

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President Cr Stokes declared the meeting open at 2.22 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

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 – 21 October 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 21 October 2010 be confirmed as a true and correct record.

Simple Majority Required

MIN 095/10 MOTION – MOVED Cr Jefferies seconded Cr Caffell

That the minutes of the Ordinary Council meeting held on 21 October 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 – Regional Transition Group Meeting at Beverley 11th November

Cr R. Stokes gave a report on the South East Avon Regional Transition Group Meeting held in Beverley that he attended along with Cr B Stokes and the CEO. The main issue discussed at the meeting was the representation from each ward should a full amalgamation proceed after the business plan has been completed and subsequent processes have been followed. Cunderdin spoke very strongly about the need for the representation to ensure that no two councils can dominate the new Council. Their belief was that the best way to achieve this is for Tammin to have 1 vote, Cunderdin, Quairading and Beverley to have 2 votes each and York to have three votes. In this way it will require the combined votes of at least three councils to have a majority. Beverley and York both were adamant that to achieve a "fairer" representation for their constituents they required a greater number of elected representatives to come from their shires. Cunderdin, Quairading and Tammin all indicated their preferences for the membership of 10 as outlined by Cunderdin. It was agreed to leave the matter of representation until the Business plan had been completed.

10.2 Cr S Jefferies – Meeting with Community Development Officer

Cr Jefferies reported that he met with the Community Development Officer regarding the Events Committee and trying to increase usage of the Kep.

10.3 Cr L. Caffell WE-ROC Meeting Wed 27th Oct 2010

L.G. Grain Infrastructure Group – Stan McDonnell

- there are 2 maps re-roads used what CBH would like used
- Cardno Consultants have been working on it
- We need to get the Yorkrakine Bin to Tammin road highlighted on the maps

Health MOU Group – Ken Hooper

- Incidences in Northam have brought things to head re emergency departments.
- Number of doctors in Wheatbelt is worse than 3 years ago
- Yilgarn is still struggling with GP's. Wheatbelt GP's network is now handling the practice. The Lady doctor has indicated she would like to stay (Mon – Fri) fly in – fly out. This costs some serious \$.
- Invitation to Tim Free to next meeting.

Dry Season Thoughts:

Bruce Rock – audit of all businesses in the area, with a website of resources available in the area,

maybe businesses from city can outsource works i.e. engineering, trucking, truck bodies

- Wheatbelt business network

Tammin – Register set up for casual truck / loader driver etc.

An idea from the city – Rates paid to be refunded with the tab picked up by Government

- Subsidising apprentices.

Helen to put ideas to:

- WALGA
- Wheatbelt Development Commission
- Dry Season Advisory Committee – Dexter Davies

Executive Meeting to prepare discussion paper on future of WEROC.

11. AGENDA ITEMS

- 11.1 List of Payments October 2010 (FIN-05)
- 11.2 Financial Report to 31 October 2010 (FIN-05)
- 11.3 Ordinary Council Meeting Dates for 2011(ADM-41)
- 11.4 Festive Season Arrangements
- 11.5 Request to change date of December Ordinary Council Meeting (ADM-41)

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 Tender 03/10 Replacement of Case front End Loader (Tender 03/10)
- 13.2 Tender 2010-04 Road Priming and Resealing Works (Tenders 04/10)
- 13.3 Development Application for Extractive Industry - Doongin Peak Road (ASS220)
- 13.4 Invitation for Shire of Tammin to Join SEAVROC and Future Participation in WE-ROC
- 13.5 Bush Fire Control Officer Appointments

14. CLOSURE OF MEEETING

11. AGENDA ITEMS

11.1 List of Payments October 2010 (FIN-05)

Author – Jenny Gemund, Administration Officer, 12 November 2010 Interest – Nil

BACKGROUND

Accounts paid for October 2010 is listed totalling:

Cheque numbers	003863 - 003871*	
	003873 - 003948	\$91495.63
Direct debit payments	01.10. – 31.10.2010	\$12445.90
Licensing transfers	01.10. – 31.10.2010	\$16697.40
Bank fees	01.10. – 31.10.2010	\$270.16
VISA payments	01.10. – 31.10.2010	\$257.35
EFT payments	01.10. – 31.10.2010	\$39667.49
Total payments		\$160833.93

* Cheque 003872 was included in September's payments list as a BAS payment

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 October 2010 as follows:

Cheque numbers	003863 - 003871*	
	003873 - 003948	\$91495.63
Direct debit payments	01.10. – 31.10.2010	\$12445.90
Licensing transfers	01.10. – 31.10.2010	\$16697.40
Bank fees	01.10. – 31.10.2010	\$270.16
VISA payments	01.10. – 31.10.2010	\$257.35
EFT payments	01.10. – 31.10.2010	\$39667.49
Total payments		\$160833.93

* Cheque 003872 was included in September's payments list as a BAS payment

be endorsed.

Simple Majority Required

MIN 096/10 MOTION – MOVED Cr Uppill seconded Cr B Stokes

That the list of accounts period for October 2010 as follows:

Cheque numbers	003863 - 003871*	
	003873 - 003948	\$91495.63
Direct debit payments	01.10. – 31.10.2010	\$12445.90
Licensing transfers	01.10. – 31.10.2010	\$16697.40
Bank fees	01.10. – 31.10.2010	\$270.16
VISA payments	01.10. – 31.10.2010	\$257.35
EFT payments	01.10. – 31.10.2010	\$39667.49
Total payments		\$160833.93

be endorsed.

CARRIED 6/0

11.2 Financial Report to 31 October 2010 (FIN-05)

Author – MT Henry, Senior Finance Officer, 11 November 2010 Interest – Nil

BACKGROUND

The Monthly Financial Report to 31st October 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 October 2010 be received.

Simple Majority Required

MIN 097/10 MOTION – MOVED Cr Uppill seconded Cr Greenwood

That the Financial Report for October 2010 be received.

CARRIED 6/0

11.3 Ordinary Council Meeting Dates for 2011(ADM-41)

Author – Graham Stanley, CEO, 28 October 2010 Interest – Nil

PREVIOUS REFERENCE

Items 11.8 -15 February 2007, 12.2 – 15 November 2008 and 11.1 - 19 November 2009 refer.

BACKGROUND

Council is required under legislation, to advertise its Ordinary meeting dates, time and place, once a year.

Meeting dates for Ordinary Council meetings were changed by Council in March 2006 to the third Thursday of the month commencing at 2pm (public question time 2.15pm) with Councillor briefing sessions commencing at 1pm. This schedule was confirmed by Council in February 2007 and again in November 2008 and 2009.

COMMENT

From Staff's perspective, the third Thursday of the month has worked well. There are no clashes of the third Thursday of the month with any public holidays in 2010 although Good Friday falls on Friday 22nd April which would be the day after the April Council meeting. As some Councillors may wish to get away early for Easter it is suggested that the April Council Meeting be held a week earlier on Thursday 14th April 2011. No Council committees have delegated powers therefore they are not required to be open to the public and as they also don't have regular meeting dates they are not required to be advertised.

Council may also wish to continue holding an annual Council meeting at Yorkrakine. In 2010 the September meeting was held at Yorkrakine.

FINANCIAL IMPLICATIONS

Cost of local advertising of Council meeting times.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

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

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

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Section 5.24 of the Local Government Act provides that:

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

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

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

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

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

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION 1

That the Ordinary Meetings of Council in 2011 be held in the Council Chambers at 1 Donnan Street Tammin, with the exception of the September Ordinary Meeting of Council to be held at the Yorkrakine Hall 2759 Bungulla North Road, on the following dates with the meeting commencing at 2pm (public question time commencing at 2.15pm) with a Councillor briefing session preceding the meeting and commencing at 1pm. Further, that these dates be advertised in accordance with Regulation 12 of the Local Government (Administration) Regulations.

January 2011

No Ordinary Council Meeting to be held

17 February 2011

17 March 2011

14 April 2011

19th May 2011

16th June 2011

21st July 2011

18th August 2011

15th September 2011 Yorkrakine Hall

20th October 2011

17th November 2011

15th December 2011

Simple Majority Required

MIN 098/10 MOTION – MOVED Cr B Stokes seconded Cr Jefferies

That the Ordinary Meetings of Council in 2011 be held in the Council Chambers at 1 Donnan Street Tammin, with the exception of the September Ordinary Meeting of Council to be held at the Yorkrakine Hall 2759 Bungulla North Road, on the following dates with the meeting commencing at 2pm (public question time commencing at 2.15pm) with a Councillor briefing session preceding the meeting and commencing at 1pm. Further, that these dates be advertised in accordance with Regulation 12 of the Local Government (Administration) Regulations.

January 2011	No Ordinary Council Meeting to be held
17 February 2011	
17 March 2011	
14 April 2011	
19 th May 2011	
16 th June 2011	
21 st July 2011	
18 th August 2011	
15 th September 2011	Yorkrakine Hall
20 th October 2011	
17 th November 2011	
15 th December 2011	

CARRIED 6/0

11.4 Festive Season Arrangements

Author – Graham Stanley, CEO, 12 November 2010 Interest – Nil

PREVIOUS REFERENCE

Item 12.6 – 15 November 2007, Item 11.16 – 20 November 2008 and Item 11.2 19 November 2009.

BACKGROUND

It is appropriate that Council provides direction in relation to arrangements required over the festive season.

This year, Christmas Day (25 December 2010) falls on a Saturday.

The third Thursday (Ordinary Council meeting date) falls on 16 December 2010.

In 2009 Council held Christmas celebrations with Staff and partners at Donnan Park on 11 December. The function was self-catered (with contributions from some Councillors).

COMMENT

It is proposed that the Shire of Tammin (inside and outside Staff) operations will cease on Thursday 23 December 2010 and recommence on Tuesday, 4 January 2011.

