed and that the Shire of Tammin work with the other WE-ROC local governments in this matter.

Simple Majority Required

MIN 48/06 MOTION – Moved Cr Caffell 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.16
Subject:	Daylight Saving
Location:	Shire of Tammin
Applicant:	WALGA
File Ref:	OLGOV-03
Disclosure of Interest:	Nil
Date:	10 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence seeking comment on the issue of daylight saving to determine whether it should form a policy position on behalf of local government.

COMMENT

In Australia, daylight saving time was first introduced during World War I from 1 January 1917 to 25 March 1917 and during World War II for three summers, beginning on 1 January 1942, under Commonwealth legislation which, due to wartime emergency, was binding to all States.

Western Australia did not use daylight saving time during the summer of 1943.

In 1967, Tasmania experienced a drought which depleted their reserves of water. The State Government introduced one hour of daylight saving time that summer as a means of saving power and water. Tasmanians reacted favourably to daylight saving time and the Tasmanian government has declared daylight saving time each summer since 1968. After persuasion by the Tasmanian Government, all states (except WA and the Northern Territory) passed legislation in 1971 for a trial season of daylight saving time. The following year New South Wales, South Australia and Victoria joined Tasmania for regular daylight saving time. Queensland did not do so until 1989 and only then for a trial period of one summer.

In response to the problems caused by the lack of daylight saving time uniformity, a Private Members Bill, the National Measurement (Standard Time) Amendment Bill 1991, was introduced to Federal Parliament in May 1991 by Ron Edwards, the former Member for Stirling (1983 – 1993) in WA. The aim of the Bill was to define a national system of time zones and daylight saving time for Australia and its external territories

In March 1992, the Federal Government decided to not proceed with the bill, and the setting of time zones and daylight saving remains the responsibility of the State and Territory Governments. At present New South Wales, Victoria, Tasmania, South Australia and the ACT use daylight saving time.

In Western Australia there have been three referenda that have rejected the implementation of daylight saving time, the most recent being 13 years ago.

The first daylight saving time referendum was held on 8th March 1975 and posed the question:
Are you in favour of the standard time in the State being advanced one hour from the last Sunday in October in each year until the first Sunday in March next following?

The outcome was the proposal to make daylight saving time permanent after a trial period was rejected. The second daylight saving time referendum was on 7 April 1984 and posed the question:
Are you in favour of the standard time in the State being advanced one hour from the last Sunday in October in each year until the first Sunday in following March?

The proposal to make daylight saving time permanent was again rejected.

A third referendum was held on 4 April 1992 and posed the question:

Are you in favour of the standard time in the State being advanced one hour from the last Sunday in October 1992 until the first Sunday in March 1993 and in a similar fashion for each year thereafter?

Again the proposal to make daylight saving time permanent was rejected.

At present the Queensland State government is holding two e-petition the first which supports the introduction of daylight saving time began on 12 October 2005 and is due to be completed on 12 March 2006. At present 58,733 e-petitions have been signed in support of the introduction of daylight saving time. The second began on 31 October and is again due to be completed on 12 March 2006. This petition wants to stop the introduction of daylight saving time and 6,862 e-petitions have been signed. Further information on this process can be obtained by accessing the Queensland Government website www.q1d.gov.au and enter 'e-petitions' as a search criteria.

There has been great debate on this issue with a number of positives and negatives being highlighted.

The positives are generally associated with economic, environmental and lifestyle gains especially those involved in business with the Eastern States. Supporters highlight how daylight saving aligns working and living hours with the sunlight in the hope of reducing community energy consumption.

Those opposed to daylight saving time highlight that the benefits are linked more closely to those living in cities, than those living in rural and remote areas. Negatives are also closely associated with those in the construction and building industry, small business and agricultural and farming industry.

Specifically, WALGA seeks a response to two questions – together with reasons – by 21 April 2006.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council determine it's position in relation to the following questions:

- 1 Does Council support or oppose the introduction of Daylight Savings Time in Western Australia? Please elaborate why?
- 2 Is Daylight Saving Time a Local Government issue that members would like WALGA to pursue? Yes/No.

Simple Majority Required

MIN 49/06 MOTION – Moved Cr Jefferies 2nd Cr Greenwood

That Council supports the introduction of Daylight Savings Time in Western Australia.

CARRIED 3/3

with the Chairman exercising a casting vote in favour of the motion.

MIN 50/06 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon

That Council support WALGA being involved in the daylight saving issue.

CARRIED 6/0

Agenda Reference:	11.17
Subject:	2006 Roads Forum
Location:	Geraldton
Applicant:	WALGA
File Ref:	OLGOV-03
Disclosure of Interest:	Nil
Date:	13 January 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence providing details of the Forum to be held on Tuesday 4 April 2006. This year, the forum is to be held in Geraldton (Queens Park Theatre).

Subjects on the Program include:

- Sustainable transport – more than buzz words!
- Urban Road Reserves...just how much can we fit in the reserve?
- What are the latest issues with trucks?
- What does industry need from the Local Road Network?
- Roads and Trees.... Can they co-exist?
- What is new in road safety?
- Skills shortages...how are you going to deliver your services in future?
- Managing your infrastructure....it's not just about maintaining your roads!
- Shared Responsibility for the Local Road Network
- Local Government Road Safety Awards.

COMMENT

The Forum provides the leading edge information on roadworks and is relevant to the Shire of Tammin.

FINANCIAL IMPLICATIONS

Accommodation (2 nights) and travel costs. Alternatively, a same day flight up and back is available.

Registration costs are covered by Main Roads WA.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That interested Councillors and the CEO attend the Forum.

Simple Majority Required

Cr Leslie and the CEO expressed an interest in attending.

MIN 51/06 MOTION – Moved Cr Caffell 2nd Cr Jefferies
That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.18
Subject:	Lotto Agency
Location:	Tammin
Applicant:	Stan Eames
File Ref:	TPLAN-00
Disclosure of Interest:	Nil
Date:	8 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Requesting Council lobby the Government to establish a Lotto agency in Tammin.

COMMENT

LottoWest has advised that the current Community Service Outlet Policy provides the minimum requirements for an Agency being:

- the town must be more than 120 kilometres away from the Perth GPO;
- the nearest lottery outlet must be at least 45 kilometres away;
- the population of the primary catchment area is to be at least 550.

Whilst the first point is covered, Tammin does not satisfy either of the other points.

Subsequent conversation with Mr Eames confirms that he is aware of the Policy and is seeking support for the Policy to be changed.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Mr Eames be provided with a copy of the current policy of the Agency and that letters be forwarded to Hon Eric Ripper (Treasurer) and Hon Brendon Grylls (Local Member).

Simple Majority Required

MIN 52/06 MOTION – Moved Cr Jefferies 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.19
Subject:	Works Supervisor Staff Position
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	PERS03/PERS14
Disclosure of Interest:	Nil
Date:	26 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Council resolved in September 2005 (MIN 154/05) that the position of full time Works Supervisor be created as follows:

- employment package (including the salary range of \$47,000 to \$52,000 cash) component with a total package of \$67,000 to \$72,000.
- employment contract, including key performance indicators and performance appraisal process.
- allocation of residential property at 4 Old Yorkrakine Road.

The position was advertised and applicants interviewed, however none were deemed acceptable.

Council resolved in December 2005 that advertising of the vacant Work Supervisor position be held over until early in 2006 when improved opportunities are available for potential applications to be considered.

Council resolved the Staff Structure in December 2005 as:

Administration and Management Staff;

Administration Officer

Finance Officer

Chief Executive Officer

Part-Time Community Development Officer (3 days per weeks)

Works & Services Staff;

Truck/Loader Operator x 1

Grader/Truck Operator Team Leader x 1

Grader/Truck Operator x 1

General Hand/Plant Operator x 1

Parks & Gardens x 1

Works Supervisor x 1

Cleaning and TALEC Staff;

TALEC Managers

Office Cleaner

Town Amenities Cleaner

Subsequently, Council resolved in February 2006 (11/06)

COMMENT

It is considered that a full time works supervisor position is not required for the Shire of Tammin. Further, that the duties associated with this position can be carried out jointly by the CEO and the Works Team Leaders.

FINANCIAL IMPLICATIONS

Shire of Tammin 2005/2006 Budget – salary and expenses relating to staff position.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Local Government Act provisions relating to:

- employment of Senior Designated Staff
- employment of Staff by the Chief Executive Officer

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the position of Works Supervisor be deleted from the Shire of Tammin's Staff Structure at this time.

Simple Majority Required

MIN 53/06 MOTION – Moved Cr Caffell 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.20
Subject:	Tidy Towns 2006
Location:	Tammin
Applicant:	Keep Australia Beautiful Council
File Ref:	OFGOV-05
Disclosure of Interest:	Nil
Date:	27 February 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence forwarding the registration package for 2006.

