

Minutes of the Shire of Tammin Ordinary Council meeting held at Council Chambers, 1 Donnan Street, Tammin, on Thursday, 15 October 2009.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr R Stokes declared the meeting open at 2.02 pm.

Welcome to Acting Chief Executive Officer – Glenn Bone.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present

Cr R.J. Stokes President (Presiding Person)

Cr K.L. Caffell Deputy President

Cr M.D. Greenwood Member

Cr S.J. Jefferies JP Member

Cr B.F. Stokes Member

Cr M.K. Wheeldon Member

Mr R.G. Bone Acting Chief Executive Officer

Visitors

Apologies

Nil

Leave of Absence

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS

Crs M Greenwood and M Wheeldon declared an interest in item 11.5.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Ordinary Council Meeting Minutes – 17 September 2009

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 17 September 2009 be confirmed as a true and correct record.

Simple Majority Required

MIN 173/09 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon.

That the Staff Recommendation be adopted.

CARRIED 6/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 Housing Design Committee Meeting Minutes – 9 September 2009

STAFF RECOMMENDATION

That the minutes of the Housing Design Committee meeting held on 9 September 2009 be received.

Cr Caffell commented on the inspection involving Cr Wheeldon, herself and CEO at York (Force 10) on September 21.

Simple Majority Required

MIN 174/09 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 6/0

10.2 Project Team Meeting Minutes – 10 September 2009

STAFF RECOMMENDATION

That the minutes of the Project Team meeting held on 10 September 2009 be received.

Simple Majority Required

MIN 175/09 MOTION – Moved Cr R Stokes 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

10.3 WE-ROC Executive Meeting – 23 September 2009

Conference held through the WEB and participated in by the CEO. Issues discussed relevant to Tammin included:

- Governance and Portfolios – consideration of change resulting from the change in Chair together with meeting frequency and timing.
- Asset management – NAM-Plus solution to be used by Alf Kite (Bruce Rock) until IT Vision software developed. Department of Local Government is yet to release guidelines on requirements or provide the promised funding.
- Structural Reform – National Party South Australia and Queensland investigative tour.
- Development Assessment Panels – where it is proposed that development approvals over \$1m are to be taken away from local government.
- Royalties for Regions regional component funding – projects to be determined.
- Biosecurity and Agricultural Management Act – Declared Plant Rates.

Next Council meeting is to be held on 28 October 2009 in Merredin and the Executive meeting on 25 November 2009 in Tammin.

10.4 GECZ Meeting – 24 September 2009 (ORG-02)

Meeting held in Kondinin on 24 September 2009 and attended by Cr Wheeldon and the CEO. Issues discussed relevant to Tammin included:

- Grain freight (road vs. rail)
- Peter Harding of Northam TAFE provided an overview on training courses available for Staff.
- Simon Vogul of FESA provided an overview on the changes to the Bush Fires Act.

- Carolyn Tuthill of the Department of Local Government provided an update on structural reform.
- Tony Brown of WALGA provided an update on structural reform and noted that:
 - A study was required on the benefits sought from amalgamations.
 - Representation is a key issue of concern.
 - There is a threat to volunteerism.
 - For many Councils, rating levels will be a concern.
 - Amalgamations bring increased community expectations.
 - Marriages of convenience appear to be proposed rather than a good result.
- Hon Max Trenorden MLC provided a summary of his report on his structural reform fact finding mission to South Australian and Queensland, commenting:
 - No savings have been achieved in either States from amalgamations.
 - Amalgamation does not improve viability.
 - Queensland amalgamations was a very political process with the issue of water control mixed in.
 - The cost to the State Government in Queensland was \$200m with individual local governments paying the additional cost.
 - Rate rises in Queensland averaged 9% this year with anticipated rises for the next two years of 7.5%.
 - There has been a huge loss of staff in Queensland, including corporate knowledge.
 - There has been an overall rise in salary levels following amalgamations.
 - After 2 years the Queensland Councils are still working through the process with particular problems in splitting assets and absorbing debts.
 - Common interests are the key and essential for harmonious outcome.
 - 39 western local governments left unchanged as there was no logical solution.
 - Following amalgamations, Queensland local governments have substantially cut (rationalised) services to fund the amalgamation costs.
- Hon Max Trenorden MLC also noted that the Mingenew Three Springs Mullewa proposal had requested \$2.5m from the State Government and recommended that:
 - The State should fund the cost of amalgamations.
 - Local government be given access to the Office of Shared Services.
 - A shared services model may be a better proposition to many rural local governments.

Of the 14 local governments represented, Tammin was the only local government proposing amalgamations with all others being a mixture of either supporting the status quo or ramping up ROC activities.

10.5 Kellerberrin Sub-Group RRG Meeting – 29 September 2009 (ENG-15)

Meeting held in Merredin and attended by the CEO.

The meeting endorsed the submissions for 2010-11 funding including that from Tammin:

- York Tammin (Goldfields) Rd – seal/reseal SLK 10.27-13.27; and
- Tammin Wyalkatchem Rd – seal/reseal SLK 11.00-12.22 & SLK 22.22-24.00, as per Information Item 9 – August 2009.

The meeting also supported the convening of the WALGA meeting in Perth on 2 October 2009 to consider grain freight routes.

10.6 GECZ Meeting – 1 October 2009 (ORG-02)

Teleconference meeting held on 1 October 2009 and participated in by Cr Wheeldon and the CEO. Issues discussed relevant to Tammin included:

- Development Assessment Panels – Zone opposed to the proposal as expressed due to the loss of authority and resultant cost.
- Waste Levy and Strategic Waste – Zone expressed concern regarding the possible flow on into rural areas.

- Review into the Genetically Modified Crops Free Areas Act – Zone expressed concern regarding WALGA's direction to put the obligation back on individual local governments.
- Local Government Reform – Zone expressed concern regarding WALGA's reduction in focus on the SSS.
- Cat Control – Zone expressed concern regarding the enforcement obligations on local government regarding compulsory sterilisation.
- Section 3.51 Local Government Act – Noted the requirement that affected owners to be notified of certain development proposals and requesting a clearer definition.
- WA Grain Freight Network – Network Review.
- A Role for Local Government in Speed Enforcement – Zone expressed concern regarding the possible consequences of withdrawal of Police services.
- Bush Fire Legislation – concern expressed by Zone regarding whether ultimate authority of FESA to take control of a fire has been granted (following Boorabbin fire).
- New Councillor training – proposal to run training (Getting Started module) on 30-31 October in Kellerberrin.

11. AGENDA ITEMS

11.1 Rate Collections – Early Payment of Rates Competition (PROP-10)

Author – MG Oliver, CEO, 22 September 2009 Interest – Nil

BACKGROUND

Rates collected at the close of the Early Payment of Rates Competition (due date or end of discount period – 29 September 2009) were:

	Arrears	Levies & Interim	Sub-Total	Collection Including Discount	Collection Percentage
Rates	\$16,313.69	\$659,053.72	\$675,367.41	\$502,809.38	
Rubbish	\$1,938.66	\$14,375.00	\$16,313.66	\$10,864.02	
ESL	\$862.79	\$14,375.48	\$15,238.27	\$11,377.62	
Total	\$19,115.14	\$687,804.20	\$706,919.34	\$525,051.02	74.3%

This compares with 78% in 2006, 90% in 2007 and 80.5% in 2008.

Three prizes are available for the early payment of rates draw:

- Esplanade Hotel Fremantle – 1 night breakaway for 2 people including buffet breakfast in the Atrium Garden Restaurant.
- Seasons of Perth – 2 nights for 2 people in a Deluxe King Room including buffet breakfast in the Citro Restaurant.
- The Melbourne Hotel Perth - two nights accommodation in a Balcony Room.

COMMENT

Last year the prizes were draw at the Ordinary Council meeting (16 October 2008) by Miss Laurise Winterswyk (without an interest in property (rates) in the Shire of Tammin).

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Early Payment of Rates competition prize draw be conducted at the Ordinary Council meeting on 15 October 2009 by the President of the Shire of Tammin assisted by a Staff member without an interest in property (rates) in the Shire of Tammin. Further, that the prizes be awarded by draw in the order listed in the Agenda.

Simple Majority Required

MIN 176/09 MOTION – Moved Cr Caffell 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

Results of Prize Draw:

- | | | |
|------------------------------|---------|---------------------------------|
| 1. Esplanade Hotel Fremantle | ASS 217 | D&P York Nominees & P.G.York |
| 2. Seasons of Perth | ASS 86 | Hay Holdings Pty Ltd |
| 3. The Melbourne Hotel Perth | ASS 195 | Tussock Plains Nominees Pty Ltd |

11.2 Rate Collections

Author – MG Oliver, CEO, 22 September 2009 Interest – Nil

PREVIOUS REFERENCE

Item 11.2 – 16 October 2008 refers.