It is proposed that an appropriate date to hold the celebrations would be Friday 10 December 2010. It is suggested that this year Council considers using the new facilities at the lesser hall, kitchen and alfresco in conjunction with the Memorial Park.

FINANCIAL IMPLICATIONS

Provision is included in Account E041035

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

- 1 That the Shire of Tammin's Christmas celebrations be a self-catered function at the Lesser Hall/Memorial Park, and that the date be set as Friday 10 December 2010.
- 2 That the Shire Office be closed from close of business on Thursday 23rd December 2010 and reopen 8.30am Tuesday 4th January 2011.

Simple Majority Required

MIN 099/10 MOTION – MOVED Cr Jefferies seconded Cr Caffell

- 1 That the Shire of Tammin's Christmas celebrations be a self-catered function at the Lesser Hall/Memorial Park, and that the date be set as Friday 10 December 2010.
- 2 That the Shire Office be closed from close of business on Thursday 23rd December 2010 and reopen 8.30am Tuesday 4th January 2011.

CARRIED 6/0

11.5 Request to change date of December Ordinary Council Meeting (ADM-41)

Author – Graham Stanley, CEO, 12 November 2010 Interest – Impartiality (Member of WA Cricket Association)

PREVIOUS REFERENCE

Nil.

BACKGROUND

Cr Scott Uppill has requested that Council gives consideration to changing the date that the December 2010 Ordinary Meeting of Council is held from 16th December to either Tuesday 14th December or Wednesday 15th December 2010. The reason for the change is that the opening day of the Ashes test match is being held at the Western Australian Cricket Association Ground (WACA) on Thursday 16th December and Cr Uppill was intending to attend the test match.

COMMENT

I have circulated members advising of this request and Councillors Bernard Stokes, Stephen Jefferies, Louise Caffell and Michael Greenwood have either supported the change or indicated that they have no objection to the change of date. Two councillors indicated Wednesday 15th as the preferred date.

FINANCIAL IMPLICATIONS

Cost of advertising change of meeting date via public notice.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

(1) Without limiting the generality of section 9.59, regulations may make provision in relation to —

(g) the giving of public notice of the date and agenda for council or committee meetings;

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

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

(3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.

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

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council holds the December Ordinary Meeting of Council on Wednesday 15th December 2010 commencing at 2pm in the Council Chambers at 1 Donnan Street Tammin and that the change of meeting date be advertised as required by the Local Government Act.

Simple Majority Required

MIN 100/10 MOTION – MOVED Cr B Stokes seconded Cr Jefferies

That Council holds the December Ordinary Meeting of Council on Wednesday 15th December 2010 commencing at 2pm in the Council Chambers at 1 Donnan Street Tammin and that the change of meeting date be advertised as required by the Local Government Act.

CARRIED 6/0

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

Nil

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

That items 13.1, 13.2, 13.3, 13.4 and 13.5 of urgent business be considered.

MIN 101/10 MOTION – MOVED Cr R Stokes seconded Cr Uppill

That items 13.1, 13.2 and 13.3, 13.4 and 13.5 of urgent business be considered.

CARRIED 6/0

13.1 Tender 03/10 Replacement of Case front End Loader (Tender 03/10)

Author – Graham Stanley, CEO, 14th November 2010 Interest – Nil

PREVIOUS REFERENCE

Item 11.5 -16 September 2010 and 11.6 – 21 October 2010 refer.

BACKGROUND

The 2010/11 budget includes a provision to replace the 1997 Case 621B front end loader. At the September 2010 meeting Council resolved to call tenders for the replacement of the loader. Tenders were called and at the October 2010 Council delegated to a committee made up of Cr Rodney Stokes, Cr Scott Uppill and the CEO to further investigate a shortlist of three loaders and award a tender. The loaders being considered were the Liugong 856 and Liugong 856 Series III and the JCB 426HT.

COMMENT

The Liugong loaders are supplied by Baxter's Rural Centre of Cunderdin. Recently the Shire of Kellerberrin purchased a Liugong 856 after having hired one for a number of months. They were impressed by its performance. Councillors Stokes and Uppill undertook further investigations and indicated that they were satisfied that the Liugong represented best value to the Shire and the loader's performance more than met the Shire's requirements.

Council's works staff inspected Kellerberrin's new loader and tested it out in a gravel pit. They provided valuable feedback to the committee. One of the negatives with the Liugong 856 was that the engine bonnet requires manual cranking to raise it to allow inspection of the oil and water which should be done on a daily basis. There is an increased danger that operators may skip these checks more frequently than would be the case if the inspection process was easier. The 856 Series 3 overcomes this by having an electric lift for the bonnet.

The changeover price of the Liugong 856 is \$134,000 plus GST. The changeover Liugong 856 Series III is \$28,500 more expensive than the 856 at \$162,500 plus GST. The Series 3 is an updated model on the 856. It has a heavier operating weight (18,000 kg compared to 16,800 kg), slightly more horsepower and torque, a larger fuel tank (310L compared to 280L) and meets tier 3 emissions control standards. Importantly it incorporates an automatic lubricating system, has better sound insulation of the cab and engine bay resulting in the noise reading in the cab being reduced from 85 decibels to 75 decibels and the external sound rating being reduced by 9 decibels. It also has an improved braking system and improved switching and readouts in the cab. It was the opinion of the committee that the newer machine represents the best value to the Shire. As it would require for a formal committee meeting to be held to award the tender the committee has decided that it would be easier for this report to be put to the Council meeting on 18th November 2010.

FINANCIAL IMPLICATIONS

The 2010/11 budget has a provision of \$235,000 for the purchase of the replacement machine and income of \$20,000 from the trade of the old loader. This gives a net changeover of \$215,000. The recommended tender has the following net of GST prices: New Loader \$187,500; Trade in \$25,000; net Changeover \$162,500. The resultant cash saving on budget is \$52,500.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

The Local Government Act 1995 Section 3.57. Tenders for providing goods or services States:

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders.*

The Local Government (Functions and General) Regulations 1995 state:

11. Tenders to be invited for certain contracts

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;*
 - (ba) the local government intends to enter into a contract arrangement for the supply of goods or services where —*
 - (i) the supplier is either —*
 - (I) an individual whose last employer was the local government; or*
 - (II) a group, partnership or company comprising at least 75% of persons whose last employer was that local government;*
 - (ii) the contract —*
 - (I) is the first contract of that nature with that individual or group; and*
 - (II) is not to operate for more than 3 years;**and*
 - (iii) the goods or services are —*
 - (I) goods or services of a type; or*
 - (II) (in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type,*
that were provided by the individual (or persons) whilst employed by the local government;
 - (c) within the last 6 months —*
 - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications; or*
 - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*
 - (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government;*
 - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government;*
 - (ea) the goods or services are to be supplied —*

- (i) *in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
- (ii) *by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
- (f) *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
- (g) *the goods to be supplied under the contract are —*
 - (i) *petrol or oil; or*
 - (ii) *any other liquid, or any gas, used for internal combustion engines.*

18. *Choice of tender*

- (1) *A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.*
- (2) *A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.*
- (3) *If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.*
- (4) *Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them it thinks it would be most advantageous to the local government to accept.*
- (4a) *To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.*
- (5) *The local government may decline to accept any tender.*
- (6) *If a local government has accepted a tender but acceptance of the tender does not create a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree not to enter into a contract in relation to the tender, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.*
- (7) *If a local government has accepted a tender and acceptance of the tender creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.*

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Replacement of major plant forms part of the future plan.

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council accepts the tender from Baxter's Rural Centre to supply a Liugong 856 Series III articulated wheel loader for \$206,250 inc GST Less trade in of 1996 Case 621B articulated wheel loader, \$27,500 inc GST = changeover of \$178,750 inc GST (\$162,500 net of GST)

Simple Majority Required

MIN 102/10 MOTION – MOVED Cr Uppill seconded Cr Caffell

That Council accepts the tender from Baxter's Rural Centre to supply a Liugong 856 Series III articulated wheel loader for \$206,250 inc GST Less trade in of 1996 Case 621B articulated wheel loader, \$27,500 inc GST = changeover of \$178,750 inc GST (\$162,500 net of GST)

CARRIED 6/0

13.2 Tender 2010-04 Road Priming and Resealing Works (Tenders 04/10)

Author – Graham Stanley, CEO, 18 November 2010 Interest – Nil

PREVIOUS REFERENCE

Nil.

BACKGROUND

Council's road sealing program for 2010/11 is likely to be in excess of \$100,000 in value for the supply, spraying of bitumen and spreading of aggregate thus in accord with the Local Government Act and Functions and General Regulations we are required to call tenders. Tenders were called and closed at 9am on 18th November 2010.

COMMENT

Only three tenders were received with the best price having been received from Boral Asphalt (WA). Their total price is almost \$20,000 below their nearest competitor. Boral Asphalt (WA) is one of the major road sealing contractors in Western Australia having supplied their services to many Councils including Tammin in the past and are regular contractors to Main Roads WA. Due to their size they have the capacity to meet Tammin's requirements.

FINANCIAL IMPLICATIONS

Within 2010/11 budget allowances.

POLICY IMPLICATIONS

The Shire's purchasing policy requires the calling of tenders for the purchase of goods and services in excess of \$100,000

STATUTORY ENVIRONMENT

The Local Government Act 1995 Section 3.57. Tenders for providing goods or services States:

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

The Local Government (Functions and General) Regulations 1995 state:

11. Tenders to be invited for certain contracts

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
 - (b) *the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;*
 - (ba) *the local government intends to enter into a contract arrangement for the supply of goods or services where —*
 - (i) *the supplier is either —*
 - (I) *an individual whose last employer was the local government; or*
 - (II) *a group, partnership or company comprising at least 75% of persons whose last employer was that local government;*

- (ii) *the contract —*
 - (I) *is the first contract of that nature with that individual or group; and*
 - (II) *is not to operate for more than 3 years;**and*
- (iii) *the goods or services are —*
 - (I) *goods or services of a type; or*
 - (II) *(in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type,*
that were provided by the individual (or persons) whilst employed by the local government;
- (c) *within the last 6 months —*
 - (i) *the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications; or*
 - (ii) *the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*
- (d) *the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government;*
- (e) *the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government;*
- (ea) *the goods or services are to be supplied —*
 - (i) *in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
 - (ii) *by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
- (f) *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
- (g) *the goods to be supplied under the contract are —*
 - (i) *petrol or oil; or*
 - (ii) *any other liquid, or any gas, used for internal combustion engines.*

18. *Choice of tender*

- (1) *A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.*
- (2) *A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.*
- (3) *If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.*
- (4) *Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which*

each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them it thinks it would be most advantageous to the local government to accept.