COMMENT

Council resolved in February (MIN 26/06) to determine the Charter of the Town Beautification Committee and appoint its members. This followed on from a variety of advice apparently originating from an advertisement in the Tammin Tabloid for interested Community Persons to assist with the Town Beautification Committee in August / September 2005.

This item should be considered in conjunction with Item 11.1.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Limited – associated with the Town Beautification Committee.

STAFF RECOMMENDATION

That the Shire of Tammin register for Tidy Towns 2006 and the Registration Package be forwarded to the Town Beautification Committee.

Simple Majority Required

MIN 54/06 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 6/0

Agenda Reference:	11.21
Subject:	Annual Electors Meeting Minutes
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-01
Disclosure of Interest:	Nil
Date:	2 March 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

The Shire of Tammin Annual Electors meeting was held on 1 March 2006.

Legislation requires Council to consider the minutes of the Electors meeting at the next practicable Ordinary Meeting date.

Legislation requires Council to record reasons for it's decisions arising from decisions made at the Electors meeting.

COMMENT

In addition to numerous issues raised at the meeting which Council may wish to consider, was the meeting resolution to support the proposed change to localities for the Shire of Tammin.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 5.32 of the Local Government Act provides that the CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

Section 5.33 of the Local Government Act provides that:

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose, whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

STRATEGIC PLAN IMPLICATIONS

Nil

PRINCIPAL ACTIVITY PLAN IMPLICATIONS

Nil

STAFF RECOMMENDATION

That the minutes of the Shire of Tammin Electors meeting held on 1 March 2005, be received.

Simple Majority Required

MIN 55/06 MOTION – Moved Cr Jefferies 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 6/0

Item 5.1 – Issue of Special Series Number Plates

MIN 56/06 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon

That no further action be taken in relation to the Special Series number plates.

CARRIED 6/0

Item 5.2 – Rural Address Localities Name Change

MIN 57/06 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That DLI be requested to change the localities for the Shire of Tammin to Tammin, North Tammin and South Tammin.

CARRIED 6/0

Item 5.3 – 22 Walston Street

MIN 58/06 MOTION – Moved Cr Jefferies 2nd Cr Greenwood

That the Manager, Development Services be requested to provide a report on the condition of 22 Walston Street.

CARRIED 6/0

Items 3.1-5.9 Various

MIN 59/06 MOTION – Moved Cr Jefferies 2nd Cr Greenwood

That the CEO provide a report to the April Ordinary Council meeting on the other issues electors raised:

- 3.1 – Storage and catchment dams;
- 5.6 – Prohibited and Restricted burning times;
- 5.7 – Permitted vehicle movements;
- 5.8 – South Tammin Rd deviation; and
- 5.9 – Deep sewerage.

CARRIED 6/0

Cr Greenwood declared an interest and left the Chamber at 4.46pm.

Agenda Reference:	11.22
Subject:	Land Disposal
Location:	10 Ridley Street
Applicant:	T & M Heyes
File Ref:	ASS-460
Disclosure of Interest:	Nil
Date:	1 March 2006
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Correspondence providing a completed *Offer and Acceptance* form for the purchase of 10 Ridley Street, including floor coverings, window treatments, A/C to lounge, fridge and dishwasher for \$89,000. The Offer is subject to:

- white ant inspection to be arranged by purchaser
- all electrical appliances included in the sale to be in working condition on settlement.

If accepted, settlement is proposed for 29 days from final acceptance or sooner.

COMMENT

10 Ridley Street (lot 5 – Vol 1406 Folio 325) is owned by the Shire of Tammin – being purchased June, 2005 for \$85,000 (plus costs of \$824). Since then, some \$5,550 has been spent at the property (including utility charges of \$857) and received income of some \$1,080. To cover costs, a sale price of \$90,300 would be relevant.

It is also considered that the electrical appliances should be taken as is. It is understood that they are in full working order – some months ago – but have been sitting idle.

To allow a *private* sale to proceed local public notice is required describing the property, giving details of the sale (names of parties, the consideration and market value) and inviting submissions.

The market value is required from a licensed valuer.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 3.58 of the Local Government Act provides:

- (1) In this section —
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
“property” includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned;
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 - and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned;
 - (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.
- (5) This section does not apply to —
 - (a) a disposition of land under section 29 or 29B of the Public Works Act 1902;
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council consider the Offer and either accept or reject the Offer or, if considered appropriate, make a counter Offer.

Simple Majority Required

MIN 60/06 MOTION – Moved Cr Caffell 2nd Cr Jefferies

That the property at 10 Ridley Street be offered for sale at \$91,000 as is (the electrical appliances condition not being accepted) and the legal processes being complied with.

CARRIED 3/2

Cr Greenwood entered the Chamber at 5.02pm.

Cr Leslie left the Chamber at 5.11pm and Cr Caffell assumed the Chair.

Agenda Reference:	11.23
Subject:	Effluent Ponds / Tammin Hotel
Location:	Tammin
Applicant:	R W Kreiger
File Ref:	ASS-368
Disclosure of Interest:	Nil
Date:	17 February 2006
Author:	John Mitchell, Manager, Development Services

BACKGROUND

Some time in the past, greater than 3 years ago, the Tammin Hotel at Lot 1 Donnan Street was connected via rural poly pipe to the lagoon located on the west side of town off the Tammin Wyalkatchem Road. The location is opposite the entry to Donnan Park from Station Street.

It is believed the line runs from the rear of the Hotel vacant block, down Shields Street, crosses over at the front of the School and wanders through the creek adjacent to Tamma Village.

Also some time in the past, the Shire Office, Hall and public toilets were placed on the system.

In 2003, the ablutions at Tamma Village were upgraded as the tenants and complained for several years of the smell emanating from the septic tanks and Aerobic Treatment Units installed. Approximately \$20,000 was spent removing the ATUs and installing 8 septic tanks in three rows, with pumps alarms and a new poly line to the lagoon.

In 2004, the Department of Environment determined that septic tank pump-out carters must be licensed and the effluent disposed into approved lagoons or through the hazardous waste precinct in Armadale/Gosnells area. The site at Tammin was submitted for approval. The lagoon system was approved, subject to the site being fenced and weed treated to comply with Department of Environment requirements.

The lagoon site is owned by the proprietors of the Tammin Hotel. Currently the site services the Hotel, Tamma Village, Town Hall, public toilets and the Shire Office.

The Roadhouse has a sewerage problem, particularly over the winter months, and causes flooding to the surrounding area. It has been suggested that the Roadhouse also go on the sewer system.

The sewer system is not approved officially, but is the best solution to ground conditions within Tammin.

COMMENT

On 17 February 2006 Mr Mitchell met with the new owners (from November 2005) of the Tammin Hotel, Robert William and Carol Kreiger to address the existing leak in the Hotel's system under the town streets.

It is considered more appropriate that Council own the site as the impact of the Contaminated Sites legislation, when promulgated, may impact on the future use of the land and potential remediation works.

Council is currently the main contributor to the system.

Mr Kreiger has proposed:

- to swap the pond site land for a parcel of land within the town-site for the future establishment of a dwelling;
- the Shire of Tammin to be responsible for maintenance of the sewer system with an annual small fee associated with the system's operation, charged against the Hotel. This would mean that the Shire of Tammin will arrange repairs for all pumps, repairs to the sewer line etc. Where repairs to the system are required, the Shire of Tammin would carry out the works as private works and recoups the costs from the Tammin Hotel.
- That Mr Kreiger be permitted to purchase/obtain the old Kiln from Cooida.
- The Shire of Tammin repair the existing damaged to the line. Mr Kreiger believes the last failure occurred because of more than one pump in operation at that time causing backflow. The point may be valid and the failure may have occurred on a join.

FINANCIAL IMPLICATIONS

On-going maintenance of sub-standard pipes. Licensing requirements and maintenance of the sewage ponds.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction.

Simple Majority Required

MIN 61/06 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon

That the issue lay on the table to allow further information to be obtained.

CARRIED 5/0

Agenda Reference:	11.25
Subject:	Local Law – Repeal of Local laws 2006
Location:	Shire of Tammin
Applicant:	Administration
File Ref:	LLAW-09
Disclosure of Interest:	Nil
Date:	17 February 2006
Author:	John Mitchell, Manager, Development Services

BACKGROUND

Section 3.16 of the Local Government Act 1995 requires that a Local Government review all local laws within eight years of gazettal to determine whether or not it considers that the law should be repealed, adopted or amended.

COMMENT

This local law is titled – Shire of Tammin Local Law – Repeal of Local Laws 2006.

This local law revokes old local laws relating to various matters that have been replaced by more modern legislation or are no longer used by Council.

Council previously resolved (2004) to consider local laws dealing with:

1. Fencing;
2. Parking and Parking Facilities;
3. Cemetery;
4. Local Government Property; and
5. Trading in Thoroughfares;

however the process failed due to issues outside the Shire of Tammin.

Many of the laws adopted previously have been replaced with more appropriate legislation or are considered discriminatory, superfluous and no longer applicable. For example – Swimming Pool Charges, Housing – numbering, disused materials, petrol pumps etc.