BACKGROUND

Seven Assessments have been identified as having rates outstanding (totalling \$11,136.21) for 3 or more years.

COMMENT

Past rate notices and follow up action has failed to address these debts. Interest is accruing at 11%. It is proposed that the final collection action be instigated – sale of the property pursuant to section 6.64 of the *Local Government Act*.

Ample opportunity will exist for the property owners to clear the debt during the process leading up to the sale and avoid this action – although instalment plans are not considered an appropriate option.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 6.64 of the *Local Government Act* provides that:

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and
 - (a) from time to time lease the land;
 - (b) sell the land;
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.

- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
- (3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Section 6.68 provides that:

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

Section 6.69 provides that:

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

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

- (a) no case had arisen to authorise the sale;
 - (b) the proper procedures were not followed; or
 - (c) the power was otherwise improperly or irregularly exercised,
- and a person who claims there has been an unauthorised or improper or irregular exercise of the power has a remedy in damages against the relevant local government but not against the Crown or the State with the Registrar as the nominal defendant under the *Transfer of Land Act 1893*.

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

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

Section 6.75 provides that:

- (1) Where, at the expiration of 12 years from the taking of possession of any rateable land by a local government under section 6.64 —
 - (a) all rates and service charges due and payable in respect of the land have not been paid; and
 - (b) the land has not, under the provisions of this Subdivision, been —
 - (i) sold by the local government;
 - (ii) transferred to the local government; or
 - (iii) transferred to the Crown,by operation of this section the fee simple in the land is to be transferred to the local government subject to —
 - (c) easements in favour of the public which affect the land;
 - (d) the rights of the Crown in right of the State or Commonwealth or a department, agency, or instrumentality of the Crown in right of the State or Commonwealth; and
 - (e) rates and taxes (other than local government rates and service charges) due on the land, but free from other encumbrances.
- (2) Schedule 6.3 has effect in relation to a transfer under this section.

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

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

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

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

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

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

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Staff be instructed to take the administrative action necessary to sell the land with rates outstanding for three or more years for non-payment of rates pursuant to section 6.64(1)(b) of the Local Government Act.

Simple Majority Required

MIN 177/09 MOTION – Moved Cr B Stokes 2nd Cr Greenwood

As per Staff Recommendation against the following assessments:

List of Rates Outstanding:

ASS 352	Chadwick M	\$1571.35
ASS 369	Machin B	\$1553.79
ASS 382	Harris IP (dec'd)	\$881.48
ASS 418	Kickett E	\$1497.57
ASS 437	Henry MR	\$1157.15
ASS 438	Henry MR	\$2707.15
ASS 490	Crogan PJ	\$1787.72

CARRIED 6/0

MIN 178/09 MOTION – Moved Cr R Stokes 2nd Cr Jefferies

That the meeting be adjourned to enable an inspection of Tammin South Rd.

CARRIED 6/0

The meeting adjourned at 2.50pm and reconvened at 3.17pm with all those previously in attendance, present once again.

11.3 2009/10 Budget (FIN-04 & ENG-34)

Author – MG Oliver, CEO, 22 September 2009 Interest – Nil

PREVIOUS REFERENCE

Item 11.3 – 17 September 2009 refers.

BACKGROUND

In considering the 2009/10 Budget, Council resolved in August 2009 that the draft 2009/2010 Budget, with the inclusion of additional roadworks provision of \$127,500 (with further information to be provided to the September 2009 Ordinary Council meeting) be adopted.

Council resolved in September that the item lay on the table pending a site inspection of Tammin South Rd.

COMMENT

For convenience, the provision for these additional roadworks were included in the Budget under road maintenance (Account E122055).

As indicated to Council, additional resources (contractors) will be required to carry out further works.

Correspondence has been received from Kylagh Cattle Company requesting the allocation of funding to the sealing of a 1 km section of Franklin Rd 6.9km south of Great Eastern Hwy to alleviate the dust infiltrating houses on either side of Franklin Rd from traffic – particularly heavy during harvest and seeding periods. Also noting that this is a long standing school bus route and will continue to be so for some time.

Correspondence has also been received from Kylagh Cattle Company drawing attention to their traffic on Quartermaine and Rabbit Proof Fence Roads – anticipated at 200-240 cattle trucks, 120 grain trucks and 40 hay trucks in 2009. The majority of cattle trucks access the site off York Tammin (Goldfields) Rd, heading south along Rabbit Proof Fence Rd and then east along Quartermaine Rd. The majority of grain trucks access the site off Ralston Rd and then west along Quartermaine Rd. This winter, Quartermaine Rd was closed to heavy traffic due to the road surface breaking down. Rabbit Proof Fence Rd is used as a connecting road for traffic heading between Great Eastern Hwy and the Quairading Shire. It is considered that there is one *black spot*

4km south of the Goldfields Rd/Rabbit Proof Fence Rd intersection where traffic is required to wind between large trees and over a poorly constructed culvert. Requests have been previously made for the trees to be removed and this point be widened to avoid a potential accident. The Shire is again requested to allow for these works in the upcoming Budget.

Following further inspection, roadworks identified by Staff are:

Account E122100 – Road Construction

Tammin South Rd – Seal/Reseal – SLK 0.00-0.30	\$7,750
Tammin South Rd – Seal/Reseal – SLK 0.85-2.90	\$52,900
Tammin South Rd – Seal/Reseal – SLK 9.40-11.17	\$45,650
Ralston Rd – Seal/Reseal – SLK 0.00-0.44	\$11,500

The works are designed to save the existing single coat bitumen. The total cost (\$117,800) is less than the available funds (\$114,000) – with Ralston Rd being adjusted.

Other roadworks identified by Staff include shoulders and reseal of Bungulla North Rd. These works have not been recommended as Regional Road Group funding is available for Bungulla North Rd – but prioritised to Goldfields and Tammin Wyalkatchem Rd.

Other expenditure, without Budget provision, identified is:

Account E045408 – Relocation Expenses

CEO vacancy	\$4,000
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Account E045419 – Advertising

CEO vacancy advertising	\$4,500
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Account E0455430 – Consultant Fees

CEO recruitment	\$5,000
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FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the 2009/10 Budget be amended by:

- | | |
|---|-----------|
| • Deletion from Account E122055 – Road Maintenance | \$127,500 |
| • Addition Account E045408 – Relocation Expenses | \$4,000 |
| • Addition to Account E045419 – Advertising | \$4,500 |
| • Addition to Account E0455430 – Consultant Fees | \$5,000 |
| • Addition to Account E122100 – Road Construction – Tammin South Rd | \$106,300 |
| • Addition to Account E122100 – Road Construction – Ralston Rd | \$7,700 |

Simple Majority Required

MIN 179/09 MOTION – Moved Cr R Stokes 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

Note – Acting CEO to research and report on issues relating to hazards in the area 4km South of the Goldfields Rd/Rabbit Proof Fence Rd intersection.

11.4 I Cox – Pedestrian Crossings (ENG-11)

Author – MG Oliver, CEO, 22 September 2009 Interest – Nil

BACKGROUND

Correspondence seeking the installation of:

- a pedestrian crossing where most of the other members of Tammin walk to the Post Office and Bank cross the Donnan Street, fitted with audible signals, which would tell vision impaired pedestrians when to cross; and
- a pathway from the railway station bridge to the edge of Walston Street and curbing be placed along the edge of the street, to give vision impaired pedestrians a better sense of direction and where the verge ends and the street begins.

COMMENT

Main Roads WA has indicated that it is unlikely that anything can be installed that would interfere with the traffic (road trains) on the highway in relation to Donnan Street crossing. However, it has offered to assist by way of advice and design in relation to tactile paving – if it was considered it would assist.

The pedestrian path from the railway station bridge exits into the carpark entrance off Walston Street. It is not considered practical to provide a demarcation between the carpark and Walston Street by way of kerbing – however tactile markings may assist.

Strangely, there is no mention of the railway crossing.

FINANCIAL IMPLICATIONS

Unknown – no Budget provision

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Mr Cox be advised that:

- the request for an audible pedestrian crossing in Donnan Street has been referred to Main Roads WA who have indicated that it is unlikely that anything can be created that would interfere with the traffic; and
- further consideration (with advice from Main Roads WA) of the request for the demarcation of a pedestrian pathway through the car park on Walston Street will be given if it is considered that tactile markings would substantially improve the situation.

Simple Majority Required

MIN 180/09 MOTION – Moved Cr Jefferies 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

Cr Jefferies and Wheeldon declared a financial interest and left the Chambers at 3.25pm.

