

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President Cr Stokes declared the meeting open at 2.33 pm and welcomed members and Graham Stanley Chief Executive Officer.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

ATTENDANCE

Cr R.J. Stokes	President	
Cr K.L. Caffell	Deputy President	
Cr B.F. Stokes	Member	
Cr M.D. Greenwood	Member	
Cr S.A. Uppill	Member	
Cr S.J. Jefferies JP	Member	
Graham Stanley	Chief Executive Officer	
Darren Long	Consultant – DCA	3.40pm – 4.40pm
Tanya Greenwood	Public Relations Officer	4.43pm – 4.54pm
Mr Murray Packham	JP Observer	5.03pm

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

There were no members of the public present during question time.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Ordinary Council Meeting Minutes – 18 November 2010

STATUTORY ENVIRONMENT

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

STAFF RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 18 November 2010 be confirmed as a true and correct record.

Simple Majority Required

MIN 107/10 MOTION – MOVED Cr Uppill seconded Cr Caffell

That the minutes of the Ordinary Council meeting held on 18 November 2010 be confirmed as a true and correct record.

CARRIED 6/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 Cr R Stokes and Cr Uppill – New depot investigations

Cr R Stokes and CR Uppill briefed Councillors on their investigations into developing a new Shire works depot on land adjacent the town sports dam.

10.2 Cr R Stokes Cr B Stokes – South East Avon Regional Transition Group

Cr R Stokes gave a report aided by Cr B Stokes on a meeting of SEARTG held in Quairading on December 2nd 2010. The meeting was preceded by a SEAVROC meeting where the matter of Tammin's entry to SEAVROC was discussed. Although SEAVROC had invited Tammin to become part of their organisation it was decided by the SEAVROC group that it required the ratification of each individual member of Council by a vote of their Council to accept Tammin into the group. This would be done at the December round of Council meetings and the matter will be dealt with by SEAVROC at their next meeting in the new year.

The major issue discussed was again on the issue of representation with both Beverly and York wanting greater representation and Quairading, Cunderdin and Tammin all in favour of the 10 member model where it takes the combined votes of at least three member councils to achieve a majority. This is becoming divisive and has the potential to split the group. In the end it was decided to proceed with the business plan and let the representation issue be resolved during the business planning process.

The other main issue was a decision to call tenders for the appointment of the consultant to prepare the business plan. It was agreed for the CEO's to invite a short list of consultants to tender with tenders closing on 17th January 2011. The appointment of the consultant will be made at the February meeting which will be held in Tammin.

11. AGENDA ITEMS

- 11.1 List of Payments November 2010 (FIN-05)
- 11.2 Financial Report to 30 November 2010 (FIN-05)
- 11.3 2010 Dry Season Assistance Scheme Community Services Grant
- 11.4 Freedom Of Information (OSGOV-19)
- 11.5 Delegations Manual Review
- 11.6 Business Case – Employment of Shire Electrician (ADM05)

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

Nil

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

14. CLOSURE OF MEEETING

11. AGENDA ITEMS

11.1 List of Payments November 2010 (FIN-05)

Author – Jenny Gemund, Administration Officer, 09 December 2010 Interest – Nil

BACKGROUND

Accounts paid for November 2010 is listed totalling:

Cheque numbers	003949 - 004016	\$247763.05
Direct debit payments	01.11. – 30.11.2010	\$6320.03
Licensing transfers	01.11. – 30.11.2010	\$10944.70
Bank fees	01.11. – 30.11.2010	\$189.14
VISA payments	01.11. – 30.11.2010	\$406.20
EFT payments	01.11. – 30.11.2010	\$37430.41
Total payments		303053.53

COMMENT

No abnormal expenditure has occurred.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

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

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the list of accounts period for 09 December 2010 as follows:

Cheque numbers	003949 - 004016	\$247763.05
Direct debit payments	01.11. – 30.11.2010	\$6320.03
Licensing transfers	01.11. – 30.11.2010	\$10944.70
Bank fees	01.11. – 30.11.2010	\$189.14
VISA payments	01.11. – 30.11.2010	\$406.20
EFT payments	01.11. – 30.11.2010	\$37430.41
Total payments		303053.53

be endorsed.

Simple Majority Required

MIN 108/10 MOTION – MOVED Cr B Stokes seconded Cr Jefferies

That the list of accounts period for 09 December 2010 as follows:

Cheque numbers	003949 - 004016	\$247763.05
Direct debit payments	01.11. – 30.11.2010	\$6320.03
Licensing transfers	01.11. – 30.11.2010	\$10944.70
Bank fees	01.11. – 30.11.2010	\$189.14
VISA payments	01.11. – 30.11.2010	\$406.20
EFT payments	01.11. – 30.11.2010	\$37430.41
Total payments		303053.53

be endorsed.

CARRIED 6/0

11.2 Financial Report to 30 November 2010 (FIN-05)

Author – MT Henry, Senior Finance Officer, 09 December 2010 Interest – Nil

BACKGROUND

The Monthly Financial Report to 30st November 2010 is attached.

COMMENT

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

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

FINANCIAL IMPLICATIONS

No significant implications.

POLICY IMPLICATIONS

Council resolved (Item 11.10 – 20 August 2009) that in accordance with section 34(5) of the *Local Government (Financial Management) Regulations 1996* a variance percentage of 10% and \$5,000 be adopted for reporting material variances.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Financial Report for November 2010 be received.

Simple Majority Required

MIN 109/10 MOTION – MOVED Cr Uppill seconded Cr Jefferies

That the Financial Report for November 2010 be received.

CARRIED 6/0

Council agreed to defer dealing with item 11.3 until after item 11.6 and the presentation of the draft forward Capital Works Plan by Mr Darren Lang from D.C.A.

11.4 Freedom Of Information (OSGOV-19)

Author – Graham Stanley, CEO, 12 December 2010. Interest – Nil

PREVIOUS REFERENCE

Item 11.1 – 23 August 2007 and 11.9 – 16 July 2008 refer.

BACKGROUND

The Freedom of Information Statement is required to be updated annually.

It appears that in 2009 the review was not carried out as the last review was carried out in July 2008 – without change.

COMMENT

The 2008 Statement has been reviewed. The only minor amendments are considered to be required is to change the organisational chart to remove “TALEC STAFF” as TALEC no longer exists and to update the fees and charges in line with those adopted in the 2010 budget.

A draft copy of the amended statement for 2010 is attached.

A Nil return has again been provided to the Office of the Information Commissioner for 2009/10.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 94 of the *Freedom of Information Act* provides.

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

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

- (ii) *the address or addresses at which applications for amendment of personal information can be lodged.*

Section 96 provides:

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

Section 97 provides that:

- (1) *An agency (other than a Minister or an exempt agency) has to cause copies of —*
- (a) its most up-to-date information statement; and*
 - (b) each of its internal manuals,*
- to be made available for inspection and purchase by members of the public but may delete any exempt matter from those copies.*
- (2) *An agency has to provide a copy of its information statement to the Commissioner as soon as is practicable after the statement is published under section 96.*
- (3) *A subcontractor does not have to comply with subsections (1) and (2) if the relevant contractor has complied with those subsections on behalf of the subcontractor.*

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Shire of Tammin Freedom of Information Statement 2010 be adopted, advertised and a copy forwarded to the Office of the Information Commissioner.

Simple Majority Required

MIN 110/10 MOTION – MOVED Cr Greenwood seconded Cr Caffell

That the Shire of Tammin Freedom of Information Statement 2010 be adopted, advertised and a copy forwarded to the Office of the Information Commissioner.

CARRIED 6/0



Shire of Tammin

FREEDOM OF INFORMATION STATEMENT

2010

FREEDOM OF INFORMATION

This Information Statement is published by the Shire of Tammin in accordance with the requirements of Section 96 of the *Freedom of Information Act 1992* (Western Australia).

The Council is pleased to comply with the legislation and welcomes enquiries.

An updated Information Statement will be published on a needs basis to account for any amendments that may arise.

1. STRUCTURE AND FUNCTIONS OF THE COUNCIL

1.1 OVERVIEW

The Shire of Tammin operates in a relatively stable environment in which the expectations and requirements of the community and government, as well as environmental and economic factors impact on its activities and overall performance. Council is committed to improve the quality of life of the residents of Tammin through services based on the principles of quality, equity, value and responsiveness and to ensure operations of the Shire are conducted in a cost efficient and effective manner as not to unfairly impose upon its ratepayers and residents.

Its objectives are to:

- provide high quality roads and other services to residents in the community at reasonable cost;
- strengthen the financial viability of Council by improving efficiency and effectiveness;
- by recognising the need to be responsible to the electorate in providing information on the activities of the Shire and to involve electors in everyday decision making, to increase the awareness of the Shire's objectives and policies for all those who live and work in the Shire, and to help the community understand the need to reconcile often conflicting factors in planning and providing services; and
- promote and be leaders in the landcare movement by providing high standards of education on all landcare issues.

By these means, the community confidence in the Shire as an efficient provider of services and an effective manager of its resources, will be gained.

1.2 COUNCIL

The Shire of Tammin consists of six Councillors including the President. Councillors are elected for a four year term and retire on a rotation basis. Elections are held in October every second year. The President of the Council is elected by the Councillors at the first meeting following the annual elections. Extraordinary elections are held to fill any vacancies which may have occur between the ordinary elections.

Council is the decision making body on all policy matters. The Chief Executive Officer recommends to Council.

The organisation structure of the Shire of Tammin is as shown in Figure 1 attached.

Ordinary meetings of Council are generally held on the third Thursday of each month (except the month January when Council is in recess and on public holidays), and commence at 2.00pm. Members of the public are welcome to attend.

The main business of the meeting is to consider and make resolutions on the recommendations of the Chief Executive Officer.

