

Minutes of the Shire of Tammin Ordinary Council meeting held at Council Chambers, 1 Donnan Street, Tammin, on Thursday, 21 February 2008.

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

Cr Stokes declared the meeting open at 2.00pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

**Present**

Cr R. Stokes	President (Presiding Person)
Cr L. Caffell	Deputy President
Cr M. Greenwood	Member
Cr S. Jefferies JP	Member
Cr M. Wheeldon	Member

Mr M.G. Oliver	Chief Executive Officer
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**Visitors**

Nil

**Apologies**

Cr B. Leslie	Member
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**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**

**6.1 Cr Stokes**

Cr Stokes declared a proximity interest in Item 11.6.

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**7.1 Ordinary Council Meeting Minutes – 20 December 2007**

**STATUTORY IMPLICATIONS**

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.

**MIN 9/08 MOTION – Moved Cr Caffell 2nd Cr Wheeldon**

*That the minutes of the Ordinary Council meeting held on 20 December 2007 be confirmed as a true and correct record.*

CARRIED 5/0

**8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

**8.1 School Teachers**

An invitation has been extended to new Tammin teachers Jason Grosser & Kristie Deering, in conjunction with the Principal Robyn Webster, to join Councillors for afternoon tea at 3.30pm.

## 9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

## 10. REPORTS OF COMMITTEES/COUNCILLORS

### 10.1 TALEC

Meeting held on 3 January 2008. A copy of the minutes has been provided to Councillors.

#### **STAFF RECOMMENDATION**

That the Minutes of the TALEC meeting held on 3 January 2008 be received.

Simple Majority Required

#### **MIN 10/08 MOTION – Moved Cr Caffell 2nd Cr Greenwood**

That the Staff Recommendation be adopted.

CARRIED 5/0

### 10.2 Great Eastern Country Zone of WALGA (ORG-02)

Teleconference meeting held on 31 January 2008 with the CEO participating. A special meeting of the Zone has been proposed for discussion of the SSS Report being launched on 28 February 2008 – on a date to be set at the next meeting of the Zone on 22 February 2008.

### 10.3 WE-ROC Executive Meeting (ORG-15)

Meeting held in Tammin on 13 February 2008.

The meeting was addressed by Lloyd Morley, Telstra Country Wide, on the change from CDMA service to Next G service. A complaints number (1800 888 888) has been established for service issues. A direct line to Telstra Country Wide (1800 687 829) also exists. Lloyd is available to provide briefing sessions.

LGIS also addressed the meeting on new *Income Protection* cover and *Private Health Insurance* cover available to local government. With a very high take-up rate for the Income Protection cover (90% of the 40 local governments addressed) it is likely that it will become a new *defacto* standard.

A draft paper titled *Structural Reform – A Wheatbelt Perspective* was recommended to the WE-ROC Council meeting to be held on 26 February 2008. A copy of the paper has been provided to Councillors.

WE-ROC is to:

- petition the Wheatbelt Development Commission and Wheatbelt Area Consultative Council to investigate the issue of reduced funding percentage from lending institutions for transportable housing and to seek a more equitable policy for lending for transportable housing.
- Petition the Minister for Environment (Federal and State) for the reinstatement of the exemption from Controlled Waste Tracking Fee for oil recyclers taking used oil from regional and remote areas.

## 11. AGENDA ITEMS

### 11.1 Code of Conduct (ADM-52)

Author – MG Oliver, CEO, 23 December 2007 Interest – Nil

#### **PREVIOUS REFERENCE**

Items 11.8 – 8 March 2006 and 11.3 – 20 December 2007 refer.

#### **BACKGROUND**

Section 5.103 of the Act requires the adoption of a code of conduct to be observed by Councillors, committee members and employees. The code is required to be reviewed within 12 months after each ordinary election day.

In March 2006 Council resolved that WALGA's draft *Code of Conduct for Elected Members and Staff*, with the inclusion of \$250 in items 2.4(a) and 2.4(b), be adopted.

In December 2007 Council resolved that the review lay on the table pending the provision of a new draft from WALGA.

#### **COMMENT**

WALGA is still to provide an amended *Code of Conduct for Elected Members and Staff* following changes to the Local Government Act relating to Councillor behaviour.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Section 5.103 of the *Local Government Act* provides that:

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

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That the review of the *Code of Conduct for Elected Members and Staff* lay on the table until March 2008.