The natures of their interest were:

Cr Jefferies – sub lease holder of Gull service station

Cr Wheeldon – Vice President of Tammin CWA – owner of lots 33 and 34 Walston St, Tammin

11.5 WAPC – TPS 1 Amendment 1 (TPLAN-04)

Author – MG Oliver, CEO, 22 September 2009 Interest – Nil

PREVIOUS REFERENCE

Items 11.1 – 20 November 2008 and 11.21 – 15 July 2009 refer.

BACKGROUND

Council resolved in September 2007 to request an amendment to the Town Planning Scheme (as opposed to reviewing the Scheme) to address a number of zoning issues.

PlanWest prepared the Amendment which proposed to amend the scheme by:

1. Reclassifying Crown Reserve 43892 Booth Street, Tammin, from 'Residential R12.5' zone to 'Public Purposes – Community Housing' local scheme reserve;
2. Reclassifying Lots 82 and 88 Redmond Street, Tammin, from 'Residential R12.5' zone to 'Public Purposes – Depot' local scheme reserve;
3. Rezoning portion of Lot 100 Great Eastern Highway, Tammin, from 'Light Industry' zone to 'Special Use – Roadhouse' and 'Special Use – Caravan Park/ Short Term Accommodation' zone;
4. Rezoning Lots 33 and 34 Walston Street, Tammin, from 'Residential R12.5' zone to 'Special Use – CWA' zone;
5. Reclassifying Lot 19 Station Road, Tammin, from 'Rural' zone to 'Public Purposes – Waste Water Treatment Plant' local scheme reserve;
6. Rezoning Lot 129 Barrack Road, South Tammin, from 'Rural' zone to 'Special Use – Rural Accommodation' zone;
7. Reclassifying Lot 51 Station Road, North Tammin, from 'Rural' zone to 'Public Purposes – Water Supply' local scheme reserve;
8. Reclassifying Lot 861 Lowles Road, North Tammin, from 'Rural' zone to 'Special Use – Observatory' zone, and
9. Reclassifying Lots 168-173 Donnan Street, Tammin from 'Town Centre' zone to 'No zone'.

as more clearly shown on the Scheme Amendment Maps.

In February 2008 Council formally resolved, in pursuance of Section 75 of the Planning and Development Act 2005, to amend Town Planning Scheme No 1.

Approval to advertise was given by the WAPC on 25 March 2008 and by the Environmental Protection Authority on 25 June 2008.

The Amendment was advertised on the Shire of Tammin's Notice Board and in the West Australian on 23 July 2008 with submissions closing on 3 September 2008.

Seven responses/submissions were received – with none of the submissions providing any arguments against the Scheme Amendment.

In July 2009 the WA Planning Commission advised that the Minister for Planning:

- determined the submissions in accordance with the schedule of submissions;
- determined that the modifications in the schedule of modifications that relate to the Waste Water Treatment Plant Buffer Special Control Area are substantial and are required to be readvertised; and
- directs Council to advertise the modifications for a period of 21 days in accordance with the provisions of regulations 20(1) and 25 of the *Town Planning Regulations 1967*.

In July 2009 Council resolved that PlanWest be requested to prepare the necessary documentation for the Waste Water Treatment Plant Buffer Special Control Area amendment and that the amendment be advertised in accordance with the direction from the Minister for Planning.

The Amendment was advertised on the Shire of Tammin's Notice Board and in the West Australian on 26 August 2009 with submissions closing on 16 September 2009.

No submissions were received.

COMMENT

Final approval is now required for the Amendment text as follows:

1. Delete reference in the amendment text to the creation of new local scheme reserves 'Public Purposes - Community Housing and 'Public Purposes - Education'.

To recognise the removal of a proposal from the amendment, and address an error in the text

2. Delete the following text from the amendment:

Reclassifying Crown Reserve 43892 Booth Street, Tammin, from Residential R12.5 zone to Public Purposes - Community Housing local scheme reserve, and deleting the R Code accordingly.

To recognise the removal of a proposal from the amendment

3. Modify the amendment text relating to Appendix 3 - Special Use Zone in accordance with the following:

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
2.	Portion of Lot 100 Great Eastern Highway, Tammin	Roadhouse	a) Development to conform to an Outline Development Plan as approved by Council b) Development to consider buffer requirements between a road house and sensitive land uses such as caravan parks and accommodation, in accordance with the requirements of the appropriate State environmental agency. c) No additional access to Great Eastern Highway will be permitted unless on advice from the State road agency.

3.	Portion of Lot 100 Nottage Way, Tammin	Caravan Park, Short Stay Accommodation	Development to conform to an Outline Development Plan as approved by Council
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To include additional development standards in accordance with submissions

4. Add the following text to the amendment:

Add the following definition for 'Short stay accommodation' to Appendix 1: Interpretations between the definition for 'shop' and 'showroom':

"Short-Stay Accommodation" means a building, or group of buildings forming a complex, designed for the accommodation of short-stay guests and which provides on-site facilities for the convenience of guests and for management of the development, where occupation by any person is limited to a maximum of three months in any 12-month period and excludes those uses more specifically defined elsewhere.

To ensure consistency with Planning Bulletin 86 and State policy

5. Add the following text to the amendment:

Add the following text to PART V of the Scheme

5.8 WASTE WATER TREATMENT PLANT BUFFER SPECIAL CONTROL AREA

5.8.1 The objective of the Waste Water Treatment Plant Buffer Special Control Area is to control development within close proximity of the waste water treatment plant which may be considered a nuisance or offensive by virtue of odour and health concerns.

5.8.2 The Council may impose restrictions and conditions over land use and other development including development for residential land use, caretakers dwellings, and the preparation and sale of food on land within 500 metres of the sewerage effluent pond and may recommend conditions in respect of the subdivision for such Land. Development within the SCA may trigger a notification on the title about potential odour impacts.

5.8.3 Within the Waste Water Treatment Plant Buffer Special Control Area, no additional land should be zoned for residential purposes or additional food preparation land uses approved.

5.8.4 Council may refer proposals prior to determining applications for development in the vicinity of effluent ponds to the appropriate State environment agency for consideration of the offsite impacts and any conditions to be imposed on its approval.

To manage offsite impacts of the waste water treatment plant

6. Delete the following text from the amendment:

h) Rezoning Lot 129 Barrack Road, South Tammin from Rural zone to Special Use Rural Accommodation zone; by adding to Appendix No 3 - Special Use Zone as follows:

<i>No.</i>	<i>Land Particulars</i>	<i>Permitted Uses</i>	<i>Development Standards/Conditions</i>
5.	<i>Lots 129 Barrack Road, South Tammin</i>	<i>Rural Accommodation</i>	<i>Uses as determined by the Council</i>

And replace it with:

h) Include Appendix 8 Restricted Uses in accordance with the following:

Appendix 8 Restricted Uses

<i>No.</i>	<i>Land Particulars</i>	<i>Restricted Use</i>	<i>Development Standards/ Conditions</i>
<i>1.</i>	<i>Lot 129 Barrack Road, South Tammin</i>	<i>Rural Accommodation</i>	<i>Uses as determined by the Council</i>

To reflect the intended use of the site for rural accommodation

Amendment Maps as follows:

1. Modify the map title from 'Existing Scheme Map A' to 'Scheme Amendment Map A'

To address an error in the mapping

2. Delete reference to the following local scheme reserves in the legend:

'Public Purposes - Community Housing'

'Public Purposes - Observatory'

To recognise the removal of a proposal from the amendment, and address an error in the mapping

3. Remove reference to Crown Reserve 43892 Booth Street, Tammin as a Public Purposes Reserve.

To recognise the removal of this proposal from the amendment.

4. Add a Waste Water Treatment Plant Buffer Special Control Area to the Scheme Maps in the form of a 500 metre buffer around Lot 19 Station Road, North Tammin.

To manage offsite impacts of the waste water treatment plant.

5. Add the following Special Use zone in the legend: 'Special Use - Observatory'

To address an error in the mapping.

6. Modify the Scheme map to show Lot 861 Lowles Road, North Tammin as 'Special Use - Observatory'.

To address an error in the mapping.

7. Delete the following Special Use zone in the legend:
'Special Use - Rural Accommodation'

To reflect an intended modification.