1.3 STANDING COMMITTEES

From time to time, Council appoints Standing Committees to address on-going issues. Currently, the only Standing Committee is the Audit Committee, which meets on an as-needs basis.

Matters dealt with at standing committee level form part of the deliberative process and are a recommendation to Full Council. These meetings are not open to the public.

The Agenda for meetings is closed eight days prior to the meeting. Council will only consider matters on the Agenda. Correspondence and applications on any matters to be considered by Council must be received at the Shire Office at least eight days prior to the Council meeting to be placed on the Agenda.

1.4 MINUTES

Unconfirmed minutes of Full Council are available for viewing and are displayed on the Shire of Tammin's WEB site within 10 business days of the meeting and within 5 days for Committee meetings.

1.5 SUB-COMMITTEES AND CONSULTATIVE GROUPS

A number of sub-committees comprising elected members, and advisory committees and consultative groups (that may also include staff and the public), are established from time to time to investigate particular issues, and report to Council. They meet as required.

1.6 DELEGATIONS

The Chief Executive Officer and other officers have delegated authority from Council to make decisions on a number of specified administrative and policy matters. These delegations are listed in Council's Delegations Manual and are reviewed by Council annually or more often as required.

In keeping with the legislative requirement to:

- determine policies to be applied by the Council in exercising its discretionary powers;
- determine the type, range and scope of projects to be undertaken by the Council; and
- develop comprehensive management plans, budgets, financial control and performance objectives and indicators for the operations of the Council,

the Council makes decisions which direct and/or determines its activities and functions. Such decisions include the approval of works and services to be undertaken, and the allocation of resources to works and services.

Decisions are also made to determine whether or not approvals are to be granted for applications from residents for various forms of development.

2. **SERVICES FOR THE COMMUNITY**

Council makes decisions on policy issues relating to services that are provided for members of the public.

These services currently include:-

- Roads/Footpaths/Kerbing
- Traffic Control
- Devices Street/Road Tree Planting
- Public Toilets
- Parks and Reserves Planning Controls
- Pest Control
- Occupational Health & Safety
- Noxious Weed Controls
- Citizenship Ceremonies
- Recreation Facilities

- Stormwater Drainage
- Street Lighting
- Garbage Collection
- Public Library
- Dog Control
- Environmental Health
- Town Planning
- Community Information
- Building Control
- Landcare Education

3. **PUBLIC PARTICIPATING**

3.1 **COUNCIL MEETINGS**

Members of the public have a number of opportunities to put forward their views on particular issues before Council.

These are:

1. Deputations – With the permission of the Committee Chairman or the President, a member of the public can address a Committee or Council personally or on behalf of a group of residents for a period of time determined by the Committee and/or Council on any issue relevant to Council.
2. Presentation to Council – With prior notification, approval and arrangement with the Chief Executive Officer, a member of the public can address Council on any issue relevant to Council.
3. Petitions – Written petition can be addressed to the Council on any issue within the Council's jurisdiction.
4. Written Requests – A member of the public can write to the Council on any Council policy, activity or service.
5. Elected Members - Member of the public can contact their elected Members of Council, to discuss any issue relevant to Council.

3.2 COMMUNITY CONSULTATION

The Council consults with local residents on particular issues that affect their neighbourhood as per the following examples:-

1. Elector Meetings – Electors are invited to attend the annual general meeting of electors to review the previous year's operations and discuss specific issues over a large range of topics. All residents may attend, but only electors on the Council voting roll, are eligible to vote.
2. Working Party/Sub-Committee – Local residents are invited to work with Members of Council and staff, to develop strategies to address various matters as they may arise.

4. ACCESS TO DOCUMENTS AND INFORMATION

4.1 ACCESS ARRANGEMENTS

It is the aim of the Shire of Tammin to make information available promptly and at the least possible cost. Whenever possible, documents will be provided outside the Freedom of Information process. If information is not routinely available, the *Freedom of Information Act* provides the right to apply for documents held by the Shire of Tammin and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

It should be noted that some documents are for viewing only and documents cannot be copied which would breach the *Copyright Act*.

Access to documents can be granted by way of inspection, a copy of the document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

4.2 DOCUMENTS AVAILABLE FOR INSPECTION

The following documents are available for public inspection at the Council Office free of charge. Members of the public may purchase copies of these documents and the charges are shown below:-

<u>Document</u>	<u>Fee</u>
Council Agenda	at the set photocopying rate
Council Minutes	at the set photocopying rate
Policy Manual	at the set photocopying rate
Council Budget	at the set photocopying rate
Council Annual Financial Statements	at the set photocopying rate
Council By-Laws	at the set photocopying rate
Building Application Register	at the set photocopying rate
Assessment Book	at the set photocopying rate
Directional Maps	\$6.00 per map
Consolidated Roll	\$5.00 complete roll
Owner & Occupier Roll	\$5.00 complete roll
Building Plans	\$5.00 per sheet subject to the approval of the owner of building/plans

4.3 OTHER INFORMATION REQUESTS

Access applications have to:

- be in writing;
- give enough information so that the documents requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the Shire of Tammin with any application fees payable.

Application Forms, whilst not essential, have been prepared to assist applicants and are available at the Shire Office, 1 Donnan Street, Tammin. Freedom of Information requests should be addressed to:-

Chief Executive Officer
Shire of Tammin
PO Box 53
TAMMIN WA 6409

Applications will be acknowledged in writing and be notified of the decision as soon as possible within 45 days.

4.4 NOTICE OF DECISION

As soon as possible but in any case with 45 days you will be provided with a notice of decision which will include details such as:

- the date the decision was made
- the name and the designation of the officer who made the decision
- if the document is an exempt document the reasons for classifying the matter exempt; or the fact that access is given to an edited document;
- information on the right to review and the procedure to be followed to exercise those rights.

4.5 REFUSAL OF ACCESS

Applicants who are dissatisfied with a decision of the Shire of Tammin are entitled to apply to the Information Commissioner for an external review and details will be advised to applicants when on request. Applicant should be made in writing within 30 days of receiving the notice of the decision.

5. AMENDMENT OF COUNCIL RECORDS

A member of the public may gain access to Council documents to seek amendments concerning their personal affairs by making a request under the *Freedom of Information Act*. A member of the public may then request a correction to any information about themselves that is incomplete, incorrect, misleading or out of date.

To gain access to these Council records, a member of the public must outline in writing the records that he/she wishes to inspect.

Whilst not essential, Freedom Of Information Request Forms have been completed to assist in requests. Forms are available from the Shire Office, 1 Donnan Street, Tammin.

APPLICATION FOR ACCESS TO DOCUMENTS
(Under the *Freedom of Information Act 1992*, Section 12)

DETAILS OF APPLICANT:

Surname: _____ Given Names: _____

Australian Postal Address: _____

Post Code: _____ Telephone Number(s): _____

If application is on behalf of an organisation Name of Organisation/Business : _____

DETAILS OF REQUEST: Personal Documents Non-Personal Documents
(Please tick)

I am applying for access to document(s) concerning: _____

(If space provided is not sufficient, please attach details on a separate sheet)

FORM OF ACCESS:

I wish to inspect the document(s)	Yes	No
I require a copy of the document(s)	Yes	No
I require access in another form (specify) _____	Yes	No

FEES AND CHARGES:

Attached is a cheque/cash to the amount of \$_____, to cover the application fee. I understand that before I obtain access to documents, I may be required to pay processing charges in respect of this application, and that I will be supplied with a statement of charges if appropriate.

In certain cases, a reduction in fees and charges may apply - SEE SECTION ON FEES AND CHARGES on the back of this form. If you consider you are entitled to a reduction, submit a request with copies of documents which address the criteria on the back of this form and support your application for a fee reduction.

I am requesting a reduction in fees and charges: YES NO

APPLICANT'S SIGNATURE: _____ Date: _____

(Office Use only)

FOE Reference Number: _____

Received on: ____/____/____ Deadline for response: ____/____/____

Acknowledgment sent on: ____/____/____

Proof of Identity (If applicable)

Type: _____ Sighted: _____

FEES AND CHARGES

Application fees and charges as well as advance deposits prescribed as payable are outlined in the Schedule below.

The Charge payable under Regulation 5, is reduced by 25% for holders of a currently valid Pensioner Concession Card issued on behalf of the Commonwealth to that person, or any other card which may be prescribed as being a Pensioner Concession Card under the Rates and Charges (*Rebates and Deferments*) Act 1992

(Regulation 4,5, and 6)

COLUMN 1	SCHEDULE	COLUMN 2
1. Type of fee		
(a) Personal information about the applicant		No Fee
(b) Application fee under Section 12(1)(e) of the Act (for non-personal information)		\$30
2. Type of Charge		
(a) Charge of time taken by staff dealing with the application (per hour, or pro rata)		\$30
(b) Access time supervised by staff (per hour or pro rata)		\$30
(c) Photocopying staff time (per hour, or pro rata)		\$30
(d) Photocopy		\$0.20
(d) Transcribing from tape, film or computer (per hour, or pro rata)		\$30
(e) Duplicating a tape, film or computer information		Actual Cost
(f) Delivery, packaging and postage		Actual Cost
3. Advance Deposits		
(a) Advance deposit which may be required of the estimated charges		25%
(b) Further advance deposit which may be required to meet the charges for dealing with the application		75%

For financially disadvantaged applications or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%

PLEASE NOTE

FOI Application

- Provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Tammin may request proof of your identity.
- If you are seeking access to document(s) on behalf of another person, written authorisation is required.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.

- Further information can be obtained from the Office of the Information Commissioner. The *Freedom of Information Act* is available for purchase from the State Government Bookshop, 815 Hay Street, Perth (Telephone: 9222 8216).

Forms of Access

You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded document or of words recorded in shorthand or encoded form, or a written document in the case of a document from which words can be reproduced in written form.