(4a) To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.

(5) The local government may decline to accept any tender.

(6) If a local government has accepted a tender but acceptance of the tender does not create a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree not to enter into a contract in relation to the tender, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.

(7) If a local government has accepted a tender and acceptance of the tender creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council accepts the tender from Boral Asphalt (WA) for the provision of Road Prime and Resealing work in the Shire of Tammin for the 2010/11 financial year.

Simple Majority Required

MIN 103/10 MOTION – MOVED Cr Uppill seconded Cr R Stokes

That Council accepts the tender from Boral Asphalt (WA) for the provision of Road Prime and Resealing work in the Shire of Tammin for the 2010/11 financial year.

CARRIED 6/0

13.3 Development Application for Extractive Industry - Doongin Peak Road (ASS220)

Author – Graham Stanley, CEO, 18 November 2010 Interest – Nil

PREVIOUS REFERENCE

Nil

BACKGROUND

Mr Tony York of Anameka Farms currently has a sand pit on his property Avon Locations 19489 and 20407 off Doongin Peak Road that the Shire has used for municipal purposes. Recently he has been approached by the contractor building the footings for the Merredin wind farm to provide sand for concrete making purposes. The sand is being sought because its properties meet the specification requirements and it is the closest suitable source of sand of this quality.

Because commercial quantities will be required Mr York is seeking development approval and an extractive industries licence from the Shire. Public notice of the application has been advertised seeking comment and the submission period closed 10am on Thursday 18th November 2010. At the close of business no comment had been received.

COMMENT

The main issues arising from the application for the extractive industry and the possible future granting of an Extractive Industry Licence, are discussed as follows:

Effect on Local Amenity and Adjoining Landowners

Extractive industries in general may have an impact on local amenity and adjoining landowners. It is the officer's opinion, however, that the proposed sand extraction area is of a size which is expected to not generate significant impact to the local amenity and that the machinery and general operation of the proposed sand extraction will pose little negative impact on the local amenity.

It is considered that adjoining landowners are of a sufficient distance to enable the extractive industry to be undertaken with little impact. Further, as the extractive industry is proposed to be undertaken for a limited period of time (2 – 3 years) at the proposed maximum depth of 2 metres, it is not considered to have a long lasting detrimental impact on the local amenity and adjoining landowners.

Vehicle Movements

The extractive industry activities are proposed to be utilising approximately 6 vehicle movements per day (i.e. 3 in and 3 out).

It is considered that the type and number of vehicle movements is appropriate and expected not to have a significant detrimental effect to the locality, landowners or to the road infrastructure.

Conclusion

The proposed sand extraction area is considered to be comparatively low scale as the area for extraction is approximately 2. ha and it is considered that sand extraction has lower negative impacts compared to gravel or hard rock quarrying.

The hours of operation will be required to be limited to exclude transportation activities during the hours of operation of the school bus service in the area.

The issue of road maintenance can be addressed by imposing conditions on the applicant to ensure a legal agreement is entered with the Shire of Tammin such that if significant

damage occurs to Shire owned roads, the applicant will be responsible for the remedial works necessary to those roads.

Although the extractive industry will be required to be monitored for compliance with conditions imposed, it is considered that the land use of an extractive industry for the purposes of sand extraction as applied for is an acceptable development for Avon Locations 19489 and 20407.

However, sufficient conditions will be required to be imposed to ensure the impact on the locality and adjoining landowners is kept to a minimum.

It is therefore recommended that approval should be granted for the land use of 'Industry – Extractive' (Sand Extraction) to occur on Avon Locations 19489 and 20407 subject to various conditions.

It is also recommended that once the conditions imposed on the approval for the land use of an extractive industry are met, an extractive industry licence be issued to allow the commencement of the mining activities on Avon locations 19489 and 20407.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Shire of Tammin Town Planning Scheme No. 1

The land use of an extractive industry ('Industry – Extractive') is an "AA" use (discretionary use) under the provisions of the Scheme.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Public Notice given. In excess of 21 day comment period allowed. no submissions were received.

STAFF RECOMMENDATION

That Council

1. Advise the Applicant that it grants planning consent for 'Industry –Extractive' (Sand Extraction) at Avon Locations 19489 and 20407, subject to the following conditions:

1.1. The extractive industry to substantially commence within twelve (12) months from the date of issue of planning consent for the land use and within six (6) months from the date of issue of an extractive industry licence. Should the extractive industry not commence within this time, the applicant be advised that a new application will be required to be made.

1.2. The land use of an extractive industry is valid for a period of 5 years at the expiration of which, application for the extension of the land use is required to be lodged with the local government for assessment.

2. Advise the applicant that the Shire of Tammin requires the following information to be submitted and approved prior to the issuing of an Extractive Industry Licence:

2.1. Evidence of public liability insurance policy being provided to the satisfaction of the Local government.

2.2. A legal agreement to the satisfaction of the Shire of Tammin be entered into to the effect that any damage sustained by any road under the jurisdiction of the Shire of Tammin as a result of the extractive industry will be remedied by the applicant at the expense of the applicant.

3. Delegates to the Chief Executive Officer the ability to issue an Extractive Industry Licence for Avon Locations 19489 and 20407 Doongin Peak Road Tammin approved in accordance with condition 2 above and subject to the following conditions:

3.1. The extractive industry shall be carried out and fully implemented in accordance with the details incorporated within the documentation endorsed with an "Approved" stamp by the local government and is attached to the Extractive Industry Licence.

3.2. The extractive industry licence is valid for a period of five (5) years subject to the payment of the relevant yearly renewal fee for that period. At the expiration of the five (5) year period, an application for the extension of the extractive industry licence is required to be submitted to the local government for assessment.

3.3. The excavation area is limited to the area shown on the approved plans to a maximum depth of 2 m from ground level to the satisfaction of the Local government.

3.4. Excavation is not permitted within 20 metres of any boundary of the property.

3.5. The applicant shall comply with the requirements of this Extractive Industry Licence at all times.

3.6. Hours of operations and movements of product transportation vehicles in or out of the property shall be limited to 07.00 to 19.00 hours, Monday to Saturday and transportation shall be along the route outlined in the application.

3.7. No transportation of product to occur during the hours of operation of the school bus along Doongin Peak Road or Lowes Road.

3.8. The facility is to operate in accordance with the requirements of Regulation 7 of the Environmental Protection (Noise) Regulations 1997. Should noise complaints be received it shall be the licensee's responsibility to employ a suitably qualified acoustic engineer to determine exceedance and remedies.

Where the requirements of Regulation 7 of the Environmental Protection (Noise) Regulations 1997 cannot be satisfied, the licensee shall seek approval for the operation, in accordance with Regulation 17, of the same.

3.9. Reversing alarms on vehicles and equipment must be managed on site to ensure they do not interfere with the amenity of nearby properties while complying with the Occupational Safety & Health Regulations 1996 and the Environmental Protection (Noise) Regulations 1997.

3.10. No blasting is to take place as part of the proposed extractive industry operation.

- 3.11. All trafficable areas shall be treated and maintained in a manner which prevents or minimises the generation of airborne dust to the satisfaction of the local government.**
- 3.12. A fence restricting vehicle and pedestrian access to the area identified for the operations of the quarry shall be constructed prior to the commencement of site works.**
- 3.13. Warning signs are to be placed along each of the boundaries of the area excavated under this licence which are no more than 200 metres apart, not less than 1.8m high and not less than 1 metre and bears the words "DANGER EXCAVATIONS KEEP OUT"**
- 3.14. A sign is to be located at all entrances to the property at all times to identify the sand extraction operator and a contact name and number of a responsible contact person for enquiries relating to the sand extraction operations.**
- 3.15. This extractive industry licence is valid for a period of five (5) years from the date of this approval. If development is not completed within this period, a new licence must be obtained before commencing or continuing development.**
- 3.16. Remnant vegetation outside of the excavation area is to be protected from the sand excavation operations and transport movements at all times.**
- 3.17. The site is to be rehabilitated using local endemic species or rehabilitated to the original agricultural use of the property to the satisfaction of the local government.**
- 3.18. Survey pegs are to be placed on site prior to commencement of operations in order to clearly delineate the boundaries of the excavation areas in accordance with the approved plans and the terms and conditions of this licence.**
- 3.19. A licensee shall have at all times a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation operations.**
- 3.20. The licensee shall provide to the local government a copy of the policy taken out under condition 3.26, within 14 days after the issue of that policy and shall provide to the local government evidence of renewal within 14 days of each renewal date.**
- 3.21. On or before 31 December in each year, a licensee shall pay to the local government the annual licence fee determined by the local government from time to time.**
- 3.22. A licensee who wishes to renew or extend a licence must apply in writing to the local government at least 45 days before the date of expiry of the licence and shall submit with the application for renewal:**
- (i) the fee determined by the local government from time to time;**
 - (ii) a copy of the current licence;**
 - (iii) a plan showing the contours of the excavation carried out to the date of that application;**
 - (iv) details of the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in the attached documentation report.**
- 3.23. No permit vehicles from this extractive industry are to pass onto any road**

under the control of the Shire of Tammin unless the appropriate local government and Main Roads approvals are in place.