8. In relation to Lot 129 Barrack Road, remove reference to a Special Use zone, retain Rural zoning, and include symbol 'RU1'

To reflect an intended modification and restricted use on this lot.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 20 of the Town Planning Regulations (Consideration of Scheme by Minister or authorised person) provides:

- (1) Where the Minister or authorised person is of the opinion that a modification to the Scheme is substantial whether the modification is recommended by the responsible authority or any other modification he shall direct the responsible authority to advertise the modification in the form of Form No. 3A in Appendix A once in a newspaper circulating in the district where the land the subject of the Scheme is situated and to display a copy of the notice in a prominent place in the offices of the responsible authority for the period set forth in the direction and may direct the responsible authority to take such other steps as he considers necessary to make public the modification and the responsible authority shall give effect to the direction.
- (2) A person who desires to make a submission on a modification to the Scheme that has been advertised pursuant to subregulation (1) shall make a written submission by notice in the form of Form No. 4 in Appendix A within the period specified in the direction given under subregulation (1).
- (3) The responsible authority shall, within 3 months of the expiry of the period specified under subregulation (1) for making submissions on the modifications or within such further period as is approved by the Minister or an authorised person —
 - (a) consider all submissions on the modifications to the Scheme;
 - (b) make a recommendation in respect of each submission to the Commission; and
 - (c) forward the submissions on the modifications to the Scheme and its recommendations thereon to the Commission.
- (4) The Commission shall examine the submissions on the modifications to the Scheme and the recommendations of the responsible authority and make its recommendations thereon to the Minister.
- (5) The Minister shall consider the submissions on the modifications to the Scheme made under this regulation together with the recommendations made thereon by the responsible authority and the recommendations of the Commission, and shall pursuant to section 7(2a) of the Act approve the Scheme, refuse to approve the Scheme or require the responsible authority to modify the Scheme in such manner as he may specify before approval is given.

Section 25 (Town Planning Scheme Amendment) provides:

- (1) Subject to subregulation (2), a Town Planning Scheme Amendment shall be in conformity with these regulations as though it were a Scheme except that —
 - (a) it shall comprise only such of the documents comprising a Scheme as are, in the opinion of the Commission, necessary to convey the intent and reasons for the Amendment;
 - (b) regulations 4, 5 and 12A(1) shall not apply;
 - (c) the resolution of the responsible authority to amend a Scheme shall be in the Form No. 1C in Appendix A and shall be forwarded to the Commission separate from but with the Amendment;
 - (d) the Commission shall not make a recommendation under regulation 13(2);
 - (e) regulations 13(4) and (5) and 14 shall not apply but regulation 25AA shall apply to the giving or withholding of consent to the advertising of the Amendment for public inspection;
 - (f) in regulation 15(1) a reference to the giving of consent for the Scheme to be advertised for public inspection under regulation 14 shall be read and construed as a reference to the Commission giving its consent for the Amendment to be advertised for public inspection under regulation 25AA;
- (fa) regulation 15(3) shall not apply but —
 - (i) the Commission shall send to the responsible authority a copy of the notice referred to in regulation 15(1); and

- (ii) the advertisement required to be made under regulation 15(1) shall be effected by the responsible authority publishing the notice once in a newspaper circulating in the district where the land the subject of the Amendment is situated and also displaying a copy of the notice in a prominent place in the offices of the responsible authority until the date specified as the date on or before which submissions in respect of the Amendment may be made;
- (faa) in regulation 15(5) —
 - (i) the reference to the notice advertised or given pursuant to this regulation shall be read and construed as a reference to the copy of the notice sent by the Commission to the responsible authority; and
 - (ii) the reference to the date of publication of the advertisement in the Gazette pursuant to this regulation shall be read and construed as a reference to the date of publication of the advertisement by the responsible authority in a newspaper circulating in the district where the land the subject of the Amendment is situated;
- (fb) in regulation 17(1)(a) a reference to a period within 6 months of the expiry of the period specified under regulation 15(5) for making submissions shall be read and construed as a reference to a period within 42 days from the date of publication of the advertisement in a newspaper circulating in the district where the land the subject of the Amendment is situated or any other date specified as the date on or before which submissions in respect of the Amendment may be made;
- (fba) in regulation 17(2) a reference to no submissions having been lodged within the period specified under regulation 15(5) for making submissions shall be read and construed as a reference to no submissions having been lodged by the date specified on or before which submissions in respect of the Amendment may be made;
- (g) where no submissions are made a local government may, if it resolves to adopt an amendment without modification and has complied with regulation 17A, proceed to execute the documents in the manner prescribed in regulation 22.
- (2) If a Town Planning Scheme Amendment —
 - (a) is consistent with section 6(1) of the Act or is for a purpose or work or contains a provision or power that is set out in the First Schedule of the Act;
 - (b) is consistent with any regulations made under the Act;
 - (c) is consistent with the Metropolitan Region Scheme made under section 30 of the Metropolitan Region Town Planning Scheme Act 1959, a town planning scheme or amendments to a town planning scheme prepared under section 18(1)(ba) of the Western Australian Planning Commission Act 1985 or any gazetted notice of the Commission relating to the Metropolitan Region Scheme or to a town planning scheme or amendment of a town planning scheme made under section 18(1)(ba) of the Western Australian Planning Commission Act 1985; and
 - (d) is consistent with any statement of planning policy prepared by the Commission with the approval of the Minister under section 5AA of the Act or any variation or amplification of the policy prepared by the Commission and approved by the Minister under the section,
 the Town Planning Scheme Amendment shall be in conformity with these regulations as though it were a Scheme except that —
 - (e) it shall comprise only such of the documents comprising a Scheme as are necessary to convey the intent and reasons for the amendment;
 - (f) regulations 4, 5 and 12A(1) shall not apply;
 - (g) the resolution of the responsible authority to amend a Scheme shall be in the Form No. 1C in Appendix A and shall be forwarded to the Commission separate from but with the Amendment;
 - (h) the Commission shall not be under a duty to examine the Amendment and shall not make a recommendation under regulation 13(2);
 - (i) regulations 13(4) and (5) and 14 shall not apply but —
 - (i) the Amendment shall not be advertised for public inspection unless section 7A1 of the Act has been complied with;

- (ii) the Amendment shall not be advertised for public inspection if the EPA acts under section 48A(1)(c) of the EP Act unless a direction is given under section 48A(2)(a) of the EP Act and there has been compliance with section 48C(6)(a) of the EP Act (if compliance is required);
- (iii) the Amendment shall not be advertised for public inspection if the EPA acts under section 48C(1)(a) of the EP Act unless the local government has complied with sections 7A2 of the Act and 48C(6)(a) of the EP Act;
- (j) regulation 15 shall not apply but —
 - (i) the local government specified in the Town Planning Scheme Amendment as such shall become the responsible authority under the Act and —
 - (I) notice of the Amendment shall be advertised in the Form No. 3 in Appendix A in accordance with paragraph (iii);
 - (II) the responsible authority shall take such other steps, if any, as it considers necessary to make public the details of the Amendment;
 - (III) the responsible authority may give any owner of land that the authority considers is affected by the Amendment a copy of the notice of the Amendment referred to in Item (I); and
 - (IV) the responsible authority may take all reasonable steps to ensure that a notice of the Amendment is conspicuously displayed on or adjacent to any land affected by the Amendment;
 - (ii) the responsible authority shall make available for inspection by the public during office hours at the office of the responsible authority a copy of the Amendment, Amendment Report and other supporting documents, and there shall be made available at the office of any local government affected by the Amendment a copy of that part of the Amendment that relates to land within the district of that local government;
 - (iii) the advertisement required to be made under paragraph (j)(i) shall be effected by publication by the responsible authority of the notice referred to in that paragraph once in a newspaper circulating in the district where the land the subject of the Amendment is situated and the responsible authority shall also display a copy of the notice in a prominent place in the offices of the responsible authority until the date on or before which submissions in respect of the Amendment may be made as determined or fixed under paragraph (v);
 - (iv) the responsible authority shall give to each public authority or person whom the local government is required by section 7(2aa) of the Act to consult, and in the case of a development scheme to every landowner within the area the subject of the Amendment a notice in writing in the Form No. 3 in Appendix A;
 - (v) the responsible authority shall, in the notice advertised pursuant to paragraph (iii), describe the purpose of the Amendment, state the times and places where the Amendment may be inspected, and specify a date on or before which submissions in respect of the Amendment may be made; which date shall be a date not less than 42 days from the date of publication of the advertisement in a newspaper circulating in the district where the land the subject of the Amendment is situated pursuant to paragraph (iii) unless, at the request of the responsible authority, the Commission decides that another date, being not less than 21 days from the date of such publication, is appropriate to the Amendment;
- (k) in regulation 17(1)(a) a reference to a period within 6 months of the expiry of the period specified under regulation 15(5) for making submissions shall be read and construed as a reference to a period within 42 days from the date of publication of the advertisement in a newspaper circulating in the district where the land the subject of the Amendment is situated or any other date that the Commission has specified as the date on or before which submissions in respect of the Amendment may be made;
- (l) in regulation 17(2) a reference to no submissions having been lodged within the period specified under regulation 15(5) for making submissions shall be read and construed as a reference to no submissions having been lodged by the date

specified on or before which submissions in respect of the Amendment may be made;

- (m) regulation 18(1) shall apply but the responsible authority shall also forward to the Commission particulars of the steps taken to advertise the Amendment;
- (n) where no submissions are made a local government may, if it resolves to adopt an Amendment without modification and has complied with regulation 17A, proceed to execute the documents in the manner prescribed in regulation 22;
- (o) regulation 21(1) shall apply but, before making a decision under section 7(2a), if the Minister or an authorised person is not satisfied that the steps taken to advertise the Amendment are adequate, the Minister or that person may in writing direct the responsible authority to take such steps as the Minister or that person considers necessary to make public the Amendment and the responsible authority shall give effect to the direction; and
- (p) if the Minister or an authorised person gives a direction under paragraph (o), the Minister or the authorised person is also to give directions in writing as to —
 - (i) the manner in which the responsible authority is to publicize the Amendment;
 - (ii) the manner in which a person who desires to make a submission on the Amendment is to make the submission;
 - (iii) the manner in which the responsible authority is to consider, make recommendations on and forward any submission on the Amendment to the Commission; and
 - (iv) the manner in which the Commission is to examine any submission on the Amendment and the recommendations of the responsible authority and make its recommendations to the Minister.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Locally advertised and adjoining neighbours invited to comment.