Please note that where access to documents by way of inspection is requested, it is the condition of the Shire of Tammin to provide supervision by staff. In this regard, please also refer to the Fees and Charges Schedule, 2(b).

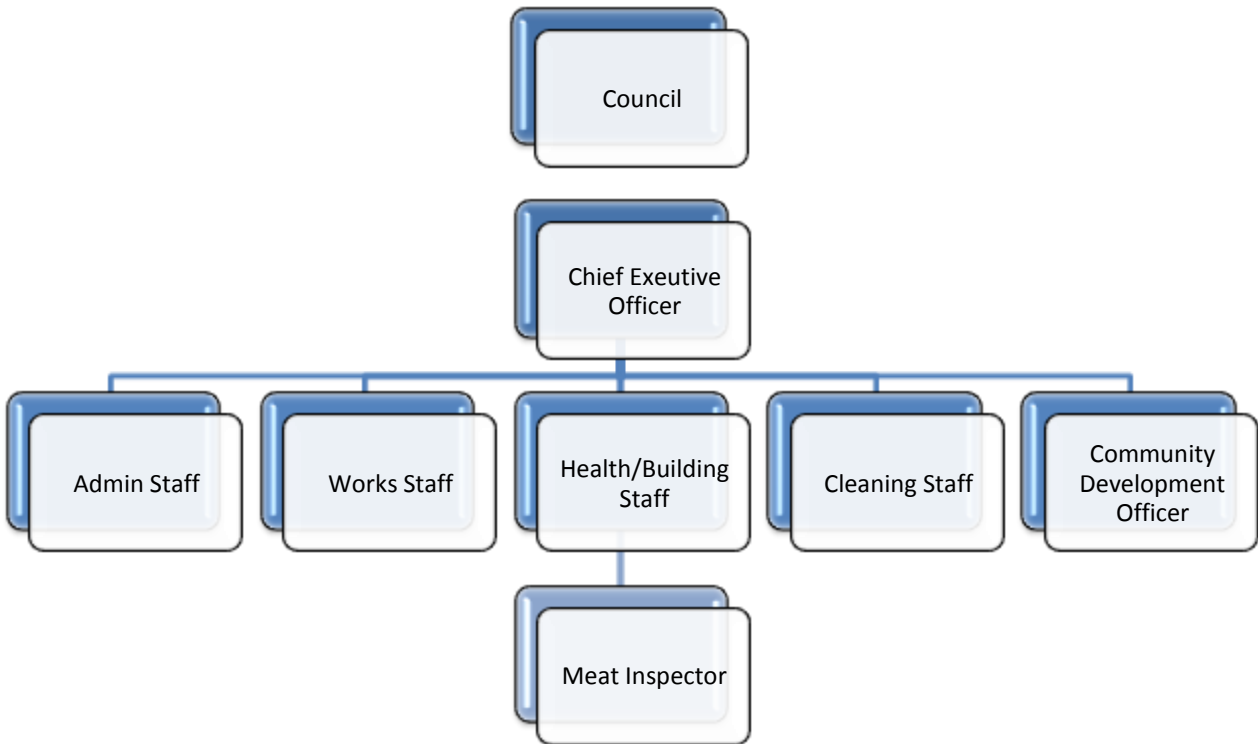
Where the Shire of Tammin is unable to grant access in the form requested, access may be given in a different form.

Lodgement of Applications

Applications may be lodged:

- by post, addressed to: Chief Executive Officer
Shire of Tammin
PO Box 53
TAMMIN WA 6409
- in person at: Shire of Tammin
1 Donnan Street
TAMMIN WA 6409

FIGURE 1



Adopted by Council 1994
Reviewed and Adopted by Council – 27 July 2006
Reviewed by Council – 16 August 2007
Reviewed by Council – 16 July 2008
Reviewed by Council – 15 December 2010

11.5 Delegations Manual Review

Author – Graham Stanley, CEO, 10 December 2010 Interest – Nil

PREVIOUS REFERENCE

Item 11.1 – 20 December 2007, 11.8 – 20 November 2008, 11.11 19 November 2009 and 15 April 2010 refer.

BACKGROUND

The Local Government Act 1995 requires local governments to review their delegation of powers/authority to the Chief Executive Officer at least once in every twelve months and then for the Chief Executive Officer to review his delegation of authority within the same review period.

At the April 2010 meeting the CEO was requested to prepare a suggested delegation to allow the Shire to undertake minor works for community groups free of charge. He was also requested to undertake a review of the delegations register with a view to addressing anomalies where Council has made delegations to officers other than the CEO such as the Building Surveyor and to change the delegation “To Pay Accounts” to “Make Payments”

COMMENT

A copy of the Delegations Manual is appended. Amended delegations and new delegations are marked in red.

Additional delegations are proposed for:

- requests from community groups for Council to conduct minor works (to be delegation number 44)

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.42 provides that:

- (1) A local government may delegate (by absolute majority) to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Section 5.43 provides that a local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

Section 5.44 provides that:

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) "conditions" includes qualifications, limitations or exceptions.

Section 5.45 provides that:

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

Section 5.46(2) of the Local Government Act provides that:

- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Bush Fires Act 1954

Section 17(10) provides that a local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).

Section 17(7)(a) provides that subject to paragraph (b), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —

- (i) shortening, extending, suspending or reimposing a period of prohibited burning times; or
 - (ii) imposing a further period of prohibited burning times.
- (b) A variation of prohibited burning times shall not be made under this subsection if that variation would have the effect of shortening or suspending those prohibited burning times by, or for, more than 14 successive days.

Section 17(8) provides that where, under subsection (7), a local government makes a variation to the prohibited burning times in respect of its district or a part of its district the following provisions shall apply —

- (a) the local government —

- (i) shall, by the quickest means available to it and not later than 2 days before the first day affected by the variation, give notice of the variation to any local government whose district adjoins that district;
- (ii) shall, by the quickest means available to it, give particulars of the variation to the Authority and to any Government department or instrumentality which has land in that district under its care, control and management and which has requested the local government to notify it of all variations made from time to time by the local government under this section or section 18;
- (iii) shall, as soon as is practicable publish particulars of the variation in that district;
- (b) the Minister, on the recommendation of the Authority, may give notice in writing to the local government directing it —
 - (i) to rescind the variation; or
 - (ii) to modify the variation in such manner as is specified in the notice;
- (c) on receipt of a notice given under paragraph (b) the local government shall forthwith —
 - (i) rescind or modify the variation as directed in the notice; and
 - (ii) publish in that district notice of the rescission or particulars of the modification, as the case may require.

Section 17(9) For the purposes of subsections (7) and (8) “publish” means to publish in a newspaper circulating in the district of the local government, to broadcast from a radio broadcasting station that gives radio broadcasting coverage to that district, to place notices in prominent in that district, or to publish by such other method as the Authority may specify in writing.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That:

1. Council adopts delegation 44 that grants authority to the CEO to approve minor works, up to a value of \$500, to carried out by shire staff, to be granted free of charge to local community groups and the Tammin Primary School where a formal request has been received by the CEO; and
2. The amended Delegations Manual as attached including the new delegation number 44 be adopted.

Absolute Majority Required

MIN 111/10 MOTION – MOVED Cr Uppill seconded Cr B Stokes

That:

1. Council adopts delegation 44 that grants authority to the CEO to approve minor works, up to a value of \$500, to carried out by shire staff, to be granted free of charge to local community groups and the Tammin Primary School where a formal request has been received by the CEO; and
2. The amended Delegations Manual as attached including the new delegation number 44 be adopted.

CARRIED 6/0

Shire of Tammin

DELEGATIONS MANUAL

15 December 2010 Item 11.5

BACKGROUND

The *Local Government Act* requires local governments to review their delegation of powers/authority to the Chief Executive Officer at least once in every twelve months and then for the Chief Executive Officer to review his delegation of authority within the same review period.

STATUTORY IMPLICATIONS

Section 5.42 provides that:

- (1) A local government may delegate (by Absolute Majority) to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Section 5.43 provides that a local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

Section 5.44 provides that:

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) "conditions" includes qualifications, limitations or exceptions.

Section 5.45 provides that:

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

Section 5.46(2) provides that:

- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Section 17(10) of the Bush Fires Act provides that a local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).

Section 17(7)(a) provides that subject to paragraph (b), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —

- (i) shortening, extending, suspending or reimposing a period of prohibited burning times; or
 - (ii) imposing a further period of prohibited burning times.
- (b) A variation of prohibited burning times shall not be made under this subsection if that variation would have the effect of shortening or suspending those prohibited burning times by, or for, more than 14 successive days.

Section 17(8) provides that where, under subsection (7), a local government makes a variation to the prohibited burning times in respect of its district or a part of its district the following provisions shall apply —

- (a) the local government —
 - (i) shall, by the quickest means available to it and not later than 2 days before the first day affected by the variation, give notice of the variation to any local government whose district adjoins that district;
 - (ii) shall, by the quickest means available to it, give particulars of the variation to the Authority and to any Government department or instrumentality which has land in that district under its care, control and management and which has requested the local government to notify it of all variations made from time to time by the local government under this section or section 18;
 - (iii) shall, as soon as is practicable publish particulars of the variation in that district;
- (b) the Minister, on the recommendation of the Authority, may give notice in writing to the local government directing it —
 - (i) to rescind the variation; or
 - (ii) to modify the variation in such manner as is specified in the notice;
- (c) on receipt of a notice given under paragraph (b) the local government shall forthwith —
 - (i) rescind or modify the variation as directed in the notice; and
 - (ii) publish in that district notice of the rescission or particulars of the modification, as the case may require.