Simple Majority Required

MIN 104/10 MOTION – MOVED Cr B Stokes seconded Cr Jefferies

That Council

1. Advise the Applicant that it grants planning consent for ‘Industry –Extractive’ (Sand Extraction) at Avon Locations 19489 and 20407, subject to the following conditions:

1.1. The extractive industry to substantially commence within twelve (12) months from the date of issue of planning consent for the land use and within six (6) months from the date of issue of an extractive industry licence. Should the extractive industry not commence within this time, the applicant be advised that a new application will be required to be made.

1.2. The land use of an extractive industry is valid for a period of 5 years at the expiration of which, application for the extension of the land use is required to be lodged with the local government for assessment.

2. Advise the applicant that the Shire of Tammin requires the following information to be submitted and approved prior to the issuing of an Extractive Industry Licence:

2.1. Evidence of public liability insurance policy being provided to the satisfaction of the Local government.

2.2. A legal agreement to the satisfaction of the Shire of Tammin be entered into to the effect that any damage sustained by any road under the jurisdiction of the Shire of Tammin as a result of the extractive industry will be remedied by the applicant at the expense of the applicant.

3. Delegates to the Chief Executive Officer the ability to issue an Extractive Industry Licence for Avon Locations 19489 and 20407 Doongin Peak Road Tammin approved in accordance with condition 2 above and subject to the following conditions:

3.1. The extractive industry shall be carried out and fully implemented in accordance with the details incorporated within the documentation endorsed with an “Approved” stamp by the local government and is attached to the Extractive Industry Licence.

3.2. The extractive industry licence is valid for a period of five (5) years subject to the payment of the relevant yearly renewal fee for that period. At the expiration of the five (5) year period, an application for the extension of the extractive industry licence is required to be submitted to the local government for assessment.

3.3. The excavation area is limited to the area shown on the approved plans to a maximum depth of 2 m from ground level to the satisfaction of the Local government.

3.4. Excavation is not permitted within 20 metres of any boundary of the property.

3.5. The applicant shall comply with the requirements of this Extractive Industry Licence at all times.

3.6. Hours of operations and movements of product transportation vehicles in or out of the property shall be limited to 07.00 to 19.00 hours, Monday to Saturday and transportation shall be along the route outlined in the application.

3.7. No transportation of product to occur during the hours of operation of the school bus along Doongin Peak Road or Lowes Road.

3.8. The facility is to operate in accordance with the requirements of Regulation 7 of the Environmental Protection (Noise) Regulations 1997. Should noise complaints be received it shall be the licensee's responsibility to employ a suitably qualified acoustic engineer to determine exceedance and remedies.

Where the requirements of Regulation 7 of the Environmental Protection (Noise) Regulations 1997 cannot be satisfied, the licensee shall seek approval for the operation, in accordance with Regulation 17, of the same.

3.9. Reversing alarms on vehicles and equipment must be managed on site to ensure they do not interfere with the amenity of nearby properties while complying with the Occupational Safety & Health Regulations 1996 and the Environmental Protection (Noise) Regulations 1997.

3.10. No blasting is to take place as part of the proposed extractive industry operation.

3.11. All trafficable areas shall be treated and maintained in a manner which prevents or minimises the generation of airborne dust to the satisfaction of the local government.

3.12. A fence restricting vehicle and pedestrian access to the area identified for the operations of the quarry shall be constructed prior to the commencement of site works.

3.13. Warning signs are to be placed along each of the boundaries of the area excavated under this licence which are no more than 200 metres apart, not less than 1.8m high and not less than 1 metre and bears the words "DANGER EXCAVATIONS KEEP OUT"

3.14. A sign is to be located at all entrances to the property at all times to identify the sand extraction operator and a contact name and number of a responsible contact person for enquiries relating to the sand extraction operations.

3.15. This extractive industry licence is valid for a period of five (5) years from the date of this approval. If development is not completed within this period, a new licence must be obtained before commencing or continuing development.

3.16. Remnant vegetation outside of the excavation area is to be protected from the sand excavation operations and transport movements at all times.

3.17. The site is to be rehabilitated using local endemic species or rehabilitated to the original agricultural use of the property to the satisfaction of the local government.

3.18. Survey pegs are to be placed on site prior to commencement of operations in order to clearly delineate the boundaries of the excavation areas in accordance with the approved plans and the terms and conditions of this licence.

3.19. A licensee shall have at all times a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the

licensee and the local government for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation operations.

3.20. The licensee shall provide to the local government a copy of the policy taken out under condition 3.26, within 14 days after the issue of that policy and shall provide to the local government evidence of renewal within 14 days of each renewal date.

3.21. On or before 31 December in each year, a licensee shall pay to the local government the annual licence fee determined by the local government from time to time.

3.22. A licensee who wishes to renew or extend a licence must apply in writing to the local government at least 45 days before the date of expiry of the licence and shall submit with the application for renewal:

- (i) the fee determined by the local government from time to time;***
- (ii) a copy of the current licence;***
- (iii) a plan showing the contours of the excavation carried out to the date of that application;***
- (iv) details of the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in the attached documentation report.***

3.23. No permit vehicles from this extractive industry are to pass onto any road under the control of the Shire of Tammin unless the appropriate local government and Main Roads approvals are in place.

CARRIED 6/0

13.4 Invitation for Shire of Tammin to Join SEAVROC and Future Participation in WE-ROC

Author – Graham Stanley, CEO, 18 November 2010 Interest – Nil

BACKGROUND

The Executive Officer of SEAVROC Mr Dominic Carbone has written to Council advising the following:

“The Executive Committee of SEAVROC at its meeting held on 2 September 2010 resolved as follows:

- (a) SEAVROC continue to operate as a political lobby on behalf of the Member Local Governments, and by direction in terms of the issues of concern.*
- (b) An invitation be extended to the Shires of Pingelly and Tammin for membership to SEAVROC.*

The committee gave consideration to the membership of SEAVROC and the linkage to the respective RTG's in the region involving SEAVROC Member Local Governments and the involvement of the Shires of Tammin and Pingelly in this regard. Accordingly the Executive Committee has extended an invitation to the Shires of Pingelly and Tammin for membership of SEAVROC.

It would be appreciated if you could inform me of your council's intention in relation to the invitation to join SEAVROC.”

In conjunction with consideration of SEAVROC's invitation to join Council also needs to consider its future in relationship to its membership of WE-ROC. Informally, Council has indicated that it wishes to withdraw from WE-ROC at the end of this financial year. The Memorandum of Understanding (MOU) that Council has signed along with the other members of WE-ROC expires at 30th June 2011. Clause 9 of the WE-ROC MOU covers the withdrawal of Members and notice must be given before 31st December of a member Council's intention to withdraw and that withdrawal is to take place on 30th June in the following year.

COMMENT

Tammin has previously applied to join SEAVROC and on two occasions that was considered by the SEAVROC member Councils of Beverley, Brookton, Cunderdin, Quairading and York and on both occasions Tammin's application was rejected because it requires the unanimous vote of the member Councils and both Beverley and Brookton voted against Tammin's entry. Now following the formation of the South East Avon Regional Transition Group which consists of Beverley, Cunderdin, Quairading, Tammin and York; and the Brookton-Pingelly RTG SEAVROC has decided to invite the Councils who are members of the two RTG's but not SEAVROC members to join. As Tammin is now part of SEARTG and its interests will lie with the other four members who are also members of SEAVROC it makes sense for us to be part of SEAVROC. In addition we have nominated the RTG as our preferred regional grouping for the regional component of the Country Local Government Fund instead of WE-ROC. We have clearly indicated that we see our future interests laying to the west of us and it seems logical and also a show of good faith to our partners in SEARTG that we join SEAVROC.

If we become a member of SEAVROC and as a member of SEARTG we will have plenty of issues to deal with in the coming year. Remaining a member of WE-ROC will divert our attention from the important tasks that we have ahead of us so there seems little point on continuing as a member of WE-ROC past June 30 2011.

If we do resign from WE-ROC however it is suggested that Council indicates its desire to still participate in two schemes that were developed by WE-ROC in the Be Active Coordinator Scheme and the Wheatbelt Sports Council. As these are subscription based there appears to be no reason why we should not continue to participate and to date they have provided good service to our community.

FINANCIAL IMPLICATIONS

Future funds that would have been directed towards our membership cost with WE-ROC will be available to support our activities within SEARTG and SEAVROC.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 3.1 States;

3.1. General function

(1) The general function of a local government is to provide for the good government of persons in its district.

(2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.

(3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

and Section 3.68 states:

“3.68. Other arrangements not affected

Nothing in this Division prevents local governments from making arrangements under which —

(a) a local government performs a function for another local government; or

(b) local governments perform a function jointly.”

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council:

1. Accepts the invitation to become a member of SEAVROC; and
2. Advises WE-ROC of its intention to withdraw from WE-ROC effective 30th June 2011 however desires to remain as a participant in the Wheatbelt East Be-Active scheme and a member of the Wheatbelt Sports Council.

Simple Majority Required

MIN 105/10 MOTION – MOVED Cr R Stokes seconded Cr Uppill

That Council:

1. Accepts the invitation to become a member of SEAVROC; and
2. Advises WE-ROC of its intention to withdraw from WE-ROC effective 30th June 2011 however desires to remain as a participant in the Wheatbelt East Be-Active scheme and a member of the Wheatbelt Sports Council.

CARRIED 6/0

13.5 Bush Fire Control Officer Appointments (BUSH-12)

Author – Graham Stanley, CEO, 18 November 2010 Interest – Nil

PREVIOUS REFERENCE

Item 11.10 – 16 July 2008 and 11.1 – 15 July 2009 refer.