The list below contains the existing local laws that require review. It has been general policy within local government to repeal all previous local laws and recommence the process. Required local laws are addressed in separate reports.

Shire of Tammin Local Laws Register				
G.G	Page	Action	Particulars	Revoked
13/8/1920	1353/4	*	Cemetery	*
22/7/1949	1603	*	Long Service Leave	*
19/8/1949	2088/94	*	General	*
23/9/1949	2356/65	*	Buildings	*
24/11/1950	2632/3	*	Halls	*
1/6/1951	1530	Amend	Buildings - Ceiling Heights	*
6/7/1951	1976	*	Nuisances	*
14/3/1952	669	Amend	Buildings	*
10/10/1952		Amend	Cemetery	*
16/10/1953	2096/7	Amend	Hawkers	Revoked
30/3/1966	828	Adopt	Obstructing Animals and Vehicles - Draft Model By-Law No. 7	*
6/10/1970	3115	Adopt	Old Refrigerators & Cabinets - Draft Model By-Law No. 8	*
6/10/1970	3116	Adopt	Prevention Of Damage To Streets - Draft Model By-Law No. 15	*
7/9/1971	3286	Adopt	Control Of Hawkets - Draft Model by-law No. 6	*
28/10/1971	4217	Adopt	Signs, Hoardings & Billpostings - Draft Model By-Law No. 13	*
28/2/1975	173/6	Adopt	Dogs	4/9/1981
6/5/1977	1342	Adopt	Nuisance - Limit Parking Of Vehicle Carrying Stock	*
15/7/1977	2266	Amend	Cemetery – Tammin	*
23/12/1977	4721	Amend	Tammin Cemetery – Metrication	*

1/2/1980	332	Adopt	Petrol Pumps - Draft Model By-Law No. 10	*
4/9/1981	3886/8	*	Dogs	*
2/7/1982	2378/79	*	Motor Vehicles Control & Storage - Old Disused	*
30/7/1982	3006/7	*	Pest Plants	*
16/3/1990	1429	*	Trees, Scrub, Undergrowth, Refuse, Rubbish, Vehicle Bodies, Disused Materials & Unsightly Items & Objects Clearing & Removal of	*
6/3/1992	1133	Amend	Dogs	*
19/8/1993	4500/3	Adopt	Fencing	*
2/02/2001	702-703	Adopt- Repeal	Health	*

Section 3.12(2) of the Local Government Act 1995 requires that the purpose and effect of the local law be presented to Council.

The Purpose is to consolidate and ensure that all local laws adopted by the Shire of Tammin are current, appropriate, modern and the laws are not in conflict with or superseded by newer legislation.

The effect is that all existing local laws as contained within the Registry will be rescinded and replaced with more modern legislation.

FINANCIAL IMPLICATIONS

The majority of works will be undertaken in-house with financial implications limited to gazettal fees of \$50 per Government Gazette page. It is proposed to repeal all laws as shown on the attached list.

POLICY IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

Section 3.12 (2) of the Act details the procedures required for the review of the local laws.

The steps required to review local laws are:

1. Council resolves to review the local law;
2. Council advertises Statewide that it intends to review the local law;
3. Submissions are called with a minimum period of 60 days;
4. Council considers the submissions and amends/adopts local law;
5. Council advertises the adopted local law;
6. Administration procedures – eight copies to Department of Local Government and the Joint Committee on Delegated Legislation.

STRATEGIC PLAN IMPLICATIONS

Nil

PRINCIPAL ACTIVITY PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

The proposed local law must be advertised in accordance with the Local Government Act 1995. Copies of the proposed local law must be available from the Shire Office and notices are required to be placed on the Shire of Tammin Notice Board and advertised in a statewide and local newspaper.

STAFF RECOMMENDATION

That:

- Council resolves to consider a local law – Repeal of Local Laws 2006.
- the proposed local law – Repeal of Local Laws 2006 – be advertised in accordance with the requirements of the Local Government Act 1995, Sections 3.12 – 3.19.
- the public submissions and proposed local law – Repeal of Local Laws 2006 – be presented to Council at the completion of the advertising period.

Simple Majority Required

MIN 63/06 MOTION – Moved Cr Stokes 2nd Cr Greenwood

That the issue lay on the table to allow further information to be obtained.

CARRIED 5/0

Agenda Reference:	11.26
Subject:	Proposed New Building Act
Location:	Statewide
Applicant:	Shire of Tammin
File Ref:	BUILD-06
Disclosure of Interest:	Position Building Surveyor in jeopardy
Date:	13 February 2006
Author:	John Mitchell, Manager, Development Services

BACKGROUND

The State Government has released a discussion document relating to the new Building Act which includes definitions of approved building surveyors and new procedures for the approval of building applications.

A review of the document shows there is no guarantees that existing Environmental Health Officers with experience in building approvals in small regional local governments will receive a *grandfather* clause to continue to permit the existing practices that small regional local governments are used to.

The report recommends that the Shire of Tammin advise the Department of Local Government that it supports the retention of the existing arrangements and agreements for experienced EHO/Building Surveyors in the building approval process within small rural local governments.

COMMENT

Approximately 4 years ago, the Institute of Environmental Health made a submission to the Local Government Department that under the proposed regulations existing EHO's in small rural local governments be provided with a level two Building Surveyor approval which permits the officer to consider applications for dwellings and commercial buildings up to 1,000m².

The proposed new Act refers to EHO's as "fringe participants" in an approval process. The Building Act Discussion Paper asks whether these "fringe participants" concerns (demands) should be considered.

It was thought before the discussion document was released that the matter of qualifications had been resolved with a commitment from the Department to provide that approval.

Also attached is a report sent to all local governments by the Shire of Goomalling.

The end point for smaller Council's is that they may have to engage degree qualified staff to perform the building approval process including required inspections.

Council's support for the retention of existing positions and the use of experienced Environmental Health Officers for building approval processes within small rural local governments is sought.

FINANCIAL IMPLICATIONS

The proposed Act offers two options for the approval process.

- 1) The use of Private Certifiers regionally based to approve the plans and provide the required inspections based on risk assessment at the time of submission of plans.
- 2) Employ an approved Building Surveyor.

The costs of private certification and inspection will obviously be higher than if a building surveyor is employed.

POLICY IMPLICATIONS

There are no policy implications.

STATUTORY IMPLICATIONS

If the Act is promulgated without the retention of existing experienced Environmental Health Officers, the approvals must be given by an accredited Building Surveyor.

STRATEGIC PLAN IMPLICATIONS

Nil.

PRINCIPAL ACTIVITY PLAN IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Nil.

STAFF RECOMMENDATION

That the Shire of Tammin supports the retention of the authority for experienced Environmental Health Officers within small rural local governments to approve building plans, as level two building surveyors.

Simple Majority Required

MIN 64/06 MOTION – Moved Cr Wheeldon 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.27
Subject:	Local Law - Dogs
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	LLAW-Dogs
Disclosure of Interest:	Nil
Date:	17 February 2006
Author:	John Mitchell, Manager, Development Services

BACKGROUND

There are no local laws within the Shire of Tammin relating to the keeping of dogs, restrictions on numbers, control within Public Places and restrictions/conditions of operation of Kennels.

COMMENT

Following an incident (dog attack) in the Shire of Cuballing, WALGA Local Laws Review Committee has produced a draft model local law relating to the keeping of dogs. The local law has been adopted by surrounding local governments and is considered a standard across local government.

The draft model local law has been amended to reflect the Shire of Tammin, and clause 5 has inclusions restricting dogs from entering Kadjiny Kep, school grounds, oval and the cemetery unless the animal is a blind guide dog. From a health perspective it is not considered "healthy" to permit animals including dogs onto land that humans use such as ovals where the dogs may defecate.

An exercise area at Lot 13 Station Street has been included to permit individuals with dogs to exercise the animals off leash.

Attached is a copy of the proposed local law.

The following procedures are contained within section 31.12(2) of the Local Government Act 1995:

1. Council resolves to consider a local law;
2. Council advertises statewide proposing to make a local law and call for submissions with a minimum closing period of 42 days. A copy of all notices is to be provided to the Department of Local Government and Regional Development.
3. Council considers submissions received and amends, revokes or adopts the proposed local law without significant differences.
4. The local law is published in the Government Gazette, and the summary, purpose and intent of the law is summarized in advertisements in local and statewide newspapers.
5. Copies of the local law, explanatory memorandums and advertisements are provided to the Joint Standing Committee on Delegated Legislation for review.

The local laws become effective fourteen days after they have been published in the Government Gazette or such later date as determined within the local law.

The purpose and effect of the local law are: -

Purpose – To make provisions for the impounding of dogs, to control the number of dogs that can be kept on premises and the manner of keeping of those dogs and to prescribe areas that dogs are prohibited and dog exercise areas.

Effect – to extend the controls that exist under the Dog Act 1976.