Simple Majority Required

#### **MIN 11/08 MOTION – Moved Cr Wheeldon 2nd Cr Greenwood**

That the Staff Recommendation be adopted.

CARRIED 5/0

### **11.2 Plan For The Future (FIN-04)**

Author – MG Oliver, CEO, 23 December 2007 Interest – Nil  
Item 11.9 – 20 December 2007 refers.

#### **BACKGROUND**

The Legislation requires the Plan For The Future to be in place in the 2006/07 financial year and to be reviewed and re-submitted to the Council at least bi-annually.

The Plan was considered in April 2007.

It is appropriate that following the elections, the Plan for the Future be reviewed.

A *draft* Plan For The Future has been prepared and a copy provided to Councillors.

In December 2007 Council resolved that the *draft* Plan For The Future be advertised for community comment before being considered further by Council in February 2008.

## **COMMENT**

The Plan was advertised in the *Avon Valley Advocate* on 9 January 2008 and on the Shire of Tammin's Public Notice Board.

## **FINANCIAL IMPLICATIONS**

As set in the Plan.

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Section 5.56 of the *Local Government Act* provides that:

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Regulation 19C of the *Local Government (Administration) Regulations* provides that:

- (1) In this regulation and regulation 19D —  
“plan for the future” means a plan made under section 5.56.
- (2) A local government is to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).
- (3) A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.
- (4) A local government is to review its current plan for the future of its district every 2 years and may modify the plan, including extending the period the plan is made in respect of.
- (5) A council is to consider a plan, or modifications, submitted to it and is to determine\* whether or not to adopt the plan, or the modifications, as is relevant.  
\*Absolute majority required.
- (6) If a plan, or modified plan, is adopted by the council then the plan or modified plan is to apply to the district for the period of time specified in the plan.
- (7) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future of the district, and when preparing any modifications of a plan.
- (8) A plan for the future of a district is to contain a description of the involvement by the electors and ratepayers in the development of the plan, and any modifications of the plan.
- (9) A local government is to ensure that a plan for the future made in accordance with this regulation applies in respect of each financial year after the financial year ending 30 June 2006.

Regulation 19D of the *Local Government (Administration) Regulations* provides that:

- (1) After a plan for the future, or modifications to a plan, are adopted under regulation 19C the local government is to give local public notice in accordance with subsection (2).
- (2) The local public notice is to contain —
  - (a) notification that —
    - (i) a plan for the future of the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
    - (ii) details of where and when the plan may be inspected;
  - or
  - (b) where a plan for the future of the district has been modified —
    - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for a the period specified in the plan; and
    - (ii) details of where and when the modified plan may be inspected.

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That the *draft* Plan For The Future be adopted.

Simple Majority Required

**MIN 12/08 MOTION – Moved Cr Greenwood 2nd Cr Jefferies**

That the Staff Recommendation be adopted.

CARRIED 5/0

**11.3 R York – Dunne Road (ENG-21)**

Author – MG Oliver, CEO, 23 December 2007 Interest – Nil  
Item 11.4 – 20 December 2007 refers.

**BACKGROUND**

Mr York has queried the spelling of Dunne Road, suggesting it should be spelt Dunn Road – being named after the Dunn family from whom the Yorks purchased land back in the 1950s.

The Geographic Names Committee has confirmed that the spelling is correct to it’s records however it has no reference as to why the road is so named (or spelt). The Committee had contact from Tom Applegate in 2005 who also queried the spelling and was advised the same information.

Further advice from the Committee confirms that the road was likely named after the Dunn family and to change the road name the support of adjoining land owners is required.

**COMMENT**

The adjoining land owners are:

- EJ & EE Charlton / GR & GL Charlton
- Keoringle P/L
- DJH Shaw

who have been invited to comment on the proposal.

Two submissions were received – both agreeing to the proposal.

**FINANCIAL IMPLICATIONS**

Road name signs replacement.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Adjoining owners.