BACKGROUND

In July 2008 Council appointed:

- Mr Haydn Dixon
- Mr Shane Mackin
- Mr Tim York
- Mr Tom Applegate
- Mr Ray Reid

as Fire Control Officers for the Shire of Tammin;

- Mr Haydn Dixon
- Mr Tim York
- Mr Shane Mackin
- Mr Ray Reid

as Authorised Officers for issuing permits to burn; and

- Mr Haydn Dixon
- Mr Shane Mackin
- Mr Tim York
- Mr Ray Reid

were nominated as Dual Fire Control Officers with the Shires of Kellerberrin, Quairading, Cunderdin and Wyalkatchem.

The Shire of Kellerberrin has written to Council seeking to have the following Bush Fire Control Officers from their Shire granted dual appointment with the Shire of Tammin.

- Mr Murray McDonald
- Mr Ian McNeil
- Mr Frank Morley
- Mr David Lamplugh

The Shire of Quairading has written to Council seeking to have the following Bush Fire Control Officer from their Shire granted dual appointment with the Shire of Tammin.

- Mr Stuart Hadlow

COMMENT

General support exists for the 2009/10 appointments to be reappointed for the 2010/11 bushfire season. It is convention that Dual Registered Fire Control Officers do not have authority to issue permits in any Shire other than their “home” shire.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

In relation to Fire Control Officers, Section 38 of the *Bush Fires Act 1954* provides that:

- (1) *A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*
- (2)
 - (a) *The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.*
 - (c) *The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.*
 - (d) *Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person to the vacant office.*
 - (e) *A bush fire control officer appointed under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the Authority, by the Authority.*
- (3) *The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.*
- (4) *A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —*
 - (a) *carrying out normal brigade activities;*
 - (d) *exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;*
 - (e) *procuring the due observance by all persons of the provision of Part III.*
- (5)
 - (a) *A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.*
 - (b) *The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions so issued carry out the directions but subject to the provisions of this Act.*
 - (c) *The provisions of this subsection are not in derogation of those of subsection (4).*
- (6)
 - (a) *In this section —*
“approved local government” means a local government approved under paragraph (b) by the Authority.
 - (b) *If it appears to the Authority that the standard of efficiency of a local government in fire prevention and control justifies the Authority doing so, the Authority, by notice published in the Government Gazette —*
 - (i) *may approve the local government as one to which this subsection applies;*
and
 - (ii) *may from time to time cancel or vary any previous approval given under this paragraph.*
 - (c) *An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.*
 - (ca) *Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the exclusive right to exercise the power conferred by paragraph (h).*

- (cb) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.
- (cc) Where the office of a fire weather officer is vacant or whilst the occupant is absent or unable to act in the discharge of the duties of the office, any deputy appointed in respect of that office under paragraph (cb) is, subject to paragraph (cd), entitled to act in the discharge of the duties of that office.
- (cd) A deputy who is one of 2 or more deputies of a fire weather officer is not entitled to act in the discharge of the duties of the office of that fire weather officer if a deputy who has precedence over him in the order of seniority determined under paragraph (cb) is available and able to discharge those duties.
- (d) The local government shall give notice of an appointment made under paragraph (c) or (cb) to the Authority and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the Authority shall cause notice of the appointment to be published once in the Government Gazette.
- (e) An approved local government may appoint a committee for the purpose of advising and assisting a fire weather officer or any deputy of a fire weather officer acting in the place of that officer under this subsection.
- (f) Where a committee is appointed, a fire weather officer, or, as the case may be, a deputy of a fire weather officer while acting in the place of that officer, may exercise the authority conferred on him by paragraph (h), notwithstanding the advice and assistance tendered to him by the committee.
- (g) The provisions of this subsection are not in derogation of those of any other subsection of this section.
- (h) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is "extreme" or "very high", and upon the authority being given the person, if he has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.
- (i) This subsection does not authorise the burning of bush during the prohibited burning times or within the defined area during a bush fire emergency period.

In relation to Dual Bushfire Control Officers, Section 40 of the Bush Fires Act 1954 provides that:

- (1) Two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.
- (2) Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them.

In relation to Permits to Burn, Section 18 of the Bush Fires Act 1954 provides that:

- (6) Subject to this Act a person shall not set fire to the bush on land within a zone of the State during the restricted burning times for that zone of the State unless —
 - (a) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and
 - (b) the conditions prescribed for the purposes of this section are complied with in relation to the burning of the bush.
- (7) The person issuing a permit to burn under this section may, by endorsement on the permit —
 - (a) incorporate therein any additional requirements and directions considered necessary by him relative to the burning; or

- (b) *modify or dispense with any of the conditions prescribed for the purposes of this section in so far as those conditions are applicable to the burning.*
- (8) *The holder of a permit to burn under this section —*
- (a) *shall observe and carry out any requirement or direction incorporated therein pursuant to subsection (7)(a);*
- (b) *shall, where any prescribed condition is modified pursuant to subsection (5) or subsection (7)(b), comply with that condition as so modified;*
- (c) *need not comply with any prescribed condition that is suspended or dispensed with pursuant to subsection (5) or (7)(b).*
- (9) *A permit issued under this section may authorise the owner or occupier of land to burn the bush on a road reserve adjoining that land.*
- (10)(a) *Subject to the regulations a local government may by resolution declare that within its district bush may be burnt only on such dates and by such persons as are prescribed by a schedule of burning times adopted by the local government.*
- (b) *A person desiring to set fire to bush within the district of the local government that has so resolved shall, by such date as may be determined by the local government, apply to the local government for permission to set fire to the bush, and the local government shall allocate a day or days on which the burning may take place.*
- (c) *The burning shall be done only on the day or days and in the manner specified by the local government and subject to the conditions prescribed for the purposes of this section except that any prescribed period of notice may be varied by the local government in order to enable the schedule of burning times adopted by it to be given effect to.*
- (11) *Where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of \$10 000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction.*
- (12) *A person who commits a breach of this section other than subsection (11) is guilty of an offence.*

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Chief Bushfire Control Officer.

STAFF RECOMMENDATION

That:

- Mr Haydn Dixon
- Mr Shane Mackin
- Mr Tim York
- Mr Tom Applegate
- Mr Ray Reid

be appointed as Fire Control Officers for the Shire of Tammin;

- Mr Haydn Dixon
- Mr Tim York
- Mr Shane Mackin
- Mr Ray Reid.

be appointed as Authorised Officers for issuing permits to burn for the Shire of Tammin; and

- Mr Haydn Dixon

- Mr Shane Mackin
- Mr Tim York
- Mr Ray Reid

be nominated as Dual Fire Control Officers with the Shires of Kellerberrin, Quairading, Cunderdin and Wyalkatchem. Further, that Permit Issuing Officers be requested to liaise with the Chief Bushfire Control Officer prior to issuing Permits in extreme weather conditions; and

That the following Fire Control Officers from adjoining Shires be appointed as Dual Registered Fire Control Officers with the Shire of Tammin but without the ability to issue Permits in the Tammin Shire:

- Mr Murray McDonald Shire of Kellerberrin
- Mr Ian McNeil Shire of Kellerberrin
- Mr Frank Morley Shire of Kellerberrin
- Mr David Lamplugh Shire of Kellerberrin
- Mr Stuart Hadlow Shire of Quairading

Simple Majority Required

MIN 106/10 MOTION – MOVED Cr B Stokes seconded Cr Uppill

That:

- Mr Haydn Dixon
- Mr Shane Mackin
- Mr Tim York
- Mr Tom Applegate
- Mr Ray Reid

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- Mr Haydn Dixon
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- Mr Tim York
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- Mr Murray McDonald Shire of Kellerberrin
- Mr Ian McNeil Shire of Kellerberrin
- Mr Frank Morley Shire of Kellerberrin
- Mr David Lamplugh Shire of Kellerberrin
- Mr Stuart Hadlow Shire of Quairading

CARRIED 6/0

14. CLOSURE OF MEETING

There being no further business the President closed the meeting at 4.10 pm.

Tabled before the Ordinary Council Meeting on 15 December 2010.