FINANCIAL IMPLICATIONS

The gazettal of these local laws will cost:

1. Advertising - \$500
2. Gazettal - \$77 per gazettal page. There are approximately 3 pages of normal text to a gazettal page.
3. Officer's time – 10 hours.

POLICY IMPLICATIONS

There are no policy implications associated with the resolution to adopt a Dog Local Law.

STATUTORY IMPLICATIONS

The provisions of Sections 3.12 – 3.19 of the Local Government Act 1995 are applicable.

STRATEGIC PLAN IMPLICATIONS

Nil.

PRINCIPAL ACTIVITY PLAN IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Community consultation will be undertaken once Council has resolved to consider the local law. A minimum advertising period of 42 days is applicable. The Local Law will be advertised for at least sixty days to avoid issues with the State Government departments.

STAFF RECOMMENDATION

That:

- Council resolves to consider a local law – Dogs Local Law 2006.
- the draft Local Law – Dogs Local Law 2006 be advertised in accordance with the provisions of the Local Government Act 1995.
- the proposed local law be submitted to Council at the completion of the advertising period for further consideration.

Simple Majority Required

MIN 65/06 MOTION – Moved Cr Wheeldon 2nd Cr Jefferies

That the issue lay on the table to allow further information to be obtained.

CARRIED 5/0

Agenda Reference:	11.28
Subject:	Be-Active Coordinators Management Committee Representation
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	SPREC-04
Disclosure of Interest:	Nil
Date:	1 March 2006
Author:	Carol Crane, Community Development Officer

BACKGROUND

Previous representation on this Committee has been the responsibility of Raymond Griffiths and Frank Peczka. This Committee is responsible for the management of the Be-Active Coordinators position as part of the Central and Eastern Wheatbelt Be-Active scheme.

Meetings include a report from the Be-Active Coordinator, information and discussions on new programs that are to be implemented into the scheme, new funding opportunities as well as overseeing the financial situation of the scheme.

COMMENT

Meetings are held monthly at the Council Chambers of one of the Shires involved in the scheme.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council nominate a representative to attend the Be-Active Scheme Management Committee meetings.

Simple Majority Required

MIN 66/06 MOTION – Moved Cr Greenwood 2nd Cr Jefferies

That Cr Stokes be nominated as the community representative on the Be-Active Scheme Management Committee.

CARRIED 5/0

Agenda Reference:	11.29
Subject:	January 2006 Financial Management Report
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	1 March 2006
Author:	Liz McDonald, Finance Officer

BACKGROUND

Enclosed is the monthly report for the month of January 2006.

Direct Debit list for the month of January 2006:

Municipal Fund

03.01.2006	National On-line Fee for January 2006	\$62.87
03.01.2006	CBA Merchant Fee for December 2005	\$27.52
05.01.2006	CBA Pos Fee for December 2005	\$34.58
11.01.2006	Net Pay for F/E 11/01/2006	\$10,781.07
25.01.2006	Net Pay for F/E 25/01/2006	\$12,157.01
31.01.2006	Reserve Fund Bank Fees for January 2006	\$20.00
31.01.2006	Trust Fund Bank Fees for January 2006	\$54.50
31.01.2006	Municipal Fund Bank Fees for January 2006	\$102.20

Trust Fund

06.01.2006	Cancelled Receipt – EFT Amount Rejected	\$150.00
06.01.2006	Cancelled Receipt – Incorrect Amount re above	\$112.30
31.01.2006	Police Licensing Debits for January 2006	\$14,049.55

COMMENT

The following capital purchases were made during the month of January 2006:

Shire of Kellerberrin	Shed 20 Ridley Street, Resource Sharing Works	\$1,640.41
R & J Independent Rural	Shed 20 Ridley Street, metal cut off wheel	\$15.00
Donovan Ford	TN1 2005 Ford Fairlane G8	\$46,802.80
	Less : Trade-in 2005 Ford Fairlane G220	<u>-\$38,302.80</u>
		\$8,500.00
M.G. & J.S. Oliver	Reimbursement for purchase of MYOB Premier V9	\$1,495.00

FINANCIAL IMPLICATIONS

Financial Management of 2005/2006 budget.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Regulation 34 of the Local Government (Financial Management) Amendment Regulations provides:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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 may be shown –
- a. According to nature and type classification;
 - 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 to the council –
 - i. At the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - ii. If the statement is not prepared in time to present it to the meeting referred to in sub paragraph (i), to the next ordinary meeting of the council after that meeting; and
 - b. Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.
- (6) In this regulation –
- “**committed assets**” means revenue unspent but set aside under the annual budget for a specific purpose;
- “**restricted assets**” has the same meaning as in AAS 27.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That:

- Council approves the Monthly Financial Statements for the period ending 31st January 2006.
- the Direct Debit List be accepted for the month of January 2006.

Simple Majority Required

MIN 67/06 MOTION – Moved Cr Wheeldon 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.30
Subject:	January 2006 Cheque List
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	N/A
Disclosure of Interest:	Nil
Date:	1 March 2006
Author:	Liz McDonald, Finance Officer

BACKGROUND

Accounts for Payment from 1 January 2006 to 31 January 2006.

Municipal Fund

12735 – 12735	\$200.00
12739 – 12741	\$8,810.65
12742	TEST RUN
12743 – 12789	\$80,287.20
	\$89,297.85

COMMENT

During the month of January 2006 the Shire of Tammin made the following significant purchases:-

Donovan Ford	TN1 – Purchase of 2005 Ford Fairlane G8	\$8,500.00
Shire of Kellerberrin	Resource Sharing & other costs refer Cheque List	\$39,079.06
W.A. Treasury Corporation	Principal & Interest Repayment on Loans 77	\$8,349.95
Cardno BSD Pty Ltd	Roman Bureau Service 2004/2005	\$2,200.00
Horwath Perth	Professional Fees: Audit Year Ending 30/06/05	\$4,180.00
Motorcharge Limited	Fuel – December 2005	\$3,000.28
M.G. & J.S. Oliver	Reimbursement of Relocation Expenses, Purchase of MYOB Premier Version 9, office maintenance materials, office gardens materials, stationery costs, fuel & accessories for TN1, various expenses for 20 Ridley Street	\$7,680.16

FINANCIAL IMPLICATIONS

Shire of Tammin 2005/2006 Operating Budget

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the accounts submitted from 1 January 2006 to 31 January 2006 be accepted.

Simple Majority Required

MIN 68/06 MOTION – Moved Cr Wheeldon 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

12. REPORTS OF OFFICERS

12.1 Chief Executive Officer's Report – For period up to 1 February 2006

12.1.1 Barrack Road – Spoilt Grain

Cr Jefferies questioned the disposal of spoilt grain on a property off Barrack Road.

Staff have advised that the project is a trial to establish whether the grain could be used to address salt encroachment and that Council had previously given it's blessing.

12.1.2 Tammin Senior Citizens (ADM-18)

Permission was granted for the consumption of liquor at the Tammin Hall on 16 March 2006 in conjunction with the Country Arts Play - *Ironing Out The Wrinkles*.

12.1.3 Annual Report

Omitted from the February Agenda (Item 11.1.7) was a Report prepared by Mr Raymond Griffiths, Manager Corporate Services. Whilst Council has considered and resolved a direction, Mr Griffiths Report is included for information as follows:

BACKGROUND

The auditors for the Shire of Tammin have completed the Annual Audit for the financial year ending 30 June 2005 as per the Local Government Act 1995 as amended and the (Financial Management) Regulations 1996.

The Auditors attended Council's offices on the 18 October 2005 to the 21 October 2005.

COMMENT

The Financial Statements have been completed and audited at the time of the audit visit with all aspects of the audit being attended to. Management received positive comments from the auditors on the continual improvement and details of the Statements and the preparation that had been completed for the 2004/2005 Annual Audit.

In 2002/2003 Council received six items to be addressed through the Management Letter. In 2003/2004 it was reduced to two items. In 2004/2005 there is three items listed on the Management Letter.

Please see below for information containing to the items raised in the Management Letter. Two of the three items are seen to be minor issues and the Asset Register Imbalance still containing a problem with the Depreciation figures.

1. Municipal Fund Bank Reconciliation

The Municipal funds bank reconciliation for 30 June 2005 contains numerous items that had not been cleared at the time of our final audit visit in October. A number of these were in existence at 30 June 2004.

We recommend that the Manager of Corporate Services investigate and adjust where necessary and ensure that items listed on the bank reconciliation are actioned (cleared) in a timely manner.

Client Comment

This refers to cheque that has been issued and is still outstanding at the 30 June 2005. A letter has been issued to all creditors regarding the cheque. Council has reduced the amount that was originally on this list. Currently there are four outstanding for a significant period. They are:

Creditor	Amount	Date Issued	Description
Tammin Tidy Towns	\$400.00	26/09/2001	Tree Planting for Main Roads WA
Employees Union	\$42.90	07/12//2001	Employee deductions
Statewide Fuels	\$319.26	04/11/2002	June Accounts
Margaret Wheeldon	\$150.00	19/09/2003	Members Fees April-June 2003.