No	SUBJECT	DETAILS	LEGISLATIVE POWER	DELEGATE
1	Signing of Orders	Authority to sign order forms for the purchase of goods and services within the constraints of the Budget and the Purchasing Policy.	LGA s.3.18 & 5.42	CEO
2	Make Payments	<p>Authority to make payments subject to a list of payments made being presented to the next Ordinary meeting and included in the minutes of that meeting.</p> <p>The vouchers, supporting invoices and other relevant documents be made available for inspection by members at the next Ordinary Council Meeting.</p> <p>Authority is limited to an amount of \$100,000, excluding investments.</p> <p>Cheques to be signed by a Councillor and the CEO (or his delegate).</p>	<p>FMR12 LGA s.5.42</p> <p>FMR13 LGA s.5.42</p>	CEO
3	Debtor Write-Off	Authority to write-off uncollectable or economically uncollectable debts, excluding rates and service charges, up to \$300.	LGA s.6.12	CEO
4	Credit Card / Fuel Card	Authority to use the Shire of Tammin's Credit Card and Fuel Card within the constraints of the Budget or as otherwise directed by Council.	FMR 11(1)(a) LGA s.5.42	CEO
5	Investing Surplus Funds	Authority to invest surplus funds, Trust funds, Loan funds and Reserve funds in accordance with part III of the <i>Trustees Act</i> or in an investment approved by the Minister for Local Government after ensuring that sufficient working capital is to be retained.	FMR19 LGA s.5.42, s.6.14	CEO
6	Electronic Funds Transfer	<p>Authority to EFT between bank accounts</p> <p>Authority to pay creditor accounts to a limit of \$100,000.</p>	FMR11 LGA s.5.42	CEO
7	Common Seal	Authority to affix Common Seal (witnessed by President and CEO) to documents to be executed by the Shire of Tammin where such documents are consistent and in accord with resolutions of Council, subject to Council being notified of executed documents in a timely manner.	LGA s.9.49	CEO
8	Legal Advice	Authority to appoint legal counsel and obtain advice, with all legal advice to be made available at the next Council meeting.	LGA s.5.42	CEO

No.	SUBJECT	DETAILS	LEGISLATIVE POWER	DELEGATE
9	Administration Centre	Authority to permit the use of rooms and areas within the Shire of Tammin Administration Centre to individuals or organisations having an involvement with local government and/or working towards the betterment of the Shire of Tammin.	LGA s.5.42	CEO
10	Notices	Authority to issue notices to owners and occupiers of land requiring certain things to be done by the owner or occupier of that land.	LGA s.3.25, Health Act Parts IV, V, VI, VII, VIIA, VIII, IX, XV	CEO
11	Renewing Licences	Authority to renew all licences provided the circumstances of the original licence has not substantially altered.	Local Government (Miscellaneous Provisions) Act 1960	CEO
12	Building Licences	Authority to approve or refuse plans and specifications relating to applications for building licence and to issue or refuse building licenses, including authority to impose conditions as appropriate.	Local Government (Miscellaneous Provisions) Act 1960 s.374(1b)	CEO (Delegated by CEO to Building Surveyor)
13	Building Licence Extension	Authority to extend initial building licences for a further 6 months to allow completion of construction.	Local Government (Miscellaneous Provisions) Act 1960 s.374(1b)	CEO (Delegated by CEO to Building Surveyor)
14	Building Notices	Authority to issue notices pursuant to Part XV of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> .	LGA s.3.25	CEO (Delegated by CEO to Building Surveyor)
15	Demolition License	Authority to issue demolition licenses and impose conditions as considered appropriate.	Local Government (Miscellaneous Provisions) Act 1960 s.374A	CEO (Delegated by CEO to Building Surveyor)
16	Administration of Health	<p>Authority to exercise and discharge the powers and functions of the Shire of Tammin under the Health Act relating to:</p> <ul style="list-style-type: none"> • forming of opinions and making of declarations; • the granting and issue of licenses, permits, certificates and approval; • the issue of notices, orders and requisitions and the carrying out and putting into effect of notices, orders and requisitions; • the ordering and authorisation of legal proceedings for breaches of the Health Act, all regulations and local laws. 	Health Act	CEO (Delegated by CEO to Environmental Health Officer)

No.	SUBJECT	DETAILS	LEGISLATIVE POWER	DELEGATE
17	Development Applications	Authority to issue planning consent to development applications which comply with the Shire of Tammin's Town Planning Scheme.	LGA s.5.42	CEO
18	Subdivision Clearance	Authority to provide the necessary clearance of subdivision conditions when satisfied that suitable arrangements have been made	LGA s.5.42	CEO
19	Liquor Permits	Authority to issue permits for the sale and consumption of liquor on Shire of Tammin property.	LGA s.5.42 Liquor Licensing Act 59 & 119	CEO
20	Secondhand Fencing	Authority to approve the use of secondhand material for fencing.	LGA s.5.42	CEO
21	Wildflower Permits	Authority to issue wildflower picking permit, subject to CALM approval and generally in accordance with conditions set by CALM.	LGA s.5.42	CEO
22	Employers Warrant	Authority to sign an employers warrant for WALGA industrial awards and appear on the Shire of Tammin's behalf.	LGA s.5.42	CEO
23	Plant & Equipment	Authority to approve the use of Shire of Tammin plant and equipment.	LGA s.5.42	CEO
24	Harvest Bans	Authority to impose harvest and vehicle movement bans.	LGA s.5.42 Bush Fire Regulations r.38A, 38C, 39A & 39B	CEO
25	Prohibited & Restricted Burning Times	Authority to suspend or amend Prohibited and Restricted burning times.	LGA s.5.42 Bush Fire Act s.17(7)(a) & s.18(5)(a) & Bush Fire Regulations r.15C	CEO
26	Fires at Tip	Authority to permit persons to set fire to the tip (green waste only)	LGA s.5.42	CEO
27	Fire Breaks	Authority, in liaison with the Chief Bush Fire Control Officer, to resolve fire hazard problems, including where considered necessary, to forward letters demanding the construction of fire breaks and where not complied with, the issuing of a contract for the construction of the break at the land owner's expense.	LGA s.5.42 Bush Fires Act s.33 & s.48	CEO
28	Bush Fires Act	Authority to exercise the functions of the local government under the Bush Fires Act only in an emergency situation and only in conjunction with the Chief Bush Fire Control Officer.	LGA s.5.42 Bush Fires Act s.48	CEO In consultation with

		Authority to vary prohibited and restricted burning times. See 25	Sections 17(10) and 18(5)(c) of <i>Bush Fires Act</i>	President & CBFCO jointly
No.	SUBJECT	DETAILS	LEGISLATIVE POWER	DELEGATE
29	Plant & Equipment Hire	Authority to give permission to hire Shire of Tammin buildings equipment and exchange equipment between buildings.	LGA s.5.42	CEO
30	Replacement Plant Hire	Authority to hire replacement plant.	LGA s.5.42	CEO
31	Rigid and Articulated Vehicle Movements	Authority to approve rigid and articulated vehicle movements, up to a maximum 27.5m.	LGA s.5.42	CEO
32	Appointment of Authorised Persons	Authority to appoint persons or classes of persons in relation to enforcement and legal proceedings	LGA s.9.23; Dog Act; Bush Fires Act; Health Act; Local Laws	CEO
33	Administration of Local Laws	Authority to administer the Shire of Tammin Local Laws and initiate action if considered necessary.	LGA s.5.42	CEO
34	Enter Land in Emergencies	Authority to enter land in emergencies. Authority to sign and issue notice of entry. Authority to exercise force to gain entry	LGA s.5.42	CEO
35	Tree Safety	Authority to issue an order to make a tree safe on private land and to enter that property to make a tree safe.	LGA s.5.42	CEO
36	Cost Recovery	Authority to instigate proceedings to recover costs in Court.	LGA s.5.42	CEO
37	Calling Tenders	Authority to call tenders for all budgeted items and to accept tenders to a value of \$100,000 in accordance with the Shire of Tammin Purchasing Policy.	LGA s.5.42	CEO
38	Execution of Documents	Authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of the contract documents without further reference to Council.	LGA s.5.42	CEO
39	Destruction of Records	Authority to destroy old accounting books and records in accordance with statutes.	LGA s.5.42	CEO
40	Debt Collection	Authority to collect outstanding debts against the Shire of Tammin, including entering into arrangements, within normal commercial parameters.	LGA s.5.42	CEO
41	Sale of Land	Authority to sell Shire of Tammin	LGA s.3.58	CEO

		owned vacant land at market prices subject to legislative compliance.		
42	Sale of Scrap	Authority to dispose of scrap surplus materials etc. by quotes locally.	LGA s.5.42	CEO
43	Bush Fires Act	Authority to issue and withdraw infringement notices.	Bush Fires Act	CEO
44	Donations of Minor Works to Community Groups	Authority to approve minor works carried out using shire staff, equipment and materials such as delivering a load of sand up to a value of \$500, without charge, to local community groups and the Tammin Primary School, where a formal request has been received.	LGA s.5.42	CEO

Reviewed by Council 10 August 2005 – Item 11.1.2

Reviewed by Council on 18 May 2006 – Item 11.5

Reviewed by Council on 17 May 2007 – Item 11.7

Reviewed by Council on 20 December 2007 – Item 11.2

Reviewed by Council on 20 November 2008 – Item 11.8

Reviewed by Council on 19 November 2009 – Item 11.11

11.6 Business Case – Employment of Shire Electrician (ADM05)

Author – Graham Stanley, CEO, 10 December 2010 Interest – Nil

PREVIOUS REFERENCE

Item 11.2 – 19 August 2010 refers.

BACKGROUND

In response to the difficulty experienced by both the Shire and the Tammin community at large, at the August 2010 ordinary meeting Council agreed to set aside funds in the 2010/11 budget to engage a consultant to prepare a business plan to determine the viability of the Shire of Tammin employing its own qualified electrician. Subsequently sufficient funds were included in the adopted budget for this to occur and Mr Dominic Carbone from DCA was appointed to investigate the feasibility and develop a business plan.