Cr R.J. Stokes, President

PAYMENTS LIST OCTOBER 2010

Date	Reference	Supplier Name	Details	Amount
Cheque Payments				
01/10/2010	3863	Be Active Community Sport & Recreation	Shire contribution for Be-Active scheme 2010/11	7,200.00
01/10/2010	3864	Earthstyle Contracting	Road Maintenance	1,320.00
01/10/2010	3865	Regional Concrete & Plumbing	Repair 9,11 Nottage, Tamma Village	856.82
01/10/2010	3866	Shire of York	SEA VROC RTG agreement	406.70
01/10/2010	3867	Synergy	Electricity 14/07-13/09/10	96.60
01/10/2010	3868	Tammin Hardware	Repairs U3 Tamma Village, Parts	2,942.40
01/10/2010	3869	Telstra	Phone & Internet	133.44
01/10/2010	3870	Toucan Display Systems	Lights conference panels	51.50
08/10/2010	3871	Australian Taxation Office	VOID: wrong date	
11/10/2010	3873	Susan Button	Bond reimbursement for hall	300.00
14/10/2010	3874	City & Regional Waste Management Serv	Waste management	2,972.08
14/10/2010	3875	Fire & Emergency Services Authority of V	ESL	4,450.42
14/10/2010	3876	Gull Tammin Roadhouse	September 2010 Account - Catering, Drinks, Papers	551.92
14/10/2010	3877	Rydges Perth	Accommodation T. Greenwood	804.50
14/10/2010	3878	Synergy	Electricity 23/08 - 22/09/2010	2,543.90
14/10/2010	3879	Telstra	Telephone 23/08 - 22/09/2010	573.20
15/10/2010	3880	JH Potgieter	Refund of Overpayment of Rates - Ass 357 JH Potgieter	42.95
15/10/2010	3881	Co-Operative Bulk Handling	Refund of Overpayment of Rates - Ass 38 Co-operative	89.10
15/10/2010	3882	Mackin Shayne	Refund of Overpayment of Rates - Ass 113 SP Mackin	324.50
15/10/2010	3883	DM O'Brien	Refund of Overpayment of Rates - Ass 1553 DM O'Brien	333.00
18/10/2010	3884	BT Financial Group	Superannuation	315.47
18/10/2010	3885	Commonwealth Retirement Savings Acco	Superannuation	121.07
18/10/2010	3886	LGRCEU	Union fee	17.40
18/10/2010	3887	Summit Personal Super	Superannuation	137.86
18/10/2010	3888	WALG Superannuation	Superannuation	3,031.99
19/10/2010	3889	Australia Post	Postage	226.10
19/10/2010	3890	Star Track Express Pty Limited	Parts & repairs TN	26.33
19/10/2010	3891	Synergy	Street lighting	1,449.05
19/10/2010	3892	Telstra	CEO wireless	29.95
19/10/2010	3893	Verlinden's Electrical Service (WA)	Repair Hall, U7 Tamma Village	1,308.13
21/10/2010	3894	AutoPro	Parts TN251, TN3	38.10
21/10/2010	3895	Avon Valley Mower & Chainsaw Centre	Chainsaw chains	52.50
21/10/2010	3896	Avon Waste	Rubbish collection	1,102.64
21/10/2010	3897	Dean Calvo	Paintwork Tamma Village	1,140.00
21/10/2010	3898	Clever Patch	Supplies for Art show kids program	681.89
21/10/2010	3899	Copier Support	Black / white & colour copies	1,348.29
21/10/2010	3900	Courier Australia	Freight	80.11
21/10/2010	3901	Coventrys	Spare globes	149.60
21/10/2010	3902	Department of Treasury & Finance.	Gift book sets	49.50
21/10/2010	3903	Dominic Carbone & Associates	Consultant fees	2,948.00
21/10/2010	3904	Filters Plus	Parts TN221, TN1253	115.83
21/10/2010	3905	JR & A Hersey Pty Ltd	Uniforms	434.50
21/10/2010	3906	Kleenheat Gas	Bulk gas	206.95
21/10/2010	3907	LGIS Liability	Public Liability Insurance 2010-11	5,406.50
21/10/2010	3908	LGIS Risk Management	Regional Co-ordinator fees	1,203.40
21/10/2010	3909	LGIS Workcare	LGIS Workcare Insurance 2010-11	8,094.50
21/10/2010	3910	McIntosh & Son	Parts TN154, TN251	366.97
21/10/2010	3911	Meerlinga Young Children's Foundation Inc	Active kids holiday calendar	22.00
21/10/2010	3912	Metro Count	Traffic count equipment	8,133.40
21/10/2010	3913	Northam Bearing Sales	Parts TN SS	67.58
21/10/2010	3914	Northam Betta Electrical & Gas	Vacuum cleaner for depot	70.00
21/10/2010	3915	DM O'Brien	Road construction Goldfield's / Nelson Rd	8,250.00
21/10/2010	3916	Peerless Jal Pty Ltd	Cleaning products, toilet paper	270.16
21/10/2010	3917	Pressure Masters	Hand gun for pressure cleaner	148.50
21/10/2010	3918	Radio West	Krakouer promotion	110.00
21/10/2010	3919	Ricoh Australia Pty Ltd	Toner cartridge	174.90
21/10/2010	3920	Shire Quairading	Seminar PRO T. Greenwood	30.00
21/10/2010	3921	TR & BM Silver	Grave digging	187.00
21/10/2010	3922	Rodney Stokes	President allowance	1,000.00
21/10/2010	3923	Tammin Bowling Club Inc	Awards night catering	687.50
21/10/2010	3924	Tammin Post Office.	Stationary	62.85
21/10/2010	3925	WA Circus School	Active kids holiday calendar	779.90
21/10/2010	3926	WesTrac Pty Ltd	Parts & Repairs TN6	711.91
21/10/2010	3927	Ormanby Council Meeting Village 8 November 2010	Clean / clear out septic tank, leach drain Coinda	266.66
21/10/2010	3928	Yakka Pty Ltd	Uniforms	374.08

26/10/2010	3929	Michelle Sambo	Reimbursement bond for hall & oval	400.00
26/10/2010	3930	Arrow Bronze	Niche wall plaque	166.98
26/10/2010	3931	Louise Caffell	Sitting fee & travel October Council meeting	93.95
26/10/2010	3932	CircuitWest Inc	Circuitwest Associate Membership 10/11	140.00
26/10/2010	3933	City & Regional Waste Management Serv	Waste management	403.58
26/10/2010	3934	TB Greenw ood	Reimbursement tablecloths	168.30
26/10/2010	3935	In2Balance Pty Ltd	Annual Licence & Remote Accounting Service Support to	7,920.00
26/10/2010	3936	Stephen Jefferies	Sitting fee & travel	65.00
26/10/2010	3937	Phillip Brent Krakouer	Last installment - Phil Krakouer promotional tour	500.00
26/10/2010	3938	Officew orks Businessdirect	Exhibition Display Panel - Hall	44.93
26/10/2010	3939	Rodney Stokes	Sitting fee & travel October Council meeting	135.71
26/10/2010	3940	Scott Uppill	Sitting fee & travel October Council meeting	84.69
26/10/2010	3941	Bernard Stokes	Sitting fee & travel October Council meeting	73.89
26/10/2010	3942	Karen Humphries	Catering council meeting, accomodation auditor	243.50
26/10/2010	3943	BT Financial Group	Superannuation	153.82
26/10/2010	3944	Commonw ealth Retirement Savings Acco	Superannuation	45.14
26/10/2010	3945	LGRCEU	Union fee	17.40
26/10/2010	3946	Prime Super	Superannuation	81.48
26/10/2010	3947	Summit Personal Super	Superannuation	137.86
26/10/2010	3948	WALG Superannuation	Superannuation	3,177.96
			Sub-total	91,495.63
Direct Debit payments				
01/10/2010	Debit	Commonw ealth Bank of Australia	Merchant fee	51.33
05/10/2010	Debit	Commonw ealth Bank of Australia	EFTPOS fee	47.78
15/10/2010	Debit	Motorcharge Limited	Fuels and oils October 2010	3,996.84
26/10/2010	Debit	Western Australian Treasury Corporation	Loan repayments	8,349.95
			Sub-total	12,445.90
Licensing Transfer				
01/10/2010	J3408	Department of Transport	Licensing 01/10/2010	2,787.55
04/10/2010	J3417	Department of Transport	Licensing 04/10/2010	2,155.10
05/10/2010	J3420	Department of Transport	Licensing 05/10/2010	116.00
06/10/2010	J3430	Department of Transport	Licensing 06/10/2010	836.80
07/10/2010	J3431	Department of Transport	Licensing 07/10/2010	1,192.05
08/10/2010	J3433	Department of Transport	Licensing 08/10/2010	466.80
12/10/2010	J3437	Department of Transport	Licensing 12/10/2010	1,418.90
13/10/2010	J3440	Department of Transport	Licensing 13/10/2010	555.90
14/10/2010	J3455	Department of Transport	Licensing 14/10/2010	603.50
14/10/2010	J3457	Department of Transport	Licensing 07/10/2010	1,192.05
15/10/2010	J3460	Department of Transport	Licensing 15/10/2010	856.45
18/10/2010	J3463	Department of Transport	Licensing 18/10/2010	44.50
19/10/2010	J3464	Department of Transport	Licensing 19/10/2010	89.00
20/10/2010	J3465	Department of Transport	Licensing 20/10/2010	44.50
21/10/2010	J3466	Department of Transport	Licensing 21/10/2010	735.50
22/10/2010	J3468	Department of Transport	Licensing 22/10/2010	1,021.55
25/10/2010	J3474	Department of Transport	Licensing 25/10/2010	635.20
26/10/2010	J3475	Department of Transport	Licensing 26/10/2010	130.45
27/10/2010	J3490	Department of Transport	Licensing 27/10/2010	1,222.55
28/10/2010	J3491	Department of Transport	Licensing 28/10/2010	47.80
29/10/2010	J3492	Department of Transport	Licensing 29/10/2010	545.25
			Sub-total	16,697.40
Bank Fees				
14/10/2010	J3442	National Australia Bank	Funds transferred to DOT A/c - Overdraw n fee	40.00
14/10/2010	Debit	National Australia Bank	NAB connect fee	52.79
29/10/2010	J3493	National Australia Bank	Account Fees for October 10 for Muni Account	135.20
29/10/2010	J3494	National Australia Bank	Account Fees for October 10 for Trust Account	21.20
29/10/2010	J3495	National Australia Bank	Account Fees for October 10 for DPI Account	20.00
29/10/2010	J3496	National Australia Bank	Interest Charged October 2010 DPI Account	0.97
			Sub-total	270.16
VISA Payments				
04/10/2010	VISA	Cunderdin New agency	Stationary	13.20
04/10/2010	VISA	Electrolux Home Products Pty Ltd	Ignitor for vaccum cleaner	45.75
04/10/2010	VISA	Intelligent IP Communications Pty Ltd	Internet	119.95
04/10/2010	VISA	National Australia Bank	Credit card fees & charges	9.00
04/10/2010	VISA	Westnet	Internet depot	69.45
			Sub-total	257.35

EFT Payments				
12/11/2010	EFT	Shire of Tammin	Salaries & Wages	20,306.81
26/10/2011	EFT	Shire of Tammin	Salaries & Wages	19,360.68
			Sub-total	39,667.49
			Total	160,833.93

Attachment items 11.2 Financial Reports

COUNCILLORS INFORMATION BULLETIN – OCTOBER 2010

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

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Item	Subject
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|------|--|
| IB 1 | Great Eastern Country Zone meeting of WALGA in Nungarin (OSGOV-43) |
| IB 2 | Local Government grain freight mapping project (ENG-35) |
| IB 3 | Goodbye Graffiti Rewards Program (LAW-00) |
| IB 4 | Report on Local Government roads assets and expenditure 2008/09 (OLGOV-03) |

IB 1 Great Eastern Country Zone meeting of WALGA in Nungarin (OSGOV-43)

Tammin Shire received on 26 October 2010 the following letter



COPY

LEADER OF THE OPPOSITION

Parliament House, PERTH WA 6000

Telephone (08) 9222 7351 Facsimile (08) 9226 2015

Email: leader@loop.wa.gov.au

IB 1 Nov 2010

OSGOV.43

Our Ref: 5220rc

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

Dear Cr Stokes

I am writing to thank the representatives from the Shire of Tammin for welcoming me and my Parliamentary colleague Matt Benson MLC to the recent meeting of the Great Eastern Country Zone of WALGA at Nungarin.