**STAFF RECOMMENDATION**

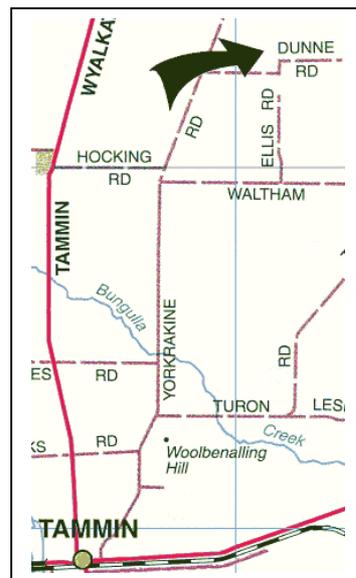
That it be recommended to the Geographic Names Committee that Dunne Road be renamed Dunn Road.

Simple Majority Required

**MIN 12/08 MOTION – Moved Cr 2Jefferies 2nd Cr Greenwood**

That the Staff Recommendation be adopted.

CARRIED 5/0



#### 11.4 **Entry Statements (ASS-337/8 393 427)**

Author – MG Oliver, CEO, 23 December 2007 Interest – Nil  
Councillor discussions – 21 September 2006 and Item 11.14 – 21 December 2006, 5.8 – 13 February 2007, 11.1 – 15 February 2007, 11.1 – 19 April 2007, 11.4 – 17 May 2007, 11.14 – 21 June 2007 and 11.14 – 20 December 2007 refer.

#### **BACKGROUND**

In September 2006 Councillors suggested the Main Roads WA owned lots on the west side of Tammin would be the ideal location for an entry statement – proposing old machinery as the style.

Main Roads WA has responded indicating purchase would cause difficulties and complications however a lease would be relatively simple to arrange.

A similar proposal was made in May 2000 – although the outcome is not known.

At the General Electors meeting held on 13 February 2007 Crs Leslie and Jefferies, responding to a question from Michelle Applegate, indicated that the Townscape (Tidy Towns) Committee had the replacement of the Entrance Statements on the Committee's list.



Council considered the issue on 21 June 2007 and resolved that the entry statement design be opened up to the public and that following a design being selected, a response be provided to Main Roads WA regarding the blocks.

Two designs were advertised in the *Tammin Tabloid* on 7 July 2007 – both revolving around the Tammin landmark of the CBH bin in silhouette with comment (good and bad) being sought on either design or alternative designs invited. Unfortunately, little comment was received with the perspective design being favoured.

In December 2007 Council requested a mock-up of a photo type design based on the brochure photo montage (as in the approaches to Northam).

#### **COMMENT**

Main Roads WA has sought a plan of the proposal.

The issue has been laying on the table now since December 2006 (and was previously considered without a decision in 2003?) and direction is required.

Zacks Commercial Artists (who produced the brochure and business cards) have indicated that it is able to produce signs (1800mm x 1200mm) based on the photo montage used for the brochure. Cost for 4 signs (to cover the 4 entrance roads into town) is \$2,000. A further cost of \$480 is applicable if anti-graffiti film is required.

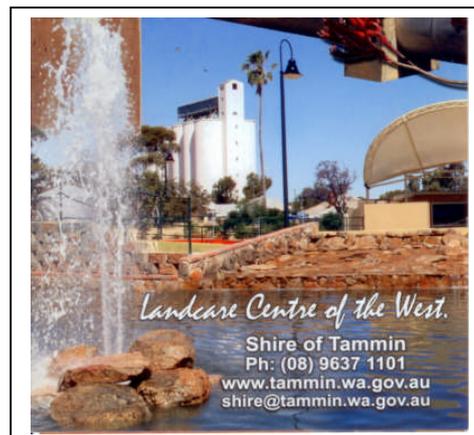
Direction in relation to a plan for the Main Roads WA blocks is also required.

#### **FINANCIAL IMPLICATIONS**

Unknown until more detail is determined. Provision of \$5,400 is included in the 2007/08 Budget (Account E132010).

#### **POLICY IMPLICATIONS**

Nil



**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That Council provide direction.

Simple Majority Required

**MIN 13/08 MOTION – Moved Cr Greenwood 2nd Cr Caffell**

That the CEO prepare a mock-up of the proposed sign using the photograph and the words “Tammin” and “Progress Is Our Aim” for consideration at the March 2008 Ordinary Council meeting.