COMMENT

A draft *“Shared Services Proposal for Electrical Services”* has been prepared and the final report has been promised to be finalised and circulated to members prior to the commencement of the December 2010 Council meeting. The purpose of the Proposal is for the provision of electrical services to the Shire of Tammin, other Local Governments in the region and the community on a “fee for service” basis. A copy of the Proposal will be attached to this report.

The Assessment within the business case states: *“The Shared Service Proposal for the delivery of electrical services will ensure that shire works are given priority and other surrounding local governments and the community will benefit from the service. The calculated fees and charges for the service are based on a “fee for service” basis and are very competitive.”*

FINANCIAL IMPLICATIONS

The business case demonstrates that the electrician could be effectively engaged by the Shire for 40% of his/her time in undertaking Shire work. It is anticipated that 60% of the electrician’s time could be outsourced on a “fee for service” basis to other surrounding local governments and the community. In the forward works plan that is currently being prepared an allowance of \$50,000 is being included in the first year, reducing each year, to allow for a shortfall in the utilisation by others. However this is a very conservative estimate as all of the anecdotal evidence from discussions within the community indicates that there is an abundance of work available within the district for a local electrician. In addition, although this allowance is being included it is likely that any spare time of the electrician will be utilised performing Shire work that would normally be required to be done by others, effectively reducing the cost to Council.

POLICY IMPLICATIONS

Policy 1.18 “STAFF APPOINTMENTS” states:

“That all employment vacancies be advertised through the local press and on the Shire of Tammin official notice board.”

STATUTORY ENVIRONMENT

The Shire of Tammin is the “Host Council” in relation to the provision of the service. The electrical service will be delivered under the relevant legislation which principally involves the Local Government Act 1995, the Building Code of Australia, Building regulations 1989 and the Electricity (Licensing) Regulations 1991.

STRATEGIC PLAN IMPLICATIONS

Under Theme 2 “Our Economy” of Council’s Strategic Plan item 2 “Facilitate business development and new opportunities” it states “investigate and promote new opportunities”. Under Our Organisation” it includes:

1. *Identify opportunities to expand contracting for private works in order to increase revenue.*

2. *Investigate developing a relationship with other local governments for cooperation, knowledge sharing and mutual benefit.*

The employment of an electrician will expand the Shire's contracting for Private Works and increase revenue. The employment of an electrician will also extend the extent to which Tammin cooperates and shares with other councils especially the SEARTG councils who have indicated that they are prepared to engage the electrician's services.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Discussions held with SEARTG shires. Informal discussions with various community members.

STAFF RECOMMENDATION

That the Chief Executive Officer be authorised to put the Shared Services Proposal into effect.

Simple Majority Required

MIN 112/10 MOTION – MOVED Cr B Stokes seconded Cr Caffell

That the Chief Executive Officer be authorised to put the Shared Services Proposal into effect.

CARRIED 6/0

The meeting adjourned at 3.19pm for afternoon.
The meeting resumed at 3.40pm.

Daren Long from D.C.A. joined the meeting at 3.40pm and made a presentation on the Draft Forward Capital Works Plan.
Darren Long completed his presentation at 4.40pm.

The meeting adjourned at 4.40pm.
The meeting resumed at 4.43pm and at this time Darren Long was no longer present.

Tanya Greenwood entered meeting at 4.43pm

11.3 2010 Dry Season Assistance Scheme Community Services Grant

Author – TB Greenwood, PRO, 09 December 2010 Interest – Nil

PREVIOUS REFERENCE

Nil

BACKGROUND

The State Government recognises the significant impact on farmers, small businesses and rural communities. Farmers are facing difficult circumstances as a result of severe lack of rainfall this season across much of Western Australia. The extremely dry seasonal conditions have resulted in very poor crops, and properties are being forced to destock. In light of this \$20 000 has been made available to Local Governments that can be used for community projects to maintain community spirit and welfare through the conduct of various wide-ranging community events.

COMMENT

The criteria for spending the funds is broad only stating that the Shire is to spend the funds on one or more community event in the Shire that help maintain community spirit and welfare, although it may spend up to 10% of the grant on reasonable administration costs of those events and that the Shire is encouraged to work with community groups and associations to organise and conduct the events. The Shire has committed to presenting 6 cultural events through the Gordon Reid Audience Development Fund. Each of these events has to be aimed at specific demographic profiles as specified within the grant application. The Dry Season Community Services Grant has no such profiles. It is the Public Relations Officers opinion that Tammin's cultural events calendar is well provided for and perhaps the Dry Season Community Grant could be used for;

- Community Fete/Fair
- Men's Luncheon with motivational Guest Speaker
- Women's Luncheon with motivational Guest Speaker
- Movie Nights

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

1. That Council provide their thoughts as to how they wish to see the \$20,000 being utilised to maintain community spirit and welfare.

Simple Majority Required

After discussing the report with the Public Relations Officer Council agreed to let the report on the 2010 Dry Season Assistance Grant lay on the table.

T. Greenwood left meeting at 4.54pm

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 Resignation of President and Election of New President

At this point of the meeting the Shire President Cr Rodney Stokes announced his resignation as Shire President. He advised that it was a decision that he had given much consideration to. He explained that he would not be seeking re-election when his term as a Councillor expires in October 2011 and he is of the opinion that the Shire needs a leader who will be able to see the Council through the important structural reform process. By resigning as President now it will give the new Shire President the opportunity to settle into the position and be involved in the important decisions that will face the Shire through the structural reform process.

Cr Stokes then thanked all of the Councillors for the support that he has received over the past three years since he became President. He also thanked the CEO for his assistance and said that he believes the Shire is heading in the right direction.

The CEO then called for nominations for the position of President. Nominations were received from Cr B Stokes and Cr Uppill. The CEO then advised that an election was required. The CEO left the chambers at 4.59pm to prepare the ballot papers.

Mr Murray Packham JP entered the chambers at 5.03pm.
Graham Stanley returned to the chambers at 5.10pm.

The election was conducted by secret ballot with Cr Uppill being declared elected. Cr Uppill then gave the oath of Office witnessed by Mr Murray Packham JP.
Cr Uppill thanked Council for its support and indicated that he would do his best to look after Tammin's best interests.

13.2 Special Meeting of Council

The CEO advised of the need to hold a Special Meeting of Council for the purpose of adopting the Annual Report for the year ended 30th June 23010 and adopting the Forward Capital Works Plan 2010/11 to 2014/15.

MIN 113/10 MOTION – MOVED Cr R Stokes seconded Cr Caffell

That a Special Meeting of Council be held on Wednesday 22nd December 2010 at 7pm in the Council Chambers for the purpose of adopting the Annual Report and Forward Capital Works Plan.

CARRIED 6/0

14. CLOSURE OF MEETING

There being no further business the President closed the meeting at 5.34 pm.

Tabled before the Ordinary Council Meeting on 17 February 2011.

Cr S. A. Uppill, President

PAYMENTS LIST NOVEMBER 2010

Date	Reference	Supplier Name	Details	Amount
Cheque Payments				
01/11/2010	3949	Copier Support	Parts & repair Tabloid photocopier	564.10
01/11/2010	3950	Country Arts WA	Presenters fee for Krakouer tour	4,461.60
01/11/2010	3951	Courier Australia	Freight	32.38
01/11/2010	3952	DM O'Brien	Road construction Nelson / Goldfields Road	12,937.50
01/11/2010	3953	Tammin Hardware	Garden supplies	182.69
01/11/2010	3954	Telstra	Telephone 18/10 - 17/11/2010	174.91
08/11/2010	3955	Earthstyle Contracting	Equipment for gravel re-sheeting	16,036.63
10/11/2010	3956	Australia Post	Postage & freight	154.01
10/11/2010	3957	City & Regional Waste Management	Waste management	2,977.24
10/11/2010	3958	Community Arts Network WA Ltd.	"Beyond the wall" training T. Greenwood	220.00
10/11/2010	3959	Gull Tammin Roadhouse	November 2010 Account - catering, drinks, papers	425.65
10/11/2010	3960	Shire of York	Ranger service	179.92
10/11/2010	3961	Synergy	Streetlighting 25/9-22/10/2010	1,078.45
10/11/2010	3962	Tammin Post Office.	Stationery	298.85
10/11/2010	3963	Telstra	Telephone 23/9 - 22/10/2010	531.69
10/11/2010	3964	Tiller's Services	Carpet cleaning office & pavillion	611.00
10/11/2010	3965	Shire of Tammin	Petty cash recoup	296.15
11/11/2010	3966	MD Greenwood	Catering Krakouer dinner	1,250.00
11/11/2010	3967	DM O'Brien	Road construction	6,000.00
12/11/2010	3968	Joy Eames	Overcharged payment	23.70
15/11/2010	3969	Commonwealth Retirement Savings Acc	Superannuation	92.34
15/11/2010	3970	LGRCEU	Union fee	17.40
15/11/2010	3971	Summit Personal Super	Superannuation	137.86
15/11/2010	3972	WALG Superannuation	Superannuation	3,015.57
16/11/2010	3973	BT Financial Group	Superannuation	245.99
16/11/2010	3974	WALG Superannuation	Superannuation	465.07
18/11/2010	3975	Acrod Parking Program	Parking permit TN478	16.50
18/11/2010	3976	AIT Specialists Pty Ltd	Consultant fee - fuel tax credits	1,630.20
18/11/2010	3977	Arrow Bronze	Niche wall plaque	166.98
18/11/2010	3978	Avon Joinery	Tamma Village - kitchen cupboard door	230.00
18/11/2010	3979	Avon Waste	Rubbish collection	1,378.30
18/11/2010	3980	Copier Support	Toner cartridge	190.40
18/11/2010	3981	Corporate Express	Toner Tabloid	182.84
18/11/2010	3982	Courier Australia	Freight	62.67
18/11/2010	3983	Coventrys	Parts TN2	257.47
18/11/2010	3984	Cunderdin Farmers Co-operative Co Ltd	Groceries farewell T. Findlay	232.31
18/11/2010	3985	Direct Communications	Parts & repairs 2-ways whole fleet	1,280.62
18/11/2010	3986	DKT Rural Agencies	Parts reticulation	571.80
18/11/2010	3987	F-111 Engineering Pty Ltd	Parts & repairs	11,815.23
18/11/2010	3988	Filters Plus	Parts TN4, TN4, TN221, TN482	219.78
18/11/2010	3989	Fire & Emergency Services Authority of WA	ESL	10,169.56
18/11/2010	3990	Hanson Construction Materials Pty Ltd	Road maintenance - granite	2,139.21
18/11/2010	3991	Julnik Transport Pty Ltd	Transport hire roller	792.00
18/11/2010	3992	Kellerberrin Tyre Service	Parts & repairs TN302, roller	105.00
18/11/2010	3993	Kleenheat Gas	Bulk gas Tamma Village	165.11
18/11/2010	3994	Radio West	Advertising Krakouer show	1,526.25
18/11/2010	3995	WALGA	Advertising Tender, Notices	875.41
18/11/2010	3996	WesTrac Pty Ltd	Parts & repairs TN482	2,302.78
18/11/2010	3997	Gregory Froomes Wyllie	Audit Fees	8,085.00
18/11/2010	3998	Yakka Pty Ltd	Uniforms	520.92
18/11/2010	3999	Zacks Commercial Artist	Cheques	528.00
18/11/2010	4000	LGIS Insurance Broking	Insurance	153.95
24/11/2010	4001	Louise Caffell	Sitting fee & travel November Council meeting	187.90
24/11/2010	4002	Carpet Court Merredin	Tamma Villa - U3 new carpets	2,227.80
24/11/2010	4003	Conplant Pty Ltd	New Roller	143,000.00
24/11/2010	4004	MD Greenwood	Sitting fee & travel November Council meeting	269.18
24/11/2010	4005	Stephen Jefferies	Sitting fee & travel November Council meeting	65.00
24/11/2010	4006	Prestige Alarms	Alarm system - quarterly payment	143.00
24/11/2010	4007	Bernard Stokes	Sitting fee & travel November Council meeting	73.89
24/11/2010	4008	Rodney Stokes	Sitting fee & travel November Council meeting	281.88
24/11/2010	4009	Scott Uppill	Sitting fee & travel November Council meeting	169.38