Although I did not get the chance to talk with everyone personally, the opportunity to address the meeting and exchange questions and answers was very much appreciated.

As a result of hearing the concerns from the meeting, and concerns raised at other meetings during my two day visit to the Wheatbelt, I have put on notice a number of Parliamentary Questions to relevant State Government Ministers.

I have also written to the Federal Minister for Health and Ageing, Hon Nicola Roxon MP, in relation to the supply of GP services in regional areas.

Copies of the questions and my letter to Minister Roxon are enclosed for your information.

I will contact you when I have received answers to my questions from the State Government.

Thank you once again for the opportunity to address the Zone meeting.

Yours sincerely

Eric Ripper MLA
LEADER OF THE OPPOSITION
26 OCT 2010

**Questions to be asked in Parliament resulting from Leader of the Opposition's
Wheatbelt Visit – 29/30 September 2010**

LEGISLATIVE ASSEMBLY

- **QUESTION DIRECTED TO:** Minister for Health

In reference to Merredin Hospital I ask;

1. Please outline plans for future capital works for the Merredin Hospital?
2. Have these plans been funded in the most recent State Budget and if not why not?
3. Are there any plans for birthing and surgery facilities?
4. If yes when will these facilities be available and what level of funding will be provided for building them and what level of funding will be provided for staffing them?
5. If no, why?
6. Are there any plans for a secure unit for mental health patients?
7. If yes when will this facility be available and what level of funding will be provided for building the facility and what level of funding provided for staffing the facility?

- **QUESTION DIRECTED TO:** Minister for Health

Minister, in reference to numbers of General Practitioners (GP's) in Merredin I ask;

1. How many GPs are available in the Shire of Merredin?
2. What hours do these GPs work?
3. What is the optimum number of GPs in the Shire of Merredin?
4. Are there currently any GP vacancies in Merredin?
5. If yes, how long has the position been vacant what has been done to fill these positions?
6. If there are GP vacancies, what alternative services are provided to the people of Merredin in the absence of qualified GPs?
7. What is being done to ensure that the shire of Merredin has an optimum number of GPs at all times?

- **QUESTION DIRECTED TO:** Minister for Housing

In reference to the building of seniors accommodation in Merredin I ask;

1. Will the Department of Housing be entering into any new joint ventures with the local council to build retirement villages or seniors housing in the Shire of Merredin?
2. If yes, please outline these joint ventures?
3. If no, why?

2. Given the significant State Government investment into this and similar projects, would the Treasurer be willing to commit funding to ensure the monitoring necessary to evaluate the initiative is undertaken and if not, why not?

- **QUESTION DIRECTED TO:** Minister for Regional Development

I refer to the Wallatin/O'Brien Catchment Demonstration Initiative and the need for monitoring of the 15 demonstration projects over the next ten years and ask:

1. Has the Minister received a request for funding for monitoring of the demonstration projects and if so, who made the request and what was the Minister's response?
2. Given the significant State Government investment into this and similar projects, would the Minister be willing to commit Royalties for Regions funding to ensure the monitoring necessary to evaluate the initiative is undertaken and if not, why not?

- **QUESTION DIRECTED TO:** Minister representing the Minister for Environment

In reference to the disused Ampol site in Todd Street in Merredin I ask;

1. Has the Department of Environment issued a clean-up notice for the owner to clean this site and if not why not?
2. If yes, when was the notice issued and has it been complied with?
3. If the site has not been cleaned up, are there any plans for the Department of Environment to order the site to be cleaned and if not why not?
4. If yes to (3) when will this order be issued?
5. Does the *Contaminated Sites Act 2003* enable the Department of Environment to clean up this site and recover costs?

- **QUESTION DIRECTED TO:** Minister for Housing

I refer to the Income Eligibility Limits for Homeswest housing and ask:

1. When were the income eligibility limits last reviewed and altered?
2. Will the Minister agree that the income eligibility limits have not kept pace with rises in the Consumer Price Index and associated rises in incomes and if not, why not?
3. Will the Minister agree to a review of the income eligibility limits for access to public housing rental and if not why not?
4. If the Minister will agree to such a review, when will it be commenced?

3. Why has the minister continually failed WA farmers by blindly refusing to consider the possibility of, or even analyse, risk management crop insurance schemes?

- **QUESTION DIRECTED TO:** Minister for Mental Health

I refer to concerns raised with me by Local Government Authorities and residents during my visit to the Wheatbelt in relation to the stress on farmers and their families and the scarcity of funding and services for Mental Health support and counselling services, and ask;

1. In what Wheatbelt towns are State Government funded counselling and other mental health services available and what are the details of those services?
2. Has the Minister assessed the adequacy of the service provided in Wheatbelt towns and if not, why not and will he undertake to do so?
3. What is the total in State Government funding allocated to provide counseling and other mental health support services to Wheatbelt communities?
4. Does the Minister believe this funding is adequate, given the greater need for mental health support in years of poor production and drought and if so, what action has he taken to secure more funding?

LEGISLATIVE COUNCIL

- **QUESTION DIRECTED TO:** Minister representing the Minister for Health

I refer to the cancellation of specialist services during September in Merredin, as reported to me by residents of Merredin, and ask:

1. Is the Minister aware of the recent cancellation of specialist services in Merredin?
2. Was the cancellation of specialist services due to a shortage of nursing staff and if not, what was the reason for the cancellation?
3. If specialist services are temporarily cancelled in a regional area will the Minister undertake to allow PATS assistance for affected patients to travel to a larger centre for a replacement specialist appointment and if not why not?

- **QUESTION DIRECTED TO:** Minister representing the Minister for Police and Emergency Services

1. Is the Kellerberrin Police station fully staffed or, as was reported to me, is there one police officer's position that remains unfilled?

- **QUESTION DIRECTED TO:** Minister for Transport

I refer to the degradation and closure of Tier Three rail lines in the State's Wheatbelt, and ask:

1. Does the Minister have a plan for comprehensively upgrading and widening the roads affected by these rail closures and if not why not?
2. If so, does the plan include road improvements in and around the main receival points, such as towns like Kellerberrin, which will bear an added burden as a result of the extra grain that will be trucked there, and will the Minister table that plan?
3. Has the Minister undertaken a comprehensive analysis of the effect of added road costs to Local Governments resulting from the rail closures and if not why not?
4. If so, will the Minister table that analysis and forward that analysis to the Wheatbelt Local Governments that have been forced to engage private consultancy Cardno, to undertake such an analysis?
5. If no to (4) or (5), how does the Minister expect Local Government Authorities in the Wheatbelt to adequately plan for increased road costs in the absence of reliable figures?



LEADER OF THE OPPOSITION

Parliament House, PERTH WA 6000
Telephone (08) 9222 7351 Facsimile (08) 9226 2015
Email: leader@loop.wa.gov.au

Our Ref: 5127RC

Hon Nicola Roxon MP
Minister for Health and Ageing
PO Box 6022
Parliament House
CANBERRA ACT 2600

Dear Ms ~~Roxon~~

I am writing as a result of concerns in relation to the availability of General Practitioners in regional areas raised by Local Government Authorities and residents during my recent visit to Western Australia's Wheatbelt.

I attended a meeting of representatives from sixteen Local Government Authorities in the Central Wheatbelt district and they all agreed that access to and availability of GPs in Wheatbelt towns was a common issue. Even larger centres like Merredin reported problems with the numbers of GPs available to residents.

I have since learned that Merredin has lost its District of Workforce Shortage (DWS) status, which will further exacerbate the problem.

I would be obliged if you would, in the first instance, restore the DWS status for Merredin, and then advise me of further action that the Federal Government can take to improve the access to GP services in regional towns generally and the Wheatbelt in particular.

I would also be obliged if these concerns could be addressed as a matter of some priority so that I can reply to my Wheatbelt constituents in a timely manner.

Yours sincerely

Eric Ripper MLA
Leader of the Opposition

19 OCT 2010

RISK MANAGEMENT CROP INSURANCE SCHEMES

619. Mr M.P. MURRAY to the Minister for Agriculture and Food:

As the minister has mentioned, due to the driest year on record, many farmers and associated industries have been put in financial peril.

- (1) Has the minister asked the Department of Treasury and Finance to analyse risk management crop insurance schemes; and, if not, why not?
- (2) Has the minister asked the Insurance Commission of WA to analyse risk management crop insurance schemes; and, if not, why not?
- (3) Why has the minister continually failed WA farmers by blindly refusing to consider the possibility of, or even analyse, risk management crop insurance schemes?

Mr D.T. REDMAN replied:

I thank the member for the question.

- (1)-(3) It certainly is a challenging situation that we face, having had one of the driest seasons on record. The government has made a range of responses, which I have clearly outlined to this place before. This is one of the calls that has been made by the community. It is not new; it has been around for some time—it was even around when the former Labor government was in office—and it is interesting that governments have made very similar responses to it. The terminology that has been used by the media is multi-peril crop insurance, but the member asked about risk management —

Mr M.P. Murray: No, no; you've changed the terminology. Listen to the question and answer the question!