Tammin Tidy Towns and Margaret Wheeldon are the only cheques in which needs action followed up on as Employees Union and Statewide Fuels requires stopping and cancelling (as the accounts for both have been paid via a manual cheque and have by accident had another cheque raised. The two cheques have been cancelled and credited and removed from the list of outstanding cheques).

With the cheque for the Tammin Tidy Towns is it up to Council as to what they wish to do with these funds as to whether they stop the cheque and re-issue or utilise the funds for new plants etc for the main street in compensation for this money as I believe the committee is currently non operational.

2. Asset Register Imbalance

During our testing we noted that the asset register did not reconcile to the general ledger control accounts by an amount of \$42,682.01. The general ledger balances have been substantiated over a number of years and are believed to be sound, thus it is believed that the imbalance lies within the Asset Register.

To ensure that adequate control over the Shires assets exists we recommend that the difference between the two systems be investigated and cleared and that the systems be reconciled on a monthly basis.

Clients Comment

This specific item has been raised on Council's Management Letter previously. Administration has attended this matter and has balanced the asset register for the Capital purchases of Council. The difference of \$42,682.01 is in relation to the depreciation of assets. Administration is currently attending to this item.

3. Revaluation of Roads

From reviewing the current and prior year financial statements we have noticed that Council's policy is to revalue roads annually to ensure the carrying amount of each road asset is fairly stated at reporting date. The last time Council performed a revaluation on its roads was in 2002.

From discussions with senior staff it is recommended that your policy on revaluation of roads be changed to a more practical policy of once every three years. It is also recommended that Council have its roads revalued in the 2005/06 financial year.

Client Comment

Council previously had the roads revalued at the 30 June 2003 and require a revaluation in 2006. Council does possibly have the opportunity to change the cost method where Council is not required to value its roads every year or every years. This opportunity may come about with the introduction of the new International Standards. Administration needs to follow up as this was a comment that administration received from an auditor and was unsure of what is involved and the complexity of it all.

12.1.4 Staff

Mr Bob McMeeken has tendered his resignation effective as at 10 March 2006 due to another position outside of Tammin.

Currently, Staff positions are being reviewed to address the staff and skills shortfall.

12.1.5 West Australian Special Liftout Feature

On 24 February 2006 Ms Pam Brown, Special Liftouts Editor, interviewed the CEO, CDO and Mr Steve Williams – for a forthcoming feature on the Wheatbelt. Hopefully, articles will be written on the new oval dams and the work Mr Williams is doing at the rubbish tip.

12.1.6 Astronomical Society

On 1 March 2006 Crs Caffell, Greenwood, Stokes and Wheeldon together with the CEO met with Mr Steve West, President and Mr Len Drew, Past President. The Society indicated the choice of sites had come down to 2 – Tammin and Wongan Hills. The Society proposed to construct a radio dish, 3 domes, ablution block and accommodation on the site and were seeking an area of between 5 – 10 acres. An area of 10 acres was stepped out on the crest in CG 86 adjacent to Lowles Road.

The Shire of Tammin agreed to assist in obtaining the required land, the subdivision of the land and the re-zoning of the land.

Subsequently, Cr Leslie spoke to the land owners (Bruce and Lexie Carter) and a formal approach has been made.

12.17 Town Hall – Ground Water

Following suggestions by Cr Wheeldon that the water pipes or storm water drainage on the west side of the Town Hall was leaking and causing the brick fretting, moisture evidence, inquiries were carried out on the site.

Pipe water leaks has previously been explored and the negative results reported to Council.

The piezometer holes in the footpath gardens show a water table approximately 400mm below the surface. The water from the piezometer holes was found to be fresh and drinkable. A hole was excavated below the hall floor manhole, to a depth of approximately 400mm. The water table was found approximately 250mm below the surface. This has subsequently subsided to approximately 400mm below the surface. Mt Mitchell tested a sample of this water which returned 1,248ppm – “within limits for limited irrigation”.

Mr Tom Applegate divined a number of streams along Great Eastern Hwy between the Office and the Park. Similar streams were also found at the rear of the Hall between the public toilets and the Hydrology Model entrance gate.

The failures in Great Eastern Hwy in front of the Shire Office and the Town Hall are further evidence of a high water table.

Cr Leslie reported exposing a sand seam stream when excavating the pond in front of the Hydrology Model stage.

It is proposed to drill bore holes along (outside) the hydrology model fence at the rear of the Town Hall and pump the bores to establish whether the water table can be altered.

12.18 Roadworks Program

In the 2005/06 Budget Council adopted a roadworks plan as follows:

Job No	Fund	Description	Value
122.137	RRG	York Tammin Rd	\$60,399
122.138	RRG	Tammin Wyalkatchem Rd – widen and seal SLK 22.0-24.0	\$124,857
122.139	R ² R	South Tammin Rd	\$49,895
122.140	R ² R	Yorkrakine Rd Floodway - Salt Flat	\$35,785
122.141		North Bungulla Rd	\$57,128
122.142		York Cross Rd	\$17,328
122.143		South Tammin Rd	\$32,696
122.144		Touron Rd	\$13,438
122.145		Yorkrakine Rd	\$12,798
122.146	R ² R	Franklin Rd - Salt Flat	\$20,436
122.147		Goldfields Rd	\$74,326
122.148	RRG	Tammin Wyalkatchem Rd - Mackin Creek Culvert	\$12,875
122.149		Bungulla North Road	\$19,074
122.150		Packham Road	\$4,807

Some direction is sought from Council as to works priorities – noting the Staff situation.

M.G. (Mick) Oliver
Chief Executive Officer

12.2 Manager, Development Services' Report – Period Ending 17th February 2006

12.2.1 Manager – Leave/Duties

I have been on annual leave for the period 23 December 2005 to 1 February 2006. Since returning to work the following duties have been carried out: -

- Abattoirs (disposal of raw effluent) – Notice to upgrade reticulation issued;
- Planning of the Golf Club extensions;
- Local Laws – Dogs and Repeal of Local Laws;
- Hydrology Model – Computer Board removed taken to Perth, staff instruction on chemicals and vacuuming;
- Hotel – sewerage issues and disposal of effluent to Lagoons.

On Monday, 27 February 2006 I will be attending a forum on waste disposal issues at the Town of Vincent. The main issues are the extension of the landfill levy – may impact on Tammin's operations and the Resource Recovery Rebate Scheme and potential extension of this activity to resource collection from landfill sites. Currently the Resource Recovery Scheme is applicable to recycling activities associated with residential properties. Mr. Steve Williams is also attending.

12.2.2 Local Laws Update

The following local laws have been completed in draft form and advertised in accordance with the Local Government Act 1995:

- Fencing;
- Local Government Property Local Law;
- Cemetery;
- Activities on Thoroughfares and Public Places;
- Parking and Parking Facilities.

The closing date for submissions is the 15 March 2006.

There are two local laws to complete the minimum requirements to permit the Administration to operate. These are: -

- Repeal Local Law 2006 – before Council February 2006; and
- Dogs Local Law 2006 – relates to boarding kennels, number of dogs and premises and public places dogs are restricted/prohibited/permitted to be.

12.2.3 Building Applications - December 2005 – February 2006

The following building application has been received and processed:

- 4/06 – Garage, Lot 9 Shields Street.

John Mitchell

Manager, Development Services

12.3 Community Development Officer's Report

12.3.1 Be- Active Meeting – 14 February 2006

I attended this meeting held at the Shire of Merredin Council Chambers; the main item discussed was the role of the Be-Active coordinator with the Wheatbelt Sports Council. The Wheatbelt Sports Council was set up by Allan Stobaus (Be-Active Coordinator) as a funding avenue for the region; this group are also responsible for the Be-Active games which have been held annually. This committee is made up of representatives from the Shires that are currently in the Be- Active scheme. Tammin is not currently represented and advice from the Be-Active Coordinator indicates that representatives on this committee need not be councillors, Community representatives that have an interest in sport are ideal.

The Be-Active management committee resolved that the role of the Be-Active coordinator in relation to the Wheatbelt Sports Councils running of the Be-Active games was an administrator and not involved in the day to day coordination of teams from the different towns etc.

Request was made that the minutes of the Wheatbelt sports council meetings be sent to all CEO's in the scheme for distribution to council. Public awareness is an issue in making regional events successful and this is seen as an option to meet this end.

The chair of the meeting commended Rod Thornton for his initiative in preparing and distributing the Be-Active newsletter. This newsletter will be produced every two months and is an avenue for councillors to gain information of what is going on with the Be-Active scheme.

12.3.2 RSL – Anzac Day Working Group Grant

An application has been completed and sent off for a grant for \$3,322 for purchase of a portable PA system and lectern. If successful this equipment will be used for Anzac Services and will also be available to be used for other Shire functions.