CARRIED 5/0

**11.5 Old Yorkrakine Road (ENG-21)**

Author – MG Oliver, CEO, 31 December 2007 Interest – Nil

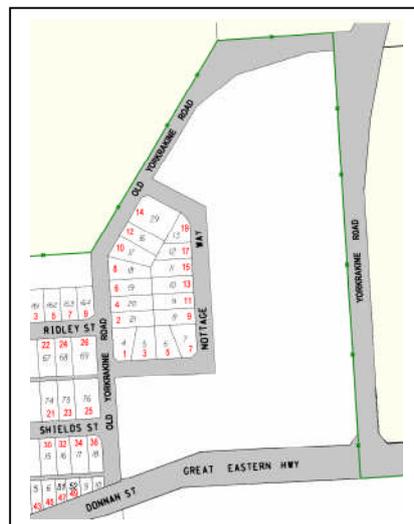
**BACKGROUND**

Consideration is to be given to the renaming of Old Yorkrakine Rd.

**COMMENT**

It is understood that the section of Yorkrakine Rd, which extends from Donnan Street to Yorkrakine Rd, was renamed *Old Yorkrakine Rd* when the new section of Yorkrakine Rd was constructed, Great Eastern Hwy realigned and the roadhouse constructed.

Confusion is common regarding it’s name – with *Yorkrakine* providing sufficient difficulty without the addition of *Old*. Further, that the name *Old Yorkrakine Rd* is not sufficiently different to cause the change.



Six properties front the Road:

- 2 Old Yorkrakine Rd Vacant Land JH Potgieter
- 4 Old Yorkrakine Rd Dwelling Shire of Tammin
- 6 Old Yorkrakine Rd Dwelling Shire of Tammin
- 8 Old Yorkrakine Rd Dwelling F & S Mackin
- 10 Old Yorkrakine Rd Vacant Land Shire of Tammin
- 10 Old Yorkrakine Rd Dwelling Shire of Tammin

All have been invited to comment on the proposal.

One submission was received, supporting the change and nominating Old York Rd or Potgieter St as the new name.

**FINANCIAL IMPLICATIONS**

Road name signs replacement.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That it be recommended to the Geographic Names Committee that Old Yorkrakine Rd be re-named \_\_\_\_\_.

Simple Majority Required

**MIN 14/08 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon**

That it be recommended to the Geographic Names Committee that Old Yorkrakine Rd be re-named Russell Street after the family of the late Reg Russell.

CARRIED 5/0

Cr Stokes declared an interest and left the Chamber at 2.42pm. Cr Caffell assumed the Chair.

**11.6 G & L Carpenter - Loc 9026 Wyola North Rd Development Approval (ASS-1522)**

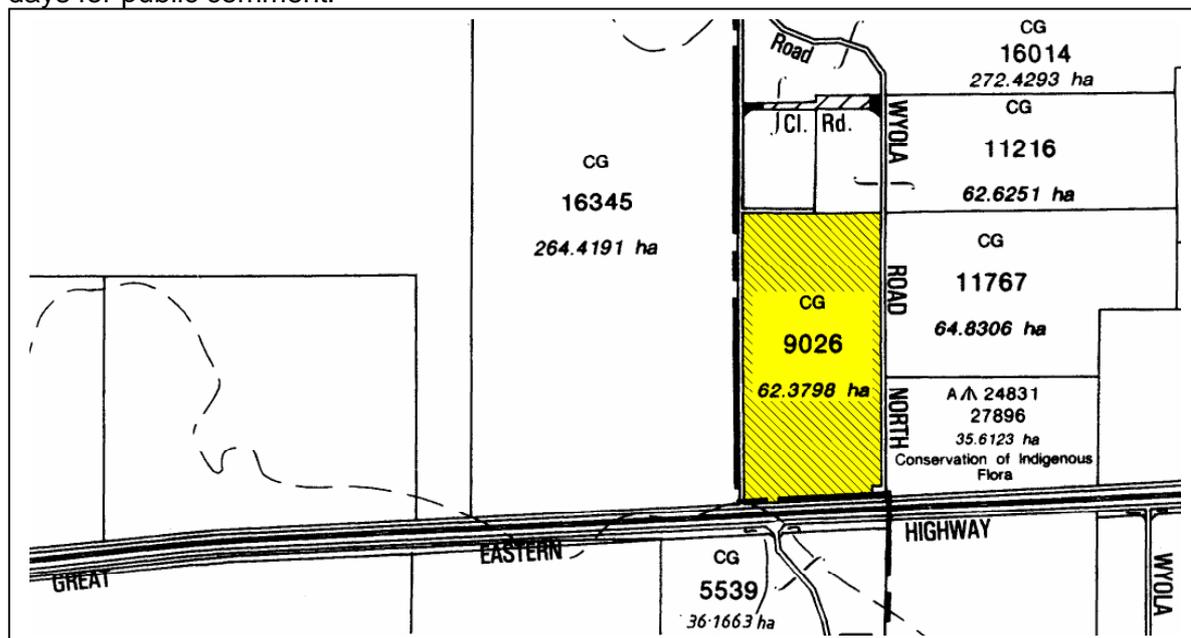
Author – MG Oliver, CEO, 31 December 2007 Interest – Nil  
Item 11.16 – 21 December 2007 refers.