STAFF RECOMMENDATION

That the WA Planning Commission be recommended to approve Town Planning Scheme No1 Amendment No 1.

Simple Majority Required

MIN 181/09 MOTION – Moved Cr R Stokes 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED 4/0

Crs Jefferies and Wheeldon re-entered the Chambers at 3.27pm.

11.6 Tammin Seniors Committee – Tamma Village (ASS-1093)

Author – MG Oliver, CEO, 22 September 2009 Interest – Nil

BACKGROUND

Correspondence requesting:

- the gutters in the units cleaned
- power point installed to the Unit 8 back wall (in courtyard)
- removal of gas heater from Unit 5 as there is no ventilation
- adjustment of door in Unit 5 to allow it to close
- erection of a car parking sign for visitors
- white lining to delineate the bays in the car park
- pot hole repairs to the bitumen

Also reporting a suggestion from Yppie Thomson that all caravans, extra cars, trailers be put in a compound outside the back fence behind car park.

COMMENT

Clarification has been sought that the Committee will reimburse the Shire of the power point in Unit 8 courtyard and the Committee's position in relation to the suggestion regarding the creation of a compound for extra cars, caravans and trailers.

The cleaning of gutters, adjustment of the door, pot hole repairs and the provision of visitor car parking signage will be undertaken by Staff.

The need for the removal of gas heater from Unit 5 will be investigated.

In relation to the cost involved, the provision of car parking bay white lining is not considered cost effective particularly in relation to changing behaviour.

FINANCIAL IMPLICATIONS

No provision in the 2009/10 Budget.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction in relation to white lining of the car parking bays.

Simple Majority Required

MIN 182/09 MOTION – Moved Cr Wheeldon 2nd Cr Caffell

That:

- 1. The Tammin Seniors' Committee be requested to clarify what they are seeking to achieve in regards to caravan parking at the Tamma Village.*
- 2. The Acting CEO investigate the flu ventilation requirements for gas heaters.*
- 3. White lines to delineate the bays in the car park and 'Visitors Parking' sign be installed at the Tamma Village.*

CARRIED 6/0

11.7 WALGA – Declared Pest Rates (ENVH-11)

Author – MG Oliver, CEO, 22 September 2009 Interest – Nil

BACKGROUND

Correspondence advising that Regulations under the Biosecurity and Agriculture Management Act (BAM Act) are due to take effect from 1 July 2010 which will enable the imposition of Declared Pest Rates. The Rates (matched \$ for \$ by the State Government) would then be used to manage issues posed by a range of invasive species deemed to be of significance by a local community.

The Regulations authorise only the Commissioner of State Revenue to assess and collect any Declared Pest Rates imposed.

WALGA is seeking feedback on local government's interest in:

- (a) being the collection agent for the Declared Pest Rates at some future point; and
- (b) the Recognised Biosecurity Group model.

COMMENT

On 24 June 2008 the Shire of Tammin supported the creation of a Recognised Biosecurity Group based on WE-ROC Councils. It is understood that this has not progressed.

FINANCIAL IMPLICATIONS

Unknown. Previous discussions indicated that a process similar to the FESA ESL would apply whereby local governments were paid to modify its rating process and are paid a fee each year to process, collect and remit funds.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Department of Agriculture & Food be advised that the Shire of Tammin is willing to be a collection agent for the Declared Pest Rates subject to agreement on cost recovery and that WE-ROC be requested to progress the creation of a Recognised Biosecurity Group.

Simple Majority Required

MIN 183/09 MOTION – Moved Cr R Stokes 2nd Cr B Stokes

That WALGA be advised that the Shire of Tammin is willing to be a collection agent for the Declared Pest Rates subject to agreement on cost recovery and that WE-ROC be requested to progress the creation of a Recognised Biosecurity Group.

CARRIED 5/1

11.8 Barracks - Lease (ASS-1545)

Author – MG Oliver, CEO, 29 September 2009 Interest – Nil

PREVIOUS REFERENCE

Item 11.2 – 20 August 2009 refers.

BACKGROUND

The lease for 81 Barrack Rd (Barracks) drafted by the CEO, has been signed by Pentacle Holdings P/L (Glen & Lynne Carpenter) and is ready for sealing and signing by the Shire of Tammin.

COMMENT

The lease provides for a term of 3 years with a 5 year option together with a rent of \$200/week for the first 2 years followed by a rent review.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Common Seal of the Shire of Tammin be affixed to the rental agreement with Pentacle Holdings P/L for 81 Barrack Rd.

Simple Majority Required

MIN 184/09 MOTION – Moved Cr Caffell 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 6/0

11.9 N-Com P/L – FM Radio Service (ASS-1063)

Author – MG Oliver, CEO, 1 October 2009 Interest – Nil

BACKGROUND

Correspondence advising of the availability of FM radio services and subsidies of up to \$25,000 to establish. Possible services include:

- ABC Fine Music
- SBS FM – subsidy of up to \$25,000 available (conditions apply)
- Triple J
- ABC Regional Radio
- Radio National
- Rebel FM
- Breeze FM
- ABC News Radio
- Or other local stations eligible to be retransmitted (conditions apply)

The FM radio services can be from as little as \$7,500 (subject to site inspection).

N-Com has now teamed up with Benson Leasing to offer local governments the equipment, installation, licensing and servicing.

N-Com Pty Ltd is a broadcast equipment specialist supplying and installing television and radio broadcast equipment throughout Australia. We have helped many local councils install both TV and Radio services. They are also able to upgrade analogue retransmission sites to digital.

COMMENT

Currently, WIN TV is re-broadcast from the Town Hall with United Christian Broadcasters Australia Ltd being granted permission to re-broadcast FM radio from the Hall.

FINANCIAL IMPLICATIONS

Unknown – but apparently nil.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council indicate an interest in FM radio.

Simple Majority Required

MIN 185/09 MOTION – Moved Cr R Stokes 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 6/0

11.10 Tammin Town Hall Kitchen Design (ASS-1063)

Author – MG Oliver, CEO, 2 October 2009 Interest – Nil

PREVIOUS REFERENCE

Items 11.4 – 19 February 2009, 11.5 – 21 May 2009 and 11.16 – 15 July 2009 refer.

BACKGROUND

On 19 February 2009 Council resolved that as part of the priority for the first year's Royalties for Regions Country Local Government funding be the Town Hall kitchen (remove and replace floor, create servery's from the kitchen into the Town Hall, Lesser Hall and new alfresco area to the north of the kitchen, cool room) (\$100,000).

On 21 May 2009 Council resolved that Crs Greenwood and Caffell together with the CEO meet with Malcolm Alcock and Jane Fenwick to prepare a draft plan for the redevelopment of the Town Hall kitchen.

On 15 July 2009 the CEO reported that on 16 June 2009 Crs Caffell and Greenwood together with Malcolm Alcock and the CEO met on site with Jane Fenwick (Practical Design Solutions). Arising from that meeting was an initial draft design. Council resolved that the initial design, with the inclusion of a salamanda, be accepted and the design be progressed to plans and elevations.

Jane Fenwick has now provided the plans and it is appropriate that Council endorses the design.

COMMENT

Works are proposed to be commenced in November following Mr Alcock's return from leave.

FINANCIAL IMPLICATIONS

Provision is included in the 2009/10 Budget – Account E111021 funded from the Royalties for Region program.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

January 2009 Community survey.

STAFF RECOMMENDATION

That the design by Jane Fenwick for the refurbishment of the Town Hall kitchen be accepted.

Simple Majority Required

MIN 186/09 MOTION – Moved Cr Wheeldon 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

11.11 Donnan Park Changerooms (ASS-1076)

Author – MG Oliver, CEO, 2 October 2009 Interest – Nil

PREVIOUS REFERENCE

Item 11.4 – 19 February 2009 refers.