12.3.3 International Women's Day

This event is to take place at 10:30am on Thursday, 9 March 2006 at the Tammin Bowling Club. Guest speaker is Mary Nenke from Cambinata Yabbies. Mary will speak on a variety of subjects including: being a woman in business in rural Australia (including being a mother to 6 children), the need for change – less people on more land to MORE PEOPLE on less land – and using diversification to achieve it. Cambinata yabbies, exporting and a grant the business has recently received to value add their aquaculture products. Flyers have been sent to all homes within the Shire advertising the event.

12.3.4 Country Pathways Grant

A proposal has been submitted to the Department for Planning and Infrastructure for 50% of the cost of installing a pathway along Shields Street with a short addition to Station Road to meet up with the existing pathway at the side of the bowling club.

12.3.5 Tammin Art Prize

The Committee of the Tammin Art Prize met on the 20 February 2006. The Committee are looking at funding for some new display panels, running three workshops to encourage more local entries and to funding of the entertainment and workshop for the event itself. I am writing up a submission to Western Power for Sponsorship and given that it is the 20th year the event has been held it should be a "grand occasion". If Western Power is agreeable it may become annual sponsorship and eliminate the need for applications to be written and submitted every year.

12.3.6 Kadjininy Kep

I have met Glenice Batchelor to discuss finishing the entrance into the facility and she has kindly drawn up plans and recommendations for the area inside the fence. Hopefully once a decision is made works will be able to begin and the site can be completed.

Change room facilities will need to be provided for the 24 March so a tent will need to be sourced and erected for this and for the bar area and temporary screening for the entrance fence.

12.3.7 Wireless Broadband Access

Things are finally starting to move with this installation for the Tammin Community. Jeff Beale, a telecommunications consultant, and Haydn Collins from Broadband Net will be visiting Tammin on Friday, 3 March 2006 to inspect the tower and assess the best position for the equipment. Following this two further visits need to be made, the first to install the equipment and the next to switch it on and make any necessary alterations.

Carol Crane
Community Development Officer

STAFF RECOMMENDATION

That Council receive the:

- Chief Executive Officer's Report;
- Manager, Development Services' Report; and
- Community Development Officer's Report.

Simple Majority Required

MIN 69/06 MOTION – Moved Cr Stokes 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 5/0

12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

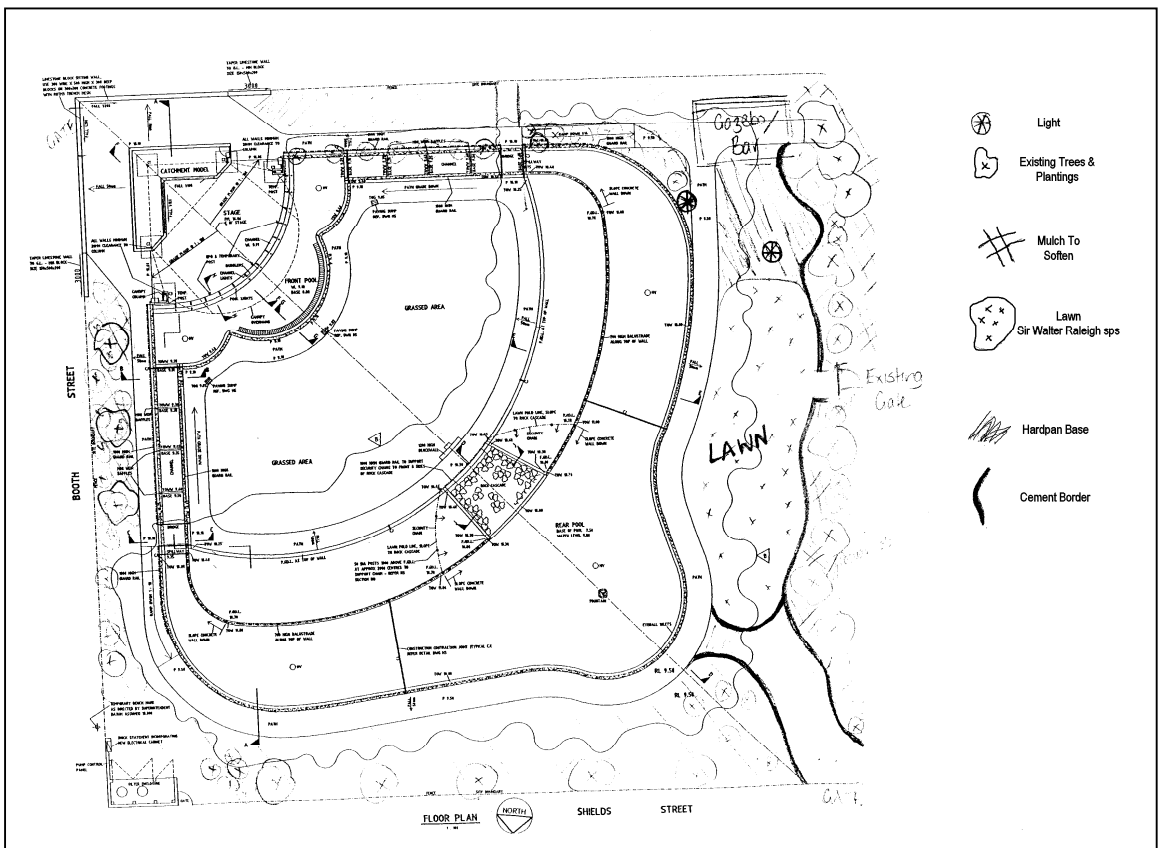
13.1 Booth Street – Speeding (SPREC-05)

Cr Jefferies and Cr Wheeldon reported complaints regarding speeding vehicles leaving the Oval and travelling south in Booth Street.

The CEO undertook to include a report to Council in April, 2006.

13.2 Hydrology Model (AGR-19)

The plan for the completion of the hydrology model was tabled. It was noted that the plan did not address the entrance statement, the change rooms, the playground facility location and the associated costs.



Cr Wheeldon suggested that an additional low rail was required in the barrier fence around the model area.

The CEO noted that these matters could be addressed at the Property Inspection.

14. CLOSURE OF MEETING

There being no further business the Chairman closed the meeting at 7.55pm.

NEXT MEETING DATES

Ordinary Council Meeting – Thursday, 20 April 2006.

COUNCILLORS INFORMATION BULLETIN – MARCH 2006

Councillors are invited to view any of the information listed by seeking a copy of the document at the Shire Office.

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IB 30	Land Dealings
IB 31	Shire of Quairading – Presentation
IB 32	MacLean & Lawrence P/L – Mackin Creek (ENG-37)

IB 1 **Status Report**

The following is an update on items considered relevant to Council either in progress or completed. Those items marked with an asterisk (*) are new for this month.

Council Resolution	Officer	Action
<p>Operational Response Agreement Minute 33/05 – 13/4/2005</p> <p>That the Shire of Tammin seeks the views of the Shire of Tammin Bushfire Brigade Group, the Chief Bush Fire Control Officer and Councils Local Government Insurers, prior to formal consideration and response to the proposed Operational Response Agreement as prepared and promoted by FESA.</p>	CEO	
<p>Resource Sharing Review Minute 41/05 – 13/4/2005</p> <p>That President Leslie liaise with the CEO to appoint an Accountant to analyse and report on the financial situation of the Shire of Tammin in respect to Resource Sharing and present that report prior to May Agenda preparation.</p>	CEO President	
<p>Fire Brigade Shed and Siren Tower Minute 87/05 – 15/6/2005</p> <p>That Council agrees to relocate the Fire Brigade Shed and Siren Tower to Lot 5 Shields Street providing Council obtain ownership of the above property. Action: That Cr Leslie contact Mr Russell to hand land into the Shire.</p>	MCS	
<p>TransWA Avon Link Passenger Services & Timetable Resolution 5/10/2005</p> <p>That a letter be written and forwarded to TransWA Perth Office, seeking a meeting in Perth, to discuss the continual concerns raised by Passengers, on unacceptable Timetabling set by TransWA, that is inconveniencing passengers utilizing the passenger service from the Country to Metropolitan and back to the Country.</p>	CEO	
<p>Local Government Property Local Law Minute 213/05 – 2/11/2005</p> <p>That Council resolve to make a local law – Shire of Tammin Local Government Property Local Law.</p>	MDS	
<p>Activities in Thoroughfares and Public Places and Trading Local Law Minute 214/05 – 2/11/2005</p> <p>That Council resolve to make a local</p>	MDS	