Mr D.T. REDMAN: So does the member not agree that the terminology that is used in the media is multi-peril crop insurance?

Mr M.P. Murray: Risk based, not multi-peril—they're two different things!

Mr D.T. REDMAN: Absolutely! The member is talking about a risk management crop insurance scheme, but the words I used—the member can look back at *Hansard*—were that the terminology used in the media is "multi-peril crop insurance". I am assuming the member is talking about the same thing.

Mr E.S. Ripper: We are talking about the proposals of the Farmers Federation for risk management crop insurance.

Mr D.T. REDMAN: Yes.

Mr E.S. Ripper: So what are you doing about it? Just answer the question.

Mr M.P. Murray: Nothing.

Mr D.T. REDMAN: It is very simple, Leader of the Opposition. What the government has said—I have said it on numerous occasions—is that we support a multi-peril crop insurance instrument or, indeed, a risk management crop insurance instrument. I absolutely support that, but I support it as a commercial entity. The Department of Agriculture and Food is engaging with some of the re-insurers to provide them with information—that is, rainfall data, yield data and all the information they would typically need to assess the risk of putting a commercial instrument into those areas. That is the space that we can operate in. That is the resource that we are deploying, and we are working jointly to achieve that. I think that is appropriate.

There are two levels of discussion in this debate. The first level of discussion is around exactly what a premium might be—or what they might have to pay in respective areas for an insurance instrument. Clearly, in the more high-risk areas, one would expect the premium to be higher for a range of risks, including frost, drought and a range of other options that might be in that particular package.

Mr E.S. Ripper: And depending on how much of the input cost might be covered.

Mr D.T. REDMAN: And depending on the input cost. When we look at the profile of a crop that goes in, we see that the input costs are substantial. We often think that this is a little piece compared with what they get back; it is not. It is somewhere upwards of two-thirds; it could be 60 or 70 per cent of the cost of what they get back in their final harvest. We are still talking about a substantial figure in terms of the input costs. Yes, what has been called for is something that gets back the cost of production, and it might be argued that that is less than getting back some of the profitability. The first point of discussion in this argument is: what is a likely premium going to be for respective areas in the state, depending on the risk that is there? I believe we are working jointly with the

Tammin Shire received in November 2010 the following letter

COPY



I.A. 2 NOV 2010
ENG. 35

2nd November 2010

Our Ref: TP:MM: 05 006 02 0005

Your Ref:

Cr Rodney Stokes
President
Shire of Tammin
(DX 69476) PO Box 53
TAMMIN WA 6409

Dear President Stokes

LOCAL GOVERNMENT GRAIN FREIGHT MAPPING PROJECT

I would like to thank you and your Shire for your contribution in developing a strategic, integrated Local Government grain freight network of local roads for bin to bin and bin to port carting.

Consulting firm Cardno were appointed by WALGA to work with the Local Government Grain Infrastructure Group on this project. Our belief is that Local Government, as network managers, should determine where grain should flow on their network. A key outcome is the development of a strategic map of agreed Local Government roads for bin to bin and bin to port carting shifting grain freight from local roads onto the nearest Main Road or rail.

Six workshops were held to develop a network map with around 140 people attending these. Cardno liaised with individual and groups of Councils before and after these workshops. The outcome is a draft strategic map of local roads which will be presented to the December meeting of WALGA State Council for endorsement. Based on this map Cardno have developed provisional costs to upgrade and maintain the strategic roads identified in the map.

Also Cardno have received copies of Local Government heavy vehicle access policies and are developing a model policy which includes information on the relationship between axle combinations and road damage, which Councils could consider adopting.

Cr Steve Martin, WALGA's Deputy President, has shown strong leadership driving this project with the Local Government Grain Infrastructure Group, Chaired by Cr Robert Nixon. Particular thanks must go to Cr Stan McDonnell, President of the Shire of Kellerberrin, for his input and attendance at the workshops. Also WALGA worked with Main Roads WA and the Department of Transport to integrate our work with broader State Government activities. Main Roads in particular provided invaluable support and advice. Financial support for the project was provided by the Wheatbelt, Great Southern and MidWest Development Commissions which was very welcome.

Local Government House
15 Altona Street
West Perth WA 6005
PO Box 1544
West Perth WA 6872
Telephone: (08) 9213 2000
Facsimile: (08) 9322 2611
Email: info@walga.asn.au
Website: www.walga.asn.au

The Voice of Local Government

This work was in response to Local Government's concerns with the local road network identified in the December 2009 Strategic Grain Network Review Report. This Report acknowledged it had only identified a sample of local roads for grain cartage; our concern was that this could become Government's view on the network of local routes. As a sector we need to advise Government on the composition of the strategic local road network for grain cartage.

One of this Report's findings was that; *Excessive costs are being incurred by local governments to maintain a very large number of roads on which grain trucks are currently allowed to operate under permit issued by Main Roads WA.....there is a need to substantially reduce the network of routes used for inter-bin and bin-to port movements to reduce on local road maintenance costs.* By undertaking this work we have shown our commitment to address network access and provide a blueprint for targeted investment.


I have briefed the Transport Minister and his staff on the project's progress and there is great support for our work. A Business Case is before Government on the WA Grain Freight Network; the development of a strategic grain freight network is an ongoing process and our work will contribute to the ongoing tasks that need to occur to define and deliver this network.

The next steps for our project are:

- Route checking by the Local Government Grain Infrastructure Group;
- Endorsement of the strategic integrated map of local roads by State Council;
- Meetings with Main Roads and grain carters including CBH, ARG and the Livestock and the Rural Transport Association to discuss the network and what can be put in place to encourage grain cartage on these identified routes;
- Discussion with Government about local road funding needs;
- Finalisation of a model Local Government Heavy Vehicle Access Policy; and
- Work with Councils and Main Roads to investigate how the identified routes relate to the Restricted Access Vehicle (RAV) network, functional road hierarchy and road classification.

Thank you again for your support of this project. I look forward to your feedback on this work through the State Council process. For enquiries please contact Michelle Mackenzie, Executive Manager Infrastructure on 9213 2031 or mmackenzie@walga.asn.au

Yours sincerely



Mayor Troy Pickard
President

IB 3 Goodbye Graffiti Rewards Program (LAW-00)

Tammin Shire received on 27 October 2010 the following letter

IS 3 NOV 2010



Your Ref:
Our Ref:
Enquiries:

OFFICE OF CRIME PREVENTION
WESTERN AUSTRALIA POLICE

**ASSISTANT DIRECTOR
OFFICE OF CRIME PREVENTION**

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

SHIRE OF TAMMIN
RECEIVED

27 OCT 2010

FILE: LAW-00

18 October 2010

Dear Chief Executive Officer

RE: Goodbye Graffiti Rewards Program

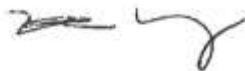
We are pleased to advise you of the Goodbye Graffiti Rewards Program. The Rewards Program encourages members of the public to contact WA Police via the Goodbye Graffiti Hotline, to provide information on graffiti offenders. If the information provided leads to the arrest or apprehension of an offender, the reporting member of the public may be eligible for a reward up to \$1000.

The Rewards Program is one of the many State Government initiatives comprising the Tough on Graffiti Strategy.

Please forward this letter and attached posters to the Officer responsible for Community Safety within your local council.

Should you have any queries in regards to the Rewards Program or any other graffiti-related queries, please contact the Graffiti Team on (08)9222 9733. Likewise, if you would like to order additional resources, please contact the Graffiti Team.

Yours sincerely



DAVID WRAY
ASSISTANT DIRECTOR
OFFICE OF CRIME PREVENTION
STRATEGY AND PERFORMANCE DIRECTORATE
WESTERN AUSTRALIA POLICE

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 4 Report on Local Government roads assets and expenditure 2008/09 (OLGOV-03)

Tammin Shire received on 30 September 2010 the following letter



26 October 2010

Our Ref: 06-007-03-0009:MM/RB

Mr Graham Stanley
Chief Executive Officer
Shire of Tammin
(DX 69476) PO Box 53
TAMMIN WA 6409

FB 4 NOV 2010

Dear Graham

REPORT ON LOCAL GOVERNMENT ROAD ASSETS AND EXPENDITURE 2008/09

Please find enclosed a copy of the WALGA Report on Local Government Road Assets and Expenditure 2008/09.

This Report enables Government and the community to determine the source of road funding and the application of these funds to the preservation, upgrade and expansion of the local road network. At a State, regional and local level it provides information on road funding and management issues.

Local roads comprise of 72% of the Western Australian road network, with a replacement value of \$18.89 billion. They are a significant component of Western Australia's economic and social infrastructure. The Report illustrates in 2008/09 there was a shortfall of \$150.9M to maintain the local road network in its current condition; despite an annual increase of expenditure on the road network by all levels of Government.

This year WALGA reviewed this Report in partnership with the University of Western Australia. The 2008/09 Report has addressed a number of recommendations in the Review including expanded explanations on terminology, the methodology behind calculations, the provision of new data tables and expanded information on bridges, footpaths and dual use paths. Also we have developed a feedback form and it would be great if you could complete this form so that we can continue to improve the Report.

WALGA will continue to work with the Commonwealth and State Government and Industry to develop strategies to address the shortfall in road funding. Should you require any further information or seek clarification on any of the issues included in the Report please contact Michelle Mackenzie, Executive Manager Infrastructure on 9213 2031 or by email mmackenzie@walga.asn.au. Copies of the Report can be downloaded from the WALGA website at:
<http://www.walga.asn.au/about/policy/infrastructure/assetsexpenditure>

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ricky Burges'.

Ricky Burges
Chief Executive Officer
Encl.

Local Government House
15 Altona Street
West Perth WA 6005
PO Box 1544
West Perth WA 6872
Telephone: (08) 9213 2000
Facsimile: (08) 9322 2611
Email: info@walga.asn.au
Website: www.walga.asn.au

The Voice of Local Government