25/11/2010	4010	BT Financial Group	Superannuation	65.25
25/11/2010	4011	Commonw ealth Retirement Savings Acc	Superannuation	95.42
25/11/2010	4012	LGRCEU	Union fee	17.40
25/11/2010	4013	Prime Super	Superannuation	50.63
25/11/2010	4014	Summit Personal Super	Superannuation	137.86
25/11/2010	4015	WALG Superannuation	Superannuation	2,766.17
30/11/2010	4016	Shire of Tammin	Licensing TN1	203.30
			Sub-total	247,763.05
Direct Debit payments				
01/11/2010	Debit	Commonw ealth Bank of Australia	Merchant fee	175.73
03/11/2010	Debit	Commonw ealth Bank of Australia	EFTPOS Fee	27.55
18/11/2010	Debit	Motorcharge Limited	Fuel	6,116.75
			Sub-total	6,320.03
Licensing Transfer				
02/11/2010	J3504	Department of Transport	Licensing 02/10/2010	742.85
03/11/2010	J3517	Department of Transport	Licensing 03/11/2010	304.65
04/11/2010	J3518	Department of Transport	Licensing 04/11/2010	1,062.85
08/11/2010	J3519	Department of Transport	Licensing 08/11/2010	32.60
09/11/2010	J3526	Department of Transport	Licensing 09/11/2010	332.35
10/11/2010	J3528	Department of Transport	Licensing 10/11/2010	606.60
11/11/2010	J3533	Department of Transport	Licensing 11/11/2010	332.45
12/11/2010	J3534	Department of Transport	Licensing 12/11/2010	1,558.90
15/11/2010	J3535	Department of Transport	Licensing 15/11/2010	586.45
16/11/2010	J3536	Department of Transport	Licensing 16/11/2010	2,011.35
17/11/2010	J3537	Department of Transport	Licensing 17/11/2010	407.45
18/11/2010	J3549	Department of Transport	Licensing 18/11/2010	11.60
19/11/2010	J3550	Department of Transport	Licensing 19/11/2010	44.50
22/11/2010	J3566	Department of Transport	Licensing 22/11/2010	17.40
23/11/2010	J3568	Department of Transport	Licensing 23/11/2010	1,009.40
24/11/2010	J3571	Department of Transport	Licensing 24/10/2010	260.30
25/11/2010	J3573	Department of Transport	Licensing 25/11/2010	23.90
26/11/2010	J3579	Department of Transport	Licensing 26/11/2010	1,314.60
29/11/2010	J3587	Department of Transport	Licensing 29/11/2010	81.20
30/11/2010	J3588	Department of Transport	Licensing 30/11/2010	203.30
			Sub-total	10,944.70
Bank Fees				
18/11/2010	Debit	National Australia Bank	NAB connect fee	52.64
30/11/2010	J3591	National Australia Bank	Account Fees for November 10 for DPI Account	20.00
30/11/2010	J3592	National Australia Bank	Account Fees for November 10 for Muni Account	95.90
30/11/2010	J3593	National Australia Bank	Account Fees for November 10 for Trust Account	20.60
			Sub-total	189.14
VISA Payments				
03/11/2010	VISA	Coles Express	Fuel TN1	44.00
03/11/2010	VISA	Gull Service Stations	Fuel TN1, lunch w ith consultant	163.80
03/11/2010	VISA	Intelligent IP Communications Pty Ltd	Internet	119.95
03/11/2010	VISA	National Australia Bank	Credit card fees & charges	9.00
03/11/2010	VISA	Westnet	Internet depot	69.45
			Sub-total	406.20
EFT Payments				
09/11/2010		Shire of Tammin	Salaries & Wages	16,055.24
12/11/2010		Shire of Tammin	Salaries & Wages	6,602.35
23/11/2010		Shire of Tammin	Salaries & Wages	14,772.82
			Sub-total	37,430.41
Total				303,053.53

Attachment items 11.2 Financial Reports

COUNCILLORS INFORMATION BULLETIN – DECEMBER 2010

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

Index

Item	Subject
IB 1	ALGA – Report local road funding
IB 2	Tammin Developments Pty Ltd – Thanks note (ASS-1077)
IB 3	Keep Australia beautiful – 2010 review (OFGOV-04)
IB 4	Infopage – Building bill 2010 (OLGOV-06)
IB 5	Min. for LG; Heritage; Citizenship & Multicultural Interests – Integrated Planning(OSGOV-26)
IB 6	Min. for LG; Heritage; Citizenship & Multicultural Interests – December Update 2010 (OSGOV-26)
IB 7	Keep Australia beautiful – New unlawful dumping legislation (OFGOV-04)
IB 8	Coinda – Thank you note (ORGL-19)
IB 9	Office of Crime Prevention WA Police – Indigenous partnership fund 2010
IB 10	Disability Services Commission – Strategic plan 2011-2015 (OSGOV-41)

IB 1 ALGA – Report local road funding

Tammin Shire received on 11 November 2010 the following letter
A copy of the report will be tabled at the meeting.

AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION



SHIRE OF TAMMIN
RECEIVED

11 NOV 2010

FILE: *EG 19*

Shire of Tammin
Cr Rodney Stokes
President
PO Box 53
TAMMIN WA 6409

Dear Cr Stokes,

The Australian Local Government Association (ALGA) recently commissioned a Report into local road funding to shed some light on the continuing challenges facing councils throughout Australia in maintaining the local road network (80% of all roads in Australia). The findings of the Report were released at ALGA's 2010 National Local Roads and Transport Congress held in Bunbury from 13 to 15 October. Copies of the report and the Communiqué from the Congress are attached for your information.

The Report notes the progress by councils in improving the management of local road assets through the adoption of improved asset management frameworks supported by the Australian Government's Local Government Reform Fund and the significant contribution that the Roads to Recovery Program has made to improving local roads. However it also finds that much more needs to be done to address the provision and maintenance of local roads across Australia.


The Report makes sober reading and reveals that local government as a whole faces a shortfall in local road funding between 2010 and 2025 of around \$1.2 billion per annum. This is the extra amount required by councils, above planned expenditure including existing grants, to simply maintain the current level of service for local roads. The finding was not totally unexpected, given that an earlier report on the financial sustainability of local government, prepared by PricewaterhouseCoopers in 2006, had found an overall annual infrastructure investment shortfall (covering all infrastructure not just roads) of \$2.1 billion. Nevertheless, the shortfall was viewed with alarm by delegates attending the Roads Congress, as is evident from the Communiqué.

ALGA has previously sought that the Roads to Recovery Program, which has been so important to councils, be made permanent and be set at a higher level of funding. The current program lapses in June 2014 and the findings of the Local Roads Funding Gap Report underline the critical nature of that program.

8 Geils Court Deakin ACT 2600 TELEPHONE 02 6122 9400 FACSIMILE 02 6122 9401
EMAIL alga@alga.asn.au WEB www.alga.asn.au ABN 31 008 613 876

ALGA will be using this Report to lobby all federal parliamentarians during the term of this Parliament to secure adequate road funding for local communities across Australia. I ask that your council also consider raising this Report with your local Federal Members of Parliament to support local government in its aim of ensuring that local roads are adequately funded.

Yours sincerely

A handwritten signature in cursive script that reads "Geoff Lake".