law – Shire of Tammin Activities in Thoroughfares and Public Places and Trading Local Law.		
Fencing Local Law Minute 215/05 – 2/11/2005 Council resolve to make a local law – Shire of Tammin Fencing Local Law.	MDS	
Cemetery Local Law Minute 216/05 – 2/11/2005 That Council resolve to make a local law – Shire of Tammin Cemetery Local Law.	MDS	
Parking and Parking Facilities Local Law Minute 217/05 – 2/11/2005 That Council resolve to make a local law – Shire of Tammin Local Government Parking and Parking Facilities Local Law.	MDS	
Native Ryme Syndicate Minute 231/05 – 7/12/2005 That the Shire of Tammin confirm a booking with Native Ryme Syndicate for 25 November 2006 for a quoted cost of \$800 + GST.	CDO	Booking requested, confirmation awaited.
Northam Regional Saleyards Project Minute 233/05 – 7/12/2005 1. That Council “participates” in providing an underwritten financial amount of \$50,000 towards to Northam Regional Saleyards Project. 2. That Council agree to execute an Agreement to identify commitment and contribution towards the Project subject to: a) Councils approval of the business plan and; b) acceptance of the legal agreement.	CEO	Minute 10/06 – 8/2/2006 That: <ul style="list-style-type: none"> • the Business Plan and draft Agreement be accepted; and • authority be given for the signing and affixing of the Common Seal to the Agreement.
Youth Activity Centre Minute 237/05 – 7/12/2005 1. That the Shire of Tammin Administration investigates the cost of a Pool Table for the proposed development of a Youth Activity Centre, subject to: 1.1. If purchase price is less than \$1,611, Administration be authorized to purchase. 1.2. If Administration is unable to source a Pool Table that meets the identified budget, Administration shall report back to the next Ordinary Council Meeting on the findings and provide further recommendations.	CDO	

<p>1.3. 2005/2006 Budget be amended to allow an “out of budget” expense against general ledger account number 111.1.731.</p> <p>2. That the Table Tennis Table and the Pool Table (when purchased) be set up in the Town Hall and that the Shire of Tammin Administration contact the Be Active Coordinator Rod Thornton to request that either he or the Trainee, make time available on a regular basis to supervise youth activities in Tammin and that the Administration advertise for volunteers who would be interested in supervising youth activities on agreed times and roster.</p>		
<p>Emergency Services Building Minute 241/05 – 7/12/2005</p> <p>That the Shire of Tammin:</p> <ol style="list-style-type: none"> 1. will provide a sand pad and levelling of the site of the new Consolidated Emergency Services Building, waive the building licence fees and BCITF levy, and site supervision of the project. 2. will investigate effluent disposal systems and provide advice to FESA for the proposed new Consolidated Emergency Services building. 3. proceed to acquire 15m of the rear of the lot for the Consolidated Emergency Services building lot for amalgamation into the Hydrology Model land for the purposes of change rooms and infrastructure for the model. 	<p>CEO MDS</p>	
<p>Donnan Park Reticulation Minute 250/05 – 7/12/2005</p> <p>That Administration obtains quotations for the design of an oval watering system (Donnan Park).</p>	<p>CEO</p>	
<p>CEO Leave Liability Minute 251/05 – 7/12/2005</p> <p>That Administration investigates past Chief Executive Officer Annual Leave and Long Service Leave liability payments by the Shire of Tammin.</p> <p>That the President seek further clarification from the Western Australian Local Government</p>	<p>CEO President</p>	

IB 4 WALGA – Issues Update No 05.06 (OLGOV-11)

Correspondence providing an update on issues including:

- Systemic Sustainability Study
- Crèche Legislative Changes
- Forum on Landfill Levy Discussion Papers
- Latest Telecommunications Offer
- Energy Survey
- Training Update
- 2006 Roads Forum
- HIA (WA) GreenSmart Awards 2006

IB 5 Education House Relocation

The Department of Housing and Works has advised that the contract (96728/2005) for the relocation of the transportable house from Doodlakine to Tammin has not been let as no expressions of interest were received (on two occasions). The Department is hopeful that a contract will be able to be let in the near future.

IB 6 Local Government Week 2006

5 rooms accommodation has been pre-booked at the Holiday Inn Burswood for arrival Friday 4 August 2006 and departure Monday 7 August 2006.

IB 7 Dept for Community Development – Crèches (OSGOV-03)

Correspondence forwarding details of the Children and Community Services Act 2004 and associated regulations which come into effect from 1 March 2006. The Act contains the provisions for the licensing of child care services whilst the Regulations specify the type of child care services excluded from the meaning of the Act.

IB 8 Office of Gene Technology Regulator - Cotton

Correspondence advising of a license application from Bayer to undertake the commercial release of Liberty Link Cotton, without specific containment measures and seeking comment.

Subsequent correspondence advising that following consultation, a license was issued on 16 February 2006.

Comment

Tammin is not considered a suitable cotton growing area. As such, a response is not considered necessary.

IB 9 WALGA – Issues Update No 04.06 (OLGOV-11)

Correspondence providing an update on issues including:

- Planning and Development Act 2005
- New Local Activity Grants Round Open
- WorkChoice's Workshops
- Purchasing Network
- Training Update
- FBT 2006
- The West Australian Advertorial
- Corporate Wardrobe Tender
- Nominations Open for National Packaging Covenant Jurisdictional Projects Group
- ALGA's Second Ageing Survey

IB 10 **WALGA – Issues Update No 06.06 (OLGOV-11)**

Correspondence providing an update on issues including:

- Meeting with Hon Robyn McSweeney MLC
- South West Biodiversity Project
- Training Update
- Corporate Wardrobe Tender
- Western Councillor
- Banners in the Terrace
- ALGA's Age-Friendly Built Environment Publication
- Variation No. 2 to Statement of Planning Policy No. 2: State Planning Framework
- Corruption and Crime Commission Presentation
- New Landfill Guidelines
- Roads To Recovery

IB 11 **Main Roads WA – State Advisory Committee Minutes (ENG-40)**

Correspondence forwarding the minutes of the State Road Funds To Local Government Advisory Committee meeting minutes from 20 December 2005.

IB 12 **Heritage Council Of WA – 2006 Awards**

Correspondence inviting nomination for outstanding commitment and contribution to heritage conservation and interpretation.

IB 13 **Hon Robyn McSweeney MLC – Shadow Minister For Local Government (OSGOV-25)**

Correspondence introducing herself and offering to assist where possible.

Comment

Robyn served as a Councillor for 2 terms with the Shire of Bridgetown-Greenbushes and has her electoral office in Albany.

IB 14 **Midlands Education District - Tammin Alcoa Landcare Centre (EDU-04)**

Correspondence from Margaret Collins, District Director to the WALGA - Eastern Wheatbelt Zone providing clarification to plans for the Education officer attached to the Midlands Education District as follows:

The Department of Education and Training initially approved funding for a Landcare officer to support the partnership at Tammin Alcoa Landcare Centre for the duration of the National Decade of Landcare and whilst National funding was available to support the release of teachers to attend training sessions.

The Decade of Landcare ended in 2001 and the NHT funding was acquitted in 2002.

The Department agreed to continue the position on a year to year basis during such time as resources were available and as long as the rates of attendance and usage remained viable.

By the end of 2004, the Department was keen to end the position but in negotiation we have kept the position until December 2006, allowing the completion of materials that will support schools in delivering relevant Landcare learning experiences.

With the current pressures on teachers to implement new curriculum initiatives the uptake in areas other than those mandated by the Department has fallen dramatically and with no further federal funding to support the release of teachers from their daily duties there is a need to transfer the Landcare Officer funding to other areas.

Whilst I recognise and value the work done by the officer in the past I am acutely aware of the budget constraints within the Department. Decisions concerning resource allocation are made within the Executive level of the Department, where a state wide view of the system is more apparent.

Comment

Following the WE-ROC meeting, discussions were held with Andrew Prior, Julian Murphy and Russell Crook regarding the Avon Catchment Council's future involvement in TALEC. Subsequently, Mr Prior has advised that the issue was discussed this at the Avon Catchment Council meeting. Avon Catchment Council were keen to discuss this further and their CEO, Peter Sullivan, is getting some more information from the former Landcare Education Officer, Patricia Dames, who now works for the Avon Catchment Council. Further, Mr Sullivan is interested in meeting to discuss the present and likely future demand for the centre for landcare education.

A meeting has been convened in Tammin on 29 March 2006 with Mr Sullivan and Mr Prior.

The issue will be taken up at the TALEC Committee meeting to be held in March 2006.

IB 15 Kellerberrin Colts Cricket Club – Appreciation (FIN-04)

Correspondence expressing appreciation for the support provided to the Junior Country Week Team, East Avon.

Comment

Council resolved in December 2005 (Minute 232/05) to contribute \$100 towards the operating costs of Junior Country Week 2006.

IB 16 WALG Grants Commission – Fly In/Fly Out Workers (OSGOV-26)

Correspondence advising that after giving consideration to the influence of fly in/fly out workers on the "adjusted population" figures used in determining general purpose grants to local government, the Commission has resolved to retain it's current approach to the fly in/fly out element.

IB 17 Cunderdin District High School – Certificate of Appreciation (ADM-47)

Correspondence forwarding a *Certificate of Appreciation* for the Shire of Tammin's involvement in the 2005 Work Experience Program (Jordan Button).