**BACKGROUND**

Development approval under the Town Planning Scheme is sought to develop Avon Location 9026 Wyola North Rd as a multi purpose off road vehicle facility for use by the public on payment of a usage fee.

It is proposed that the usage will include camping, self contained cottages, ablutions, workshop, caretaker facilities, kiosk, outdoor concert facility and a paintball facility. Tracks will be used by off road motorcycles/quads, off road motor vehicle obstacle course and children’s Pee Wee motor cycles and quads with a curfew between the hours of sundown and 7am will apply.

Council resolved in December 2007 that development application for a multi purpose off road vehicle facility, incorporating camping, self contained cottages, ablutions, workshop, caretaker facilities, kiosk, outdoor concert facility and a paintball facility on Avon Location 9026, be treated as a “SA” use under Town Planning Scheme No 1 and advertised for 28 days for public comment.



Following consultation with the adjoining owners and neighbours, the applicant has sought to amend the application to restrict the development to the northern 300m of Location 9026 and to extend the development onto the adjoining Location 11216 (restricted to the area

west of Wyola North Rd and to the north of Location 9026) noting that this change will allow a greater noise buffer between the development and the neighbour to the south.

## **COMMENT**

Avon Location 9026, located on the corner of Great Eastern Hwy and Wyola North Rd, is 62 ha and zoned *rural*. Location 11216 is also zoned *rural*. The Shire boundary with Cunderdin is on the western side of the property.

Under the Scheme, the uses of *Ancillary Accommodation, Caretakers Dwelling, Grouped Dwelling, Motor Vehicle Repair* and *Public Recreation* are all AA (which means that the use is not permitted unless the Council has granted planning approval).

There does not appear to be any restriction imposed by Clause 6.5.1.

The proposal was advertised in the Avon Valley Advocate on 9 January 2008 and on the Shire of Tammin's Notice Board. Details of the proposal were provided to adjoining owners and the Shire of Cunderdin on 4 January 2008 and submissions invited. The amended details were also provided to adjoining owners and the Shire of Cunderdin on 29 January 2008.

One submission has been received – indicating noise from off-road motorbikes is one of their primary concerns. Further, requesting Council address the following issues before granting approval to such a facility:

- The policing of anti-social behaviour.
- Road maintenance – maintenance/upgrade of North Wyola Road (which is currently a school bus route) to handle the extra traffic.
- Consultation with appropriate government departments given the site's location within the East Mortlock catchment and preservation of remnant vegetation in such areas.
- Adherence to relevant standards for this kind of recreational development.

In relation to the submission:

- Policing of anti-social behaviour is a matter for the Police, not local government.
- Road maintenance/upgrade of North Wyola Road should be addressed if and when there is an issue.
- Consultation with appropriate government departments should occur as part of any building permit approval.
- Adherence to relevant standards is a building permit issue.

## **FINANCIAL IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Clause 6.5.1 of the Shire of Tammin's Town Planning Scheme No 1 requires Council, in considering an application for planning approval, to have due regard to the following:

- a) the provisions of this Scheme and any other relevant town planning scheme operating within the district;
- b) any relevant proposed new town planning scheme of the Council or amendment insofar as they can be regarded as seriously entertained planning proposals;
- c) any approved Statement of Planning Policy of the Commission;
- d) any other policy of the Commission or any planning policy adopted by the Government of the State of Western Australia;
- e) any planning policy, strategy or plan adopted by the Council under the provisions of clause 8.6 of this Scheme;
- f) the preservation of any object or place of heritage significance;
- g) the requirements of orderly and proper planning;
- h) the preservation of the amenities of locality;
- i) any other planning considerations which the Council considers relevant;

- j) any relevant submissions or objectives received on the application.