BACKGROUND

Council resolved on 19 February 2009 that the priority for the first year's Royalty for Regions Country Local Government funding be Donnan Park (refurbish grandstand, extend concrete path the full length at the same level, home change room carpet, repaint all change rooms, shade over playground) (\$70,000).

COMMENT

A quotation has been obtained for the carpets (Northam Carpets \$3,050).

The Country Local Government Fund is to be applied to expenditure against the following local government asset classes:

- Buildings
- Infrastructure
 - Roads
 - Bridges
 - Drainage
 - Parks, Gardens and Reserves
 - Footpaths and Cycle ways
 - Airports
 - Sewerage
 - Other

Furniture and Equipment (including carpets) is not included.

This project might be funded from the Federal Government's RLCIP – of which Tammin is likely to receive an allocation of \$30,000 later in the year. Alternatively, it could be funded from the unallocated road maintenance (see Item 11.3 above).

FINANCIAL IMPLICATIONS

Unknown – dependant on decision.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction.

Simple Majority Required

MIN 187/09 MOTION – Moved Cr R Stokes 2nd Cr Caffell

That the Acting CEO investigate the proposed arrangements intended for the carpet exchange between the Lesser Hall and the Home Change Rooms at Donnan Park.

CARRIED 6/0

11.12 G Froomes Wyllie – Audit Report (FIN-02)

Author – MG Oliver, CEO, 7 October 2009 Interest – Nil

BACKGROUND

Forwarding the Audit Report and Management Letter for 2008/09.

COMMENT

The final audit was undertaken on 9 September 2009 with the Audit Report being received on 7 October 2009.

No issues were raised in the Management Letter.

A copy of the Financial Report and Audit Report together with a draft the Annual Report have been provided to Councillors.

It is noted that the Annual Report is required to be adopted by Council by 31 December – or within 2 months of the Auditor's Report being received and that the General Electors meeting is required to be held greater than 14 days and within 56 days of Council adopting the Annual Report.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

It is noted that Council's Policy provides that that the advertising for the Electors meeting be by householder newsletter 2 weeks in advance of the meeting. As in recent years, it is proposed to send out a copy of the Annual Report to all residents.

STATUTORY ENVIRONMENT

Section 5.27 of the *Local Government Act* provides that:

- (1) a general meeting of the electors of a district is to be held once every financial year.
- (2) a general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) the matters to be discussed at general electors' meetings are to be those prescribed.

Section 5.29 provides that the CEO is to convene an electors' meeting by giving —
(a) at least 14 days' local public notice; and
(b) each council member at least 14 days' notice,
of the date, time, place and purpose of the meeting.

The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

Section 5.53 requires a local government to prepare an annual report containing:

- (a) a report from the mayor or president;
- (b) a report from the CEO;
- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- (f) the financial report for the financial year;
- (g) such information as may be prescribed in relation to the payments made to employees;
- (h) the auditor's report for the financial year;
- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
- (i) such other information as may be prescribed.

Section 5.54 requires the annual report to be accepted by the local government no later than 31 December after that financial year subject to that if the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Section 5.55 requires the CEO to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATIONS

That:

- the Annual Financial Report be adopted;
- the Audit Report and Audit Management Letter be received;
- Council indicate its intention to convene a meeting of the Audit Committee in the latter half of November 2009; and
- an Annual Report be prepared for Council's consideration pursuant to section 5.54 of the *Local Government Act*.

Absolute Majority Required

MIN 188/09 MOTION – Moved Cr Greenwood 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

11.13 T O'Dea – Kadjiny Kep Function (ASS-1063)

Author – MG Oliver, CEO, 7 October 2009 Interest – Nil

BACKGROUND

Mr O'Dea has again sought the free use of Kadjiny Kep for an alcohol free public New Years' Eve entertainment in return for a gold coin donation to Princess Margaret Hospital.

Mr O'Dea has also sought permission to use the Kep for band practice sessions.

COMMENT

No issues have occurred in the past and no problems are envisaged.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Mr T O'Dea be permitted free use of the Kadjiny Kep for a New Years' Eve public entertainment function and the use of the Kep for band practice as requested.

Simple Majority Required

MIN 189/09 MOTION – Moved Cr Caffell 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 6/0

11.14 Financial Report (FIN-05)

Author – M Hand, Finance Officer, 7 October 2009 Interest – Nil

BACKGROUND

The Financial Report for 2009/10 to 30 September 2009 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* 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.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION/COUNCIL DECISION

That the Financial Report for September 2009 be received.

Simple Majority Required

MIN 190/09 MOTION – Moved Cr Caffell 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED 6/0

11.15 List Of Payments (FIN-05)

Author – C Wilks, Administration Officer, 7 October 2009 Interest – Nil

BACKGROUND

Accounts paid and for payment for September 2009 are listed totalling:

Municipal Fund	Voucher numbers 2973 – 3051	\$576,254.02
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COMMENT

No abnormal expenditure has occurred.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Regulation 13 of the *Local Government (Financial Management) Regulations* 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.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the list of accounts for September 2009, be endorsed.

Simple Majority Required

MIN 191/09 MOTION – Moved Cr Wheeldon 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 6/0

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

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

MIN 192/09 MOTION – Moved Cr R Stokes 2nd Caffell

That Council permit the introduction of an item urgent business to deal with the appointment of a new CEO.

CARRIED 6/0

The President referred to the process adopted by Council (Min.154/08) and to be coordinated by WALGA Workplace Solutions for the appointment of a new CEO. Interviews with short listed applicants had been held on 8 October 2009 and a preferred candidate chosen.

A draft Contract of Employment had also been prepared within the parameters approved by Council at its Special meeting held on 31 August 2009. The President then proceeded to identify the main features of the draft contract contained in the proposed salary package of \$152,500.

MIN 193/09 MOTION – Moved Cr R Stokes 2nd B Stokes

That Council:

1. *Appoints Graham Phillip Stanley as Chief Executive Officer with the Shire of Tammin for a period of three (3) years commencing on 12 January 2010 and concluding on the 11 January 2013; and*

2. *Endorses the contract of employment drafted by WALGA, LGMA and the Department of Local Government and which incorporates a package of \$152,500 per annum and a cash component of \$110,000 per annum.*

CARRIED BY AN ABSOLUTE MAJORITY 6/0

14. CLOSURE OF MEETING

There being no further business the Chairman closed the meeting at 5.36pm.

Tabled before the Ordinary Council meeting on 19 November 2009.

Cr R.J. Stokes, Presiding Person

COUNCILLORS INFORMATION BULLETIN – OCTOBER 2009

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

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IB 1 Status Report

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

	Council Resolution	Officer	Action
	Properties Inspection Item 11.18 – 20/4/2006 <ul style="list-style-type: none">Locate memorabilia or small cardboard buildings for historic photo cabinet. Seek advice from Ron York regarding displaying the existing photos.Prepare septic and storm water drainage plans for the Hall.	CEO CEO	
	Statements & Plans Item 11.13 – 21/6/2006 <p>That the CEO research and complete/update draft plans when time permits for Council's consideration.</p> <ul style="list-style-type: none">Municipal InventoryHealth & Safety PlanReview of Wards & Representation.	CEO	Completion of Municipal Inventory has been commenced with the undertaking of assistance of the National Trust.
	Item 10.7.17 – 19/4/2007 <p>That Staff clear the existing prunings and carry out further clearing to allow Mr Ralston to replace the section of fence. Note to keep the culvert clear and avoid the water pipe running through the culvert.</p>	WS	Waiting on a request from Mr Ralston.
	Properties Inspection Item 10.3 – 17/5/2007 <p>Replace broken floodlight (250W/500W) in Donnan Park carpark (protect with mesh).</p>	CEO	Job issued to Peter Mitchell.
	House Inspections Item 10.3 – 17/5/2007 <ul style="list-style-type: none">11 Nottage Way – smoke alarm required.9 Nottage Way – smoke alarm required.	CEO CEO	2009/10 Budget 2009/10 Budget
	Equipment Hire Item 11.9 – 18/7/2007 <p>That Staff provide details of items of equipment that should not be available for hire together with items of equipment that are available for hire but are currently not on the fees and charges list for further consideration by Council.</p>	CEO	Items identified todate include: <ul style="list-style-type: none">LadderPA systemPie warmerWarmer ovenSurvey levelOverhead projectorPin-Up boardsWhite board

Outstanding Projects Item 12.1.3 – 21/12/2007 <ul style="list-style-type: none"> • Dam completion – plan to stabilise inlet to catchment dam and plan to transfer of water to storage dam are required. • Building maintenance program – program to consider heavy maintenance and improvements to the Shire’s buildings. 	CEO	2009/10 Budget
	CEO	

IB 2 Strategic Plan

The following is an update on 2008/09 and 2009/10 items from the Strategic Plan.