IB 18 Events Committee – Tammin Amphitheatre / Tammin Playgroup

The Committee met on 7 February 2006 with the following issues being resolved:

- Tammin Seniors are presenting a Country Arts Play "Ironing out the Wrinkles" in the Tammin Town Hall on Thursday the 16th of March.
- Magnificent Seven are performing at the Tammin Amphitheatre on 25 March 2006. Bar / Food Stall opportunity to be offered to community groups to run as fundraisers. If there is no interest, approach to be made to Myberts catering or one of the travelling food vans. Ticket pricing as follows:
 - Adult - \$20 pre purchased, \$25 at the gate
 - Family - \$50 pre purchased, \$60 at the gate
 - Concession - \$15 pre purchased, \$20 at the gate
 - Student - \$10
- Events that will be held in Tammin in the next 12 months:
 - 16 March 2006 – Ironing out the Wrinkles (Senior Citz)
 - 25 March 2006 – Magnificent Seven
 - 7 April 2006 – Opening of the Youth Centre
 - 21 September 2006 – La La Luna
 - 27-28 October 2006 – Art Prize
 - 25 November 2006 – Native Ryme
- Possibility of hosting an event during July School Holidays??
- Tammin Art Prize Committee are meeting shortly to discuss the format for this years Art Prize – previous discussions had involved a wine and music festival. Look at running workshops in digital photography, painting and sculpture.
- Next Meeting – 7 March 2006.

IB 19 **Regional Road Group - Road Consultant (ENG-40)**

Item 11.1.6 – 8 February 2006 refers.

The brief for the consultant has been prepared and advertised. The draft report is due by 30 June 2006 with the final report due by 31 July 2006.

IB 20 **Minister For Local Government (OSGOV-26)**

Correspondence from John Bowler MLA expression appreciation for the support and goodwill extended during his term as Minister for Local Government.

IB 21 **Main Roads WA – Little Underwood Rd (ENG-03)**

Correspondence responding to the Shire of Tammin's concerns regarding the sight distance on exiting Underwood Rd onto Great Eastern Hwy (to the east) and advising that whilst the sight distance is considered adequate, pruning will be carried out. Other options are the installation of a stop sign and the relocation of the 110/80kph sign further east.

IB 22 **Dept of Local Government – Inquiry Into Joondalup (OSGOV-26)**

Correspondence forwarding Circular No 33-2003 titled *Lessons TO Be Learnt From The Inquiry Into The City Of Joondalup*.

Comment

A copy of the Circular has been provided to Councillors.

IB 23 **Australia's Golden Outback – Membership (FIN-05)**

Correspondence offering to renew membership for the balance of the financial year at discounted rates.

Comment

A Silver membership has been purchased (at a cost of \$35 Inc) which allows for a standard web-listing consisting of the business/trading name, one image, telephone and fax numbers, email and web addresses and description of approximately 50 words.

IB 24 **Tammin Lots 11-16 – Titles (ASS-677, ASS-1082 - ASS-1087)**

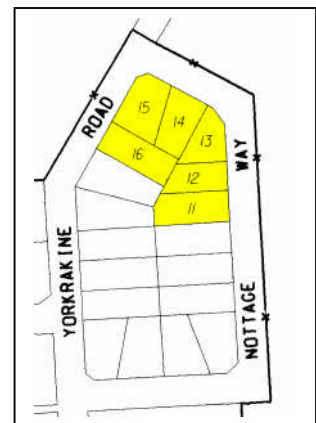
The application for issue of duplicate titles for these lots has been successfully lodged by the Shire of Tammin.

Comment

This follows on from the report to Council in December 2005.

The Shire of Tammin is seeking title to the land as a result of the non-payment of rates.

The process appears to have commenced in 2003 and has repeatedly failed due to signatory problems on documents and time delays.



IB 25 **LGAM – Professional Development Conference (OLGOV-00)**

Correspondence advising that this year's conference is to be held at the Broadwater Resort, Dunsborough from 30 March 2006 to 1 April 2006.

Comment

The CEO has too many commitments at this time and will skip this Conference.

IB 26 **FESA – VHF Radio Network (BUSH-00)**

Correspondence advising that the replacement radio roll out is scheduled to start in about 12 months. The intention will be to do it Shire by Shire and replace all registered radios, eg CBFCA, FCOs, Fire appliances and Shire base sets.

IB 27 **WALGA – Issues Update No 07.06 (OLGOV-11)**

Correspondence providing an update on issues including:

- Council Business Systems
- Perth Biodiversity Project – Call for Expressions of Interest for Round 5 Targeted Grants
- Training Update
- Biosecurity and Agriculture Management Bill – For Public Comment
- Review of The Home Building Contracts Act 1991
- Harmony Day Pace Picks Up in WA
- Working Together to Manage Emergencies – Local Grants Scheme and National Emergency Volunteer Support Fund
- SGIO community help Grants
- Designing Out Crime

IB 28 **WA Local Government Grants Commission – Normalisation Payments (OLGOV-01)**

Correspondence advising that as part of the review of non-rate revenues received by local governments, the it has been considering the issue of normalisation payments and other contributions made by mining and other corporate organisations. The Commission has resolved that in accordance with the Commonwealth's requirements to assess other grant support, as espoused in principle 4, any grants/contributions received by councils from whatever source, which fund or assist in funding recurrent operations will be taken into account by the Grants Commission.

IB 29 **Yorkkrakine Hall Committee Inc – Yorkkrakine Reserves (RES-26250)**

Correspondence seeking the details of the primary interest holder of the land where the Yorkkrakine Hall, old tennis courts, old trotting track and football oval are located. Further, seeking to transfer the recreation reserve to the Yorkkrakine Hall Committee (Inc.).

Comment

DLI has advised that Reserve 15730 is held in Trust by Raymond John Reid, Ivor Frederick Davies and Rodney John Mann for the purpose of "Racecourse and Recreation". Details of the other Reserves are being researched.

IB 30 **Land Dealings**

Inherited with the position was a file titled *Land Transfers In Progress – Shire of Tammin*. In the file is details in varying degrees of the following transactions:

- ASS-1080 – lots 17-18 Yorkkrakine Rd - D & K Russell - last active 1998.
- ASS-439 – lot 67 Ridley - DE Netherway - last active 1999
- ASS-1059 – lot 53 Walston St - Douglas & Ryan - last active 1998
- ASS-341 – lot 118 Draper St - LO & M McNamara - last active 1998
- ASS-1371 – lot 7 Donnan St - F Batchelor - last active 1998
- ASS-1372 – lot 8 Donnan St - B Mather - last active 1998
- ASS-1082-1087 – lots 11-16 Nottage Way/Yorkkrakine Rd - T & A Russell - live, with DLI (re-lodged 20 February 2006) for the issue of duplicate titles. Transfer of Land lodged with Merredin Local Court on 6 February 2004.
- ASS-388 – lot 4 Barracks Rd - J & S Hewber - last active June 2005 – J & S Hewber sought transfer to the Shire of Tammin to clear rate debt in May 2005. In December 2005 Mr Tony Trembath was introduced to J & S Hewber as a purchaser. J Hewber is bankrupt.

All except for lots 11-16 Nottage Way/Yorkkrakine Rd and lot 4 Barracks Rd have been disbursed into the file as they appear to have long since been resolved.

In addition, other known land transactions in progress or sought include:

- ASS-304 – lot 31 & 32 Walston Street / lot 39 Dreyer Street. Sold for non payment of rates in 2002 however title transfer not completed – see Item 11.3 – 8 March 2006.
- ASS1062 – lot 12 & 19 Donnan Street – Council resolved in August 2002 to sell to R & J Brooks for a total of \$1,500 however the transaction has not been completed

apparently due to the memorial garden on the front section of the property. In the interim, the land (and ROW) is being used by R & J Brooks.

- ASS-466 – Lot 5 Shields Street – owned by Tanis P/L but sought by the Shire of Tammin to allow the relocation of the old fire shed (Min 87/05 – 15/6/2005). President to make contact with the owner. The land is zoned residential (R12.5).
- ASS-## - Tammin Wyalkatchem Rd – owned by B N Carter but sought by the Astronomical Society.
- ASS-966 – TAA 7 Avon Loc 5901 Barracks Rd – owned by B N Carter but portion sought by the Shire of Tammin for a light Industrial area.
- ASS-1370 - lots 1 & 2 Donnan Street – owned by the Shire of Tammin and in the process of being purchased by C A Puglia.

IB 31 **Shire of Quairading – Presentation**

Correspondence extending an invitation to the CEO to attend the presentation of Shire Freeman recognition to ex- Councillor Brian (Mick) Laycock on 17 March 2006.

Comment

Due to other commitments, apologies have been sent.

IB 32 **MacLean & Lawrence P/L – Mackin Creek (ENG-37)**

Correspondence providing a report on the repair of the Mackin Creek culvert.

Comment

Once the site dries out, the completion of the job will be carried out – however this may not happen until next summer.