Geoff Lake
President

IB 2 Tammin Developments Pty Ltd – Thanks note

Tammin Shire received on 22 November 2010 the following letter

22.11.2010 16:57

BURROWS PTY LTD

08 95819218

PAGE. 1/ 1

TAMMIN DEVELOPMENTS PTY LTD
1 Kalyan Close
Greenfields WA 6210
ABN 80 724 990 517

Phone 08 95819217
Fax: 08 95819218
Mobile: 040 888 222 1

Chief Executive Officer
Shire of Tammin
P O Box 53
Tammin WA 6409



Dear Sir,

Re: Early payment of Rates Prize – Esplanade River Suites Breakaway Package.


It was with great surprise and excitement that we received the second prize of a voucher for Deluxe accommodation at the Esplanade River Suites.

As we rarely stay in the metropolitan area overnight it gave us the opportunity to catch up with friends and have a meal together in the nearby South Perth area before walking back to the hotel.

We had a delightful evening and it was made even more so by having the opportunity stay in a little luxury, have a sleep-in, and a hearty breakfast the next morning before battling the Perth traffic home after the usual retail therapy session.

Thank you for the opportunity to have a small breakaway.

Kind regards


Mike Burrows
21st November 2010

IB 3 Keep Australia beautiful (OFGOV-04)

Tammin Shire received on 22 November 2010 the following letter



Dear valued friend of Keep Australia Beautiful WA,

What a tremendous year 2010 has been for Keep Australia Beautiful WA (KABWA). Thanks to the support of thousands of volunteers and supporters we have continued in the fight against litter and have celebrated milestones and achievements including:

- The launch of the Outback Pack program, which saw 10,000 clean up packs distributed to travellers throughout WA.
- Registering the 4500th litter reporter in the Litter Report Scheme.
- Registering the 150th group in the Adopt-a-Spot community clean up program and over 5000 bags of litter collected by active Adopt-a-Spot groups throughout the state.
- Celebrating the creativity of young Australians in the Trash my Ad 2 competition, which for the first time included entries in the print and TV ad category.
- Tidy Towns has enjoyed a huge upsurge in regional entries in 2010. Participants said that it gives a focus to clean up locally and that they feel as though they are part of a state and national effort. In 2010 prize money and grants to communities hosting regional award ceremonies totalled \$26,650 excluding a grant of \$500 by the Department of Local Government for the Special Commendation winner.
- The City of Stirling winning both the WA Sustainable Cities overall award but also being announced Australia's most Sustainable City in the KAB National awards.
- The launch of Clean Marine, a campaign which sees KABWA working with a number of WA state government agencies to reduce litter in WA's waterways through education and resources.
- The launch of Clean Schools, a program for all WA schools to reduce litter on campus and educate students on waste reduction and disposal.
- The distribution of grants for both recycling projects and litter prevention to support litter reduction and behaviour change projects in 19 WA communities.
- The announcement that litter in WA has reduced in the annual National Litter Index.

Looking to 2011 we are striving for an equally successful year and with your support we can continue the fantastic work being achieved by thousands of Western Australians to keep WA beautiful.

Please enjoy the enclosed 2011 Keep Australia Beautiful WA Calendar as a gesture of our thanks for your support throughout the year.

On behalf of the Keep Australia Beautiful Council, I wish you, your families and businesses a safe and litter-free 2011.

Yours sincerely

Mel Hay APM
Chairman, Keep Australia Beautiful Council WA
November 19, 2010

Keep Australia Beautiful Council (WA) Inc
ABN 71 028 403 965
Postal Address: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
Tel 1300 756 541 E-mail kabc@dec.wa.gov.au Website www.kabc.wa.gov.au



Department of
Environment and Conservation



IB 4 Infopage – Building bill 2010 (OLGOV-06)

Tammin Shire received on 1 December 2010 the following letter

INFOPAGE		SHIRE OF TAMMIN RECEIVED 1-NOV 2010 DEC	
To:	Chief Executive Officer	FILE: OLGOV-CG	From: Beryl Foster – Policy Manager Planning and Development
Organisation:	All Councils	Date:	25 November 2010
Reference:	05-015-02-0005		
Subject:	Building Bill 2010	Priority:	High

IN BRIEF

Operational Area:	Planning & Building
Key Issues:	<ul style="list-style-type: none">• The proposed new building legislation has been subject to many drafts and in October 2010 the Building Commission notified WALGA that the building reform legislation has been completed and submitted to Cabinet for approval to introduce into Parliament this year. The Building Commission also delivered a hard copy of the Bills with a statement that the documents were confidential and a Stakeholder Reference Group would be held on 15 November.• To discuss the direction and the implications of the draft legislation WALGA met with a group of Local Government officers on 10 November. At this meeting an officer from the Building Commission advised that the Building Bill 2010 had been introduced and second read in Parliament earlier that day, but was not expected to progress through the Legislative Assembly until Parliament resumed in 2011. Since then it is understood that the Bill has been given priority and may be considered before the Christmas break.• The finalised Bill has not been made available for wider Local Government consultation and as such, WALGA has requested the Minister delay the passage of the Bill in the Legislative Assembly until the next session of Parliament in 2011 to enable the Building Commission to consult fully with Local Government.
Action Required:	In anticipation of a consultation period on the Building Bill 2010 you are requested to formulate a submission. WALGA will be in contact with submission details shortly.

Given that the proposed reforms to building legislation in WA will significantly change the building functions and responsibilities of Local Governments, it is vital that an adequate period for consultation with member Councils on the provisions of the current Bill prior to its introduction in Parliament is provided.

WALGA has sought a delay in the passage of the Bill to enable the Association and the Building Commission to consult fully with Local Governments to enable the sector to identify how the objectives of the legislation can be successfully implemented.

WALGA invites your comments on the *Building Bill 2010* and will provide further information to assist with your submission shortly.

Please send your comments by email to Beryl Foster, Policy Manager Planning and Development, bfoster@walga.asn.au or phone (08) 9213 2056.

Local Government House
15 Altona Street
West Perth WA 6006
PO Box 1544
West Perth WA 6872
Facsimile (08) 9322 2611
Telephone (08) 9321 5055
Email info@walga.asn.au
Website www.walga.asn.au

For Further information please contact
<Beryl Foster, 9213 2056 & bfoster@walga.asn.au
The Voice of Local Government

Tammin Shire received on 1 December 2010 the following letter
A copy of the plan will be tabled at the meeting.



IB

**Minister for Local Government; Heritage;
Citizenship and Multicultural Interests**

Our Ref: M1002396

Cr Rodney Stokes
President
Shire of Tammin
PO Box 53
TAMMIN WA 6409



Dear Cr Stokes

Please find enclosed 10 copies of the Western Australian Integrated Planning and Reporting Framework and Guidelines document and quick reference guide for distribution to your elected members and relevant administration staff.

This work has been developed as a priority initiative arising from the Local Government Reform Steering Committee Report recommendations. It aims to assist all local governments achieve a minimum standard of a Community Strategic Plan supported by a Corporate Business Plan over a ten year timeframe.

Many local governments have comprehensive strategic planning practices in place and will be able to measure whether their practices meet the minimum required, while other local governments will be able to significantly update their practices by following the guidelines in detail.

Adopting integrated strategic planning is potentially the most important performance improvement able to be broadly adopted by local governments. This Framework and Guidelines document represents good practice and was guided by industry sector working groups and interstate and international frameworks. It contains important tools for building sustainability within Western Australia's local governments.

Workshops to assist local governments incorporate the Framework into existing strategic planning practices will be conducted throughout the State. These will be held during November and December 2010 and February 2011 in the Pilbara, Kimberley, Northern, Gascoyne, Goldfields-Esperance, Great Southern, South West, Wheatbelt, Murchison and Metropolitan regions. More information will be provided once the schedule of workshops is formalised.

In the coming months, this resource will also take into consideration feedback received and be developed into an online resource.

Yours sincerely

G M (John) Castrilli MLA
**MINISTER FOR LOCAL GOVERNMENT; HERITAGE;
CITIZENSHIP AND MULTICULTURAL INTERESTS**
24 NOV 2010

cc Chief Executive Officer

Level 12, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 9213 6800 Facsimile: +61 8 9213 6801 Email: Minister.Castrilli@dpc.wa.gov.au

Tammin Shire received on 1 December 2010 the following fax

3. Dec. 2010 13:35

Dept of Local Govt

No. 7438 P. 1/2



OSGOV-26

**Minister for Local Government; Heritage;
Citizenship and Multicultural Interests**

Our Ref: M1002431

TO ALL LOCAL GOVERNMENTS

CIRCULAR N^o 13-2010

DECEMBER UPDATE 2010

As we approach the end of 2010, I would like to take this opportunity to provide you with an overview of the priority areas for my office and the Department of Local Government.

Structural Reform

Currently, there are 75 local governments committed to structural reform. These range from those seeking to merge; those participating in a Regional Transition Group (RTG) or Regional Collaborative Group (RCG) and those wishing to reform but who are without partners. Each of these local governments is receiving financial assistance under the reform program. I welcome the progress being made by each of the RTGs and RCGs as they develop their regional business plans, asset management and financial management plans.

In the short to medium term, I will be concentrating our resources on supporting those local governments engaged in the reform process and will be making submissions as part of the 2011/12 budget process and beyond to ensure that support continues.

I do not intend dedicating additional resources to the active promotion of structural reform but I do welcome additional commitments from those not currently engaged.

The Local Government Advisory Board (LGAB) has been focussing on the merger proposals before it. While there are a number of boundary adjustments proposed within the metropolitan area, at this stage I am reluctant to dedicate additional LGAB resources to those proposals, as it is likely that most will be disputed by affected local governments.

Early in the New Year, I will be considering long term strategic measures which I believe are necessary for the growth areas of the State including the Perth metropolitan area and regional centres currently not engaged in meaningful structural reform.