Our Community	Commence Date	Complete Date	External Assistance
1. Sport, Recreation & Culture			
a) Upgrade sporting facilities at Donnan Park:			
• establish covered BBQ facility.	2008/09	2008/09	Construction underway
• improve oval lighting.	2008/09	Ongoing	On hold until covered BBQ facility completed.
• improve buildings.	2008/09	Ongoing	Warner Hutchins
• refurbish grandstand.	2008/09	2009/10	Malcolm Alcock
• investigate need for resurface the basketball court.	2009/10	2009/10	DSR
b) Tennis courts:			
• Investigate need for resurface.	2009/10	2009/10	DSR
c) Develop children’s recreation:			
• investigate need for skate park.	2009/10	2009/10	DSR
• beach park.	2009/10	2009/10	DSR
• volley ball.	2009/10	2009/10	DSR
d) Investigate need for a gym for community use.	2009/10	2009/10	DSR
e) Encourage youth groups:			
• activities with other towns.	2008/09	Ongoing	YAC
• school holiday programs and excursions.	2008/09	Ongoing	YAC
f) Promote use of Kadjiny Kep.	2008/09	Ongoing	
2. Housing			
a) Investigate need for additional seniors housing at Tamma Village.	2009/10	2009/10	DHW

Our Community (continued)	Commence Date	Complete Date	External Assistance
Our Community (continued)	Commence Date	Complete Date	External Assistance
b) Develop additional community housing.	2008/09	Ongoing	DHW
d) Develop a Shire waiting list for housing.	2008/09	2008/09	DHW
e) Encourage State Government to provide 4 additional quality houses for teacher accommodation.	2008/09	Ongoing	GEHA
f) Upgrade housing.	2009/10	Ongoing	
3. Seniors			
b) Maintain community support services: <ul style="list-style-type: none"> foster HAAC services. 	2008/09	Ongoing	Cunderdin Hospital
4. Town Beautification			
a) Landscape the Great Eastern Hwy: <ul style="list-style-type: none"> develop attractive entry statements. 	2008/09	2009/10	Trees planted (3rd time) at CBH
c) Improve the overall presentation of the neighbourhood, including encouraging owners to tidy vacant blocks, and maintaining lanes and access ways.	Ongoing	Ongoing	
5. History and Heritage			
a) Investigate need for museums: <ul style="list-style-type: none"> photography. historical museum. 	Ongoing Ongoing	Ongoing Ongoing	
6. Other Services			
a) Police <ul style="list-style-type: none"> Advocate for adequate Police service to Shire. Investigate provision of housing for Police. 	Ongoing Ongoing	Ongoing Ongoing	

Our Community (continued)	Commence Date	Complete Date	External Assistance
Our Community (continued)	Commence Date	Complete Date	External Assistance
b) Enhance community development: <ul style="list-style-type: none"> work with community groups to promote the annual art prize and associated exhibition. work with the seniors group to explore opportunities for education for seniors. work with community to promote an active and healthy lifestyle. 	Ongoing	Ongoing	
	Ongoing	Ongoing	
	Ongoing	Ongoing	
7. Other Improvements			
a) complete town street lighting.	2008/09	2009/10	R ⁴ R Western Power contracted to complete.
b) complete sealing of town streets.	2009/10	Ongoing	
c) complete provision of town footpaths.	2008/09	2009/10	R ⁴ R
d) facilitate improved disability access.	2008/09	2009/10	
f) develop plan for bitumen roads network.	2009/10	2009/10	
g) Investigate standard of traffic signage.	2009/10	2009/10	
h) annual review of plant replacement program.	2009/10	Ongoing	
Our Economy	Commence Date	Complete Date	External Assistance
1. Develop tourism and education based on natural resource management, the hydrology model, observatory, history and heritage.			
a) Complete Kadjininy Kep: <ul style="list-style-type: none"> changerooms / toilets. Investigate beatification of western area of Kadjininy Kep. 	2008/09 2009/10	2009/10 2009/10	R ⁴ R – 2009/10 Budget

Our Economy (continued)	Commence Date	Complete Date	External Assistance
Our Economy b) Tourism: <ul style="list-style-type: none"> develop tourism merchandise. identify places of interest and develop a Tourism Inventory. develop tourism brochures & signage. maintain the website. c) Golden Pipeline: <ul style="list-style-type: none"> develop tourism and educational initiatives linked to the Golden Pipeline Project. d) Walk Trails: <ul style="list-style-type: none"> develop the historic walk trail around the town, including icons / statues, information boards and pamphlets. f) Granite Way: <ul style="list-style-type: none"> develop tourism and educational initiatives linked to the Granite Way. 	Commence Date 2008/09 Ongoing Ongoing 2012/13 Ongoing	Complete Date Ongoing Ongoing 2012/13 Ongoing	<u>External Assistance</u> <u>National Trust</u> <u>Granite Way Committee</u>
2. Facilitate business development and new opportunities: <ul style="list-style-type: none"> investigate and promote new opportunities. promote small businesses. 	2009/10 2009/10	Ongoing Ongoing	
3. Provide infrastructure to support business development:			
4. Encourage development of a RV friendly caravan park with bays, chalets and facilities.	2008/09	Ongoing	Campervan Motorhome Club of Australia

Our Environment	Commence Date	Complete Date	External Assistance
<p>1. Waste Management:</p> <p>a) Work with the tip contractor to increase capacity and profitability.</p> <p>b) Regionalise use of waste site.</p>	<p>Ongoing</p> <p>Ongoing</p>	<p>Ongoing</p> <p>Ongoing</p>	
<p>2. Water Utilisation:</p> <p>a) Identify water supplies / water harvesting points.</p> <p>b) Reticulation of all green areas in Tammin.</p> <ul style="list-style-type: none"> • quantify water needs. • source water from the dam. <p>c) Promote water saving by the community.</p>	<p>Ongoing</p> <p>2009/10 Ongoing</p> <p>Ongoing</p>	<p>Ongoing</p> <p>2010/11 Ongoing</p> <p>Ongoing</p>	
<p>3. Landcare:</p> <p>a) Support and assist coordination of Catchment Groups.</p>	<p>Ongoing</p>	<p>Ongoing</p>	

Our Organisation	Commence Date	Complete Date	External Assistance
1. Identify opportunities to expand contracting for private works in order to increase revenue.	Ongoing	Ongoing	
2. Investigate developing a relationship with other local governments for cooperation, knowledge sharing and mutual benefit.	2009/10	2009/10	Shires of Kellerberrin, Cunderdin, Quairading & Wyalkatchem
3. Enhance communication and connection with the community, including: <ul style="list-style-type: none"> • holding Council meetings in community localities. • regular articles into Tabloid. 	Ongoing Ongoing	Ongoing Ongoing	
4. Introduce processes to manage the Strategic Plan and report progress to the community, including: <ul style="list-style-type: none"> • cross-referencing budget and all reports to the Strategic Plan. • quarterly reporting on progress. 	2009/10 2009/10	Ongoing Ongoing	
6. Provide training programs for Staff and Councillors.	Ongoing	Ongoing	

IB 3 20 Ridley St (ASS-1066 / Agreement 73)

The three bedroom house has been rented to Shaun Byrnes – effective from 14 September 2009.

IB 4 WALGA – Issues Update No 36.09 (OLGOV-11)

Correspondence providing an update on issues including:

- WALGA Breakfast - Construction Project Management
- Meeting with the WA Police Commissioner
- Sector Television Campaign
- Alliance for the Prevention of Elder Abuse
- Graffiti Removal Course
- Invitation to Discover New 'Fertilise Wise' Endorsed Products
- Healthy Active Workplaces – Policy Statement
- New Planning Initiative Launched
- Construction Training Fund
- Change of Address for the Plumbers Licensing Board
- European Planning Tour 2010
- October is Community Safety Month
- Breakfast of Champions – Launch for Community Safety Month 2009

IB 5 Tammin Art Prize Committee – Liquor Consumption (ASS-1063)

Correspondence seeking consent to consume liquor at the Tammin Town Hall during the Art Prize event on 31 October 2009.

Comment

Using the delegated authority, approval was given subject to the following conditions:

- the requirements of the Liquor Licensing Act are fully complied with;
- the liquor is consumed in an orderly manner;
- no liquor is served or consumed by persons under the age of 18 years; and
- all rubbish (including drink containers) is placed in the receptacles provided before departing the property.

IB 6 WALGA – Issues Update No 37.09 (ADM-00)

Correspondence providing an update on issues including:

- Ministerial Briefing on Development Assessment Panels
- Voluntary Reform Campaign
- WALGA Breakfast - Construction Project Management
- Bus Stop Infrastructure – State/Local Government Partnership Agreement
- Local Government Emissions Reporting Platform
- Draft State/Local Government Partnership Agreement for Public Library Services
- Event Support through the Provision of Public Transport Services
- Active Family Challenge

IB 7 Road Statistics (ENG-06)

Following the discussion at the September 2009 Council meeting, the road statistics for the Shire of Tammin have been checked (to ROMAN). The Shire of Tammin has 131.5 km of sealed road and 369.2 km of unsealed road.

IB 8 Kellerberrin Tammin Football Club – Liquor Consumption (ASS-1063)

Correspondence seeking consent to consume liquor at the Tammin Town Hall during their event on 18 September 2009.

Comment

Using the delegated authority, approval was given subject to the following conditions:

- the requirements of the Liquor Licensing Act are fully complied with;
- the liquor is consumed in an orderly manner;
- no liquor is served or consumed by persons under the age of 18 years; and
- all rubbish (including drink containers) is placed in the receptacles provided before departing the property.

IB 9 4 Russell St (ASS-1078 / Agreement 74)

The three bedroom house has been rented to Ryan Mitchell – effective from 21 September 2009.

IB 10 State Emergency Management Committee – Amalgamation (ORGE-10)

Correspondence confirming approval for the amalgamation of the Shire of Kellerberrin and the Shire of Tammin Emergency Management Committees.

IB 11 RLCIP Funding (FIN-26)

Application has been made to extend the due date for completion of the RLCIP projects from 30 September 2009 to 15 November 2009; and to transfer \$19,500 funding from the Town Hall to Donnan Park.

This will substantially fund the additional re-sheeting of the grandstand – with the shortfall funded by Royalties for Regions.

IB 12 WALGA – Issues Update No 38.09 (OLGOV-11)

Correspondence providing an update on issues including:

- WALGA Breakfast Event
- WA Industrial Relations Commission Appeal
- Water Services Bill Discussion Paper
- Training and Development Update
- sgfleet Delivering Excellence
- Federal Minister for Climate Change and Water to Speak in Perth
- Australian Institute of Urban Studies Seminar
- National Water Week 18-24 October
- Towards a Better Life – Social Role Valorisation
- Ageing Safely Forum

IB 13 Lord Mayors Disaster Relief Fund (OLGOV-11)

Correspondence expressing appreciation for the \$500 donation.

IB 14 Standing Committee on Public Administration – Power Poles (OSGOV-10)

Correspondence advising of an inquiry into electricity transmission and distribution management by Western Power and Horizon Power and in particular:

- Issues raised in the report released by EnergySafety, *2008 Distribution Wood Pole Audit Review* (May 2009);
 - Maintenance procedures;
 - Current wood distribution pole management practices;
 - Current wood transmission pole management practices;
 - The use of other material beside wood for electrical transmission and distribution poles;
 - Electricity pole management practices in other jurisdictions; and
 - Any other relevant matter,
- and inviting submissions (closing 30 October 2009).

IB 15 Cr Caffell – Appreciation

Expression for the flowers provided by Council during her recent hospital stay.

IB 16 WALGA – Grain Freight Network (ENG-35)

Seeking details on behalf of the Strategic Grain Network Group to determine the order of magnitude of strategic local and State roads used for grain cartage. Specifically seeking the nomination of up to six key strategic local roads for grain transport in the Shire. This will provide an indicative picture of grain transport on local roads with the information to be matched with CBH preferred transport patterns. This is the first cut of work for strategic, indicative purposes.

Comment

The information was sought in 2 tables – status quo and closure of railway line. For Tammin, the information provided was the same. For *Farmgate to Bin* routes, roadworks were restricted to *Roads 2025* routes.

Route:	Name of Road	Comments	Cost (\$M)
Bin to Rail	Tammin Wyalkatchem Rd	Widen, seal/reseal 14.78km	766
Farmgate to Bin	Bungulla North Rd	Widen, seal/reseal 28.00km	1,568
Farmgate to Bin	Ralston Rd	Widen, seal/reseal 16.48km	921
Farmgate to Bin	Underwood Rd	Widen, seal/reseal 0.93km	45
Total			3,300

IB 17 Royal Flying Doctor Service (ADM-00)

Correspondence expressing appreciation for the \$200 donation.

IB 18 J Taylor – Native Seed Collection (AGR-13)

Correspondence seeking permission to collect native seed and fruit from reserves vested in the Shire of Tammin.

Comment

Using delegated authority, the CEO has granted permission for 12 months to 30 September 2010 subject to:

- all persons collecting native seed are licensed according to the *Wildlife Conservation Act 1950* and abide by the conditions of this License.
- the consent is for a 12 month period to 30 June 2010.
- appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds.
- all care will be taken to minimise the disturbance of fauna habitat and soil degradation.

IB 19 Tammin Golf Club – CSRFF Application (ASS-1164)

Correspondence forwarding a copy of the Club's CSRFF funding application to the Department of Sport and Recreation for the rebuilding and resurfacing the course Tee boxes and seeking support.

Comment

A letter of support has been provided.

IB 20 Main Roads WA – Grain Freight (ENG-35)

Meeting held in Perth on 2 October 2009 with the CEO attending as the Technical representative for the Kellerberrin Sub-Group Regional Road Group.

The meeting was advised that CBH would not be using the rail networks to the south other than the standard gauge and the York Albany narrow gauge. Further, that it was CBH's preference to cart grain (bin to rail) from Bruce Rock to Doodlakine, Shackleton to Kellerberrin, Quairading to Cunderdin, Nungarin to Merredin, Trayning to Kellerberrin and Muntagin to Merredin with the other minor bins being modelled around these routes. Their decision was based on minimising road and rail cartage distances – subject to roads being able to handle the freight.

Main Roads WA indicated that there was an opportunity to source funds to upgrade routes in lieu of rail however the funds were likely to be limited.

IB 21 WALGA – Issues Update No 39.09 (OLGOV-11)

Correspondence providing an update on issues including:

- WALGA Breakfast – Construction Project Management
- Impact of Western Power Costs and Policies on Local Government
- Criminal Code Amendment (Graffiti) Bill 2009
- SEGRA Conference
- Training and Development Update
- Public Works Training Week
- NAPCAN National Survey
- The Australian RIRDC Rural Women's Award 2010 – Applications Now Open
- World Teachers' Day 2009 – Celebrate Teachers
- Kidsafe Playground Conference 2010

IB 22 Works Supervisor's Report

Road Construction

Tammin South Rd re-sheeting

Road Maintenance Grading

Yorkrakine Rock Rd
Barracks Rd
Yorkrakine Rd
Nock Rd
Golf Links Rd
Rock Rd
Dunn Rd
Tammin Wyalkatchem Rd shoulders
York Rd
Doongin Peak Rd
Loves Rd
Livesey North Rd
Hocking Rd
Underwood Rd
Mackin Rd
Uphill St
11 Mile Rd
Nottage Way

Road Patching

Yorkrakine Rd
Ralston Rd
Tammin South Rd

Spraying

Town drains
BMX track
Saleyards

Projects

B.B.Q. installed to Donnan Park Oval and connected
Sink installed to Donnan Park Oval and connected
Shade to Donnan Park playground installed
Footpaths installed

Other

New basketball rings installed to Donnan Park Oval courts
Fire extinguishers servicing

IB 23 Royalties For Regions (FIN-25)

Items 11.6 – 20 August 2009 and Information Item 13 – 17 September 2009 refer.

Two issues have arisen in relation to the State Government's Royalties for Regions program.

Firstly, whilst Year 2 guidelines have not been released, there was a perceived urgency to erect the shade shelter over the Donnan Park playground (in between seasons and before the summer months). When approval was sought for this project, advice was received indicating that whilst shade shelters are likely to be eligible under the guidelines when released, this did not extend to *sails (i.e. textile materials)*. The shade shelter erected has extra heavy duty commercial shade mesh cover. The issue is being taken up with the Department of Local Government.

The second issue relates to the information report to September 2009 Council which erroneously indicated that the footpath tender was awarded for \$67,556. The correct information is that the tender was awarded for \$39.05/m² (inc GST). The length of the works was estimated at approximately 1,730m however the report did not allow for the dual use paths being 2m wide. The final claim is for \$120,245 (plus GST). \$70,000 was estimated from the grant funding – which will mean that the year 1 floating guestimates provision for housing of \$165,828/\$175,430 will need to be adjusted (when the final costs for the other works are known) and the balance funded from year 2.

IB 24 Tammin Refuse Site (RES-13163)

On 5 October 2009 DEC has reported a pollution complaint at the Tammin Refuse Disposal Site. The issue is being processed by Staff in conjunction with DEC and Mr Steve Williams, site contractor/manager.