Level 12, Dumas House, 2 Havelock Street, West Perth Western Australia 6005

Phone: 9447 6000 Fax: 9447 6004 Email: Minister.Costello@legov.wa.gov.au

- 2 -

Capacity building

The second key element of my reform program is aimed at increasing the capacity of local government. I am concerned that many local governments lack the required processes, systems and capacity to effectively carry out the strategic and operational tasks that their communities and the State Government expect.

The outstanding work of the Implementation Committee and its working groups, building on the initial work of the Reform Steering Committee, has resulted in the release of two important guides to assist local governments in the areas of strategic community planning and human resource and change management. These are the Integrated Planning Framework and Guidelines and the Human Resource and Change Management Plan.

Legislation

At my invitation, the Western Australian Local Government Association (WALGA) and Local Government Managers Australia (WA Division) (LGMA) are currently seeking the sector's response to the first list of proposed legislative changes which the Government proposes to introduce in 2011. I encourage each local government to provide a response on these proposals.

In 2011, I will be seeking further legislative changes and will be discussing these with both WALGA and LGMA early in the process of making those changes. I will also be seeking sector wide comments on these.

Proposals for Local Government Subsidiaries/Enterprises and Rating of Independent Living Units

The Department is currently engaged with WALGA and LGMA, together with industry stakeholders, to work through each of these important issues and to provide me with recommendations.

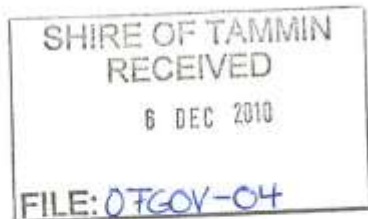
Finally, I would like to take this opportunity to wish you all a happy and safe festive season.



G M (John) Castrilli MLA
**MINISTER FOR LOCAL GOVERNMENT; HERITAGE;
CITIZENSHIP AND MULTICULTURAL INTERESTS**

2 December 2010

Tammin Shire received on 6 December 2010 the following letter



Your ref:
Our ref: DEC9649
Enquiries: Jennie Anderton
Direct tel: (08) 6467 5130

Mr Frank Peczka
Chief Executive Officer
PO Box 53
TAMMIN
WA 6409

Dear Mr Peczka

NEW UNLAWFUL DUMPING LEGISLATION

On 24 November 2010 the new offence of unlawful dumping became law under s49A of the *Environmental Protection Act 1986*.

This now allows officers authorised under the Act to prosecute illegal dumping with maximum penalties of \$62,500 for individuals and \$125,000 for corporations. This new offence is a Tier 2 offence and thus does not have a modified penalty associated with it. Local governments will be able to obtain approval from the Department of Environment and Conservation (DEC) for their officers to prosecute using this new legislation.

The good news for local governments is that as well as being able to claim costs, the penalties from successful prosecutions can be returned to local government funds under the *Sentencing Act 1995*.

Keep Australia Beautiful Council (KABC) would like to encourage all local governments to allow authorisation of their Rangers and Environmental Health Officers to ensure an ability to use this legislation in the fight against the growing problem of illegal dumping.

For local government officers to gain authorisation and to assist them with investigation and application of this new legislation, DEC will run training sessions early in 2011.

Keep Australia Beautiful Council (WA) Inc
ABN 71 028 403 965
Postal Address: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
Tel 1300 766 541 E-mail kabc@dec.wa.gov.au Website www.kabc.wa.gov.au



Department of
Environment and Conservation



Thu 18 November, 2010

Hefty fines for illegal dumping approved by State Parliament

Portfolio: Environment

Tough new penalties for illegal dumping of waste in Western Australia were passed by State Parliament this week.

Environment Minister Donna Faragher said the Environmental Protection Amendment Bill 2010 would have a significant impact on illegal dumping.

"A major objective of the new law is to prevent the dumping of trailer-loads of waste in nature reserves, State forests and other publicly-accessible areas on the outskirts of cities and towns," Mrs Faragher said.

"Anyone who illegally dumps waste will face hefty fines of up to \$62,500 for individuals and \$125,000 for corporations, providing a very significant deterrent against dumping, and encouraging waste minimisation and recycling."

The Minister said fines for dumping were previously limited to a maximum of \$1,000 under the Litter Act, for minor littering and bill posting.

"The penalties under the Litter Act will still apply to actions that involve the depositing of very small quantities of non-harmful material, such as dropping food wrapping or papers," she said.

"However, under the amendments to the Environmental Protection Act, serious acts of illegal dumping, including small quantities of materials that pose an environmental hazard or large quantities of innocuous materials, will be penalised accordingly."

Permission to Prosecute Unlawful Dumping

Permission to prosecute under 49A Section 49A EP Act 1986 – Unlawful Dumping

Any Local Government Authority CEO wishing to prosecute under section 49A of the *Environmental Protection Act 1986* must seek the authority to commence a prosecution from the Director General of the Department of Environment and Conservation (DEC).

This can be done by:

1. Providing a written request seeking authorisation from the Director General to prosecute addressed to the Director Environmental Enforcement Unit Department of Environment and Conservation, Locked bag 104, Bentley DC WA 6983. The request is to include:
 - a. A summary of facts about the incident or subject of the proposed prosecution – details such as locality, description of dumping, materials or items, possible times and
 - b. A copy of the brief of evidence including relevant photographic and documentary exhibits.

IB 8 Cooinda – Thank you note (ORGL-19)

Tammin Shire received on 6 December 2010 the following letter

TAMMIN ECONOMY SHOP COOINDA ASSN. (INC.)
DONNAN ST TAMMIN 6409

Dec 1st 2010

Mr G Stanley,
C.E.O. Tammin Shire Council,
Tammin 6409



Dear Mr Stanley and Councillors,

I am writing on behalf of the Committee and members of the Tammin Economy Shop Cooinda Assn, to thank you for your contribution of \$5000 to assist with the wages for Mrs Harrison and her assistant.

The shop has continued to supply the people of Tammin and surrounding towns with low cost goods, and has Administered Relief funds from Lotterywest and Family and Children's Services to families in need.

We also have many local elderly residents regularly calling in for morning tea and a chat, and feel this contact is very important.

The support this Organisation has received from the Council this year is very much appreciated.

Yours sincerely
Lyn Shaw
How wages officer.

Tammin Shire received on 30 November 2010 the following letter



OFFICE OF CRIME PREVENTION
WESTERN AUSTRALIA POLICE

**ASSISTANT DIRECTOR
OFFICE OF CRIME PREVENTION**

Your Ref:
Our Ref: IPFUNS121011
Enquiries: 9222 9774

LEVEL 5 197 ST GEORGES TCE
WESTERN AUSTRALIA 6000
TELEPHONE (08) 9222 9733



Mr Graham Stanley
Chief Executive Officer
Shire of Tammin
PO Box 53
TAMMIN WA 6409

Attention: Tanya Greenwood

Dear Mr Stanley

INDIGENOUS PARTNERSHIP FUND 2010

I refer to your application requesting a grant of \$20,000 under the Indigenous Partnership Fund (September 2010 round) for the *Trainee Aboriginal Youth Development Officer* project.

Unfortunately, your application has been unsuccessful on this occasion. Selection was very competitive given the number and quality of applications received and the funding available. The Funding Advisory Committee recognised the benefits of the project, however, in comparison to other applications, your application did not rank as a high priority.

Thank you for your interest in the Indigenous Partnership Fund. If you require any further information, please contact Lynne Conroy, Grants Officer, on 9222 9774.

Yours sincerely

DAVID WRAY
ASSISTANT DIRECTOR
OFFICE OF CRIME PREVENTION
STRATEGY AND PERFORMANCE

17 November 2010

Mission Statement: "To enhance the quality of life and wellbeing of all people in Western Australia by contributing to making our State a safe and secure place."

IB 10 Disability Services Commission – Strategic plan 2011-2015 (OSGOV-41

Tammin Shire received on 19 November 2010 the following letter
A copy of the strategic plan will be tabled at the meeting.

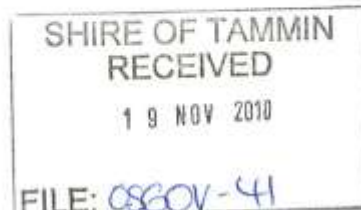


Government of Western Australia
Disability Services Commission



Our ref:
Enquiries: Ron Chalmers
Contact: (08) 9426 9250

Mr Graham Stanley
Chief Executive Officer
Shire of Tammin
PO Box 53
TAMMIN WA 6409



Dear Mr Stanley

I am writing to advise you that the Disability Services Commission Strategic Plan 2011-2015 has been completed and was launched to Commission staff on 15 November.

The plan sets out strategic directions for the Commission's work over the next five years integrating key priorities from Count me In: Disability Future Directions, the strategic directions of the West Australian government, the National Disability Agreement, the National Disability Strategy and the United Nations Convention on the Rights of Persons with Disabilities.

The plan's five strategic directions emphasise:

- people with disability, their families and carers at the centre of decision making and being supported in leadership and decision-making roles
- fostering communities which embrace people with disability, their families and carers
- building increased availability and choice of personalised supports and services
- creating the best blend of supports and services within the disability services sector
- working collaboratively with communities, businesses and all levels of government to provide an integrated response to disability issues.

The long term plan for disability in Western Australia, Count Me In: Disability Future Directions is likely to be of most value to local governments in relation to understanding the future priorities and challenges for people with disability, their families and carers. The Strategic Plan, however, outlines how the Commission has integrated Count Me In priorities with those of other significant initiatives to progress key priorities over the coming five years.

I look forward to forging stronger relationships as we address common priorities and seek to build more responsive and contemporary communities across Western Australia.

A copy of the plan is enclosed. Please do not hesitate to contact me or Kerry Stopher, Manager Disability Future Directions, if you have any queries. Kerry can be contacted on e-mail kerry.stopher@dsc.wa.gov.au or by phoning 9426 9296.

Yours sincerely

Dr Ron Chalmers
Director General
Disability Services Commission

16 November 2010

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