Clause 6.6.1 provides that, in determining an application for planning approval the Council may:

- a) grant its approval with or without conditions;
- b) refuse to grant its approval.

Clause 6.6.3 provides that where the Council grants planning approval, that approval:

- a) continues in force for two years, or such other period as specified in the approval, after the date on which the application is approved; and
- b) lapses if the development has not substantially commenced before the expiration of that period.

Clause 6.6.4 provides that where the Council grants planning approval, the Council may impose conditions limiting the period of time for which the development is permitted.

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **STAFF RECOMMENDATION**

That development approval under Town Planning Scheme No 1 for a multi purpose off road vehicle facility, incorporating camping, self contained cottages, ablutions, workshop, caretaker facilities, kiosk, outdoor concert facility and a paintball facility on the northern 300m section of Avon Location 9026 and the adjoining Avon Location 11216 (restricted to the area west of Wyola North Rd and to the north of Location 9026), be granted on the condition that the activities are contained within the terms of the application and noting that other approvals including a building license and an effluent disposal permit will be required. Further, that the applicant's attention be drawn to the flood plain characteristics of the land which will impact on approvals for any permanent structures.

Simple Majority Required

The CEO tabled two further submissions – firstly from the Shire of Cunderdin and secondly from the Department of Water. The first late submission:

- noted the potential dust impacts;
- noted the management of chemicals (fuels and oils);
- suggested the planting of vegetation to stabilise the soils; and
- suggested the liaison with the Department of Environment and Conservation.

On the basis of the Shire of Cunderdin's submission, the proposal was provided to the Department of Environment and Conservation for comment. The Department in turn forwarded the proposal to the Department of Water who then made the second late submission:

- noted that the extraction of surface water may require a license;
- noted that the access to ground aquifers is subject to a license; and
- noted native vegetation damage and suggested that the vehicles should be restricted to designated tracks.

### **MIN 15/08 MOTION – Moved Cr Jefferies 2nd Cr Greenwood**

That development approval under Town Planning Scheme No 1 for a multi purpose off road vehicle facility, incorporating camping, self contained cottages, ablutions, workshop, caretaker facilities, kiosk, outdoor concert facility and a paintball facility on the northern 300m section of Avon Location 9026 and the adjoining Avon Location 11216 (restricted to the area west of Wyola North Rd and to the north of Location 9026), be granted on the condition that the activities are contained within the terms of the application (8 October 2007) and noting that other approvals including a building license and an effluent disposal permit will be required. Further, that the applicant's attention be drawn to:

- the flood plain characteristics of the land which will impact on approvals for any permanent structures; and
  - the comments from the 3 submissions; and
- strongly recommend that the applicant liaise with the Department of Water in relation to addressing it's concerns.

CARRIED 4/0

Council sought to ensure an amicable outcome to all parties.

Cr Stokes entered the Chamber at 2.55pm and assumed the Chair.

#### **11.7 DLGRD – Compliance Audit Return (OSGOV-26)**

Author – MG Oliver, CEO, 14 January 2008 Interest – Nil

#### **BACKGROUND**

Each local government is to carry out a compliance audit (following the end of each calendar year) against the requirements included in the Compliance Audit Return.

The Compliance Audit Return is to be presented to Council for adoption. In cases of non-compliance, additional information explaining or qualifying the issues together with remedial action taken or proposed is to be included in the Agenda. Each Councillor is to be provided the opportunity to review the completed Return and make comment.

The adoption of the Return is to be recorded in minutes of the meeting.

The Return must be submitted to the Department of Local Government and Regional Development by 31st March 2008.

#### **COMMENT**

The Compliance Audit Return has been completed without any issues being noted.

A copy has been provided to each Councillor.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Section 7.13(1)(i) of the Local Government Act provides that Regulations may make provision —

- (i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —
  - (i) of a financial nature or not; or
  - (ii) under this Act or another written law.

Clause 14 of the Local Government (Audit) Regulations provides that:

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3) A compliance audit return is to be —
  - (a) presented to the council at a meeting of the council;
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

#### **FUTURE PLAN IMPLICATIONS**

Nil

## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATION

That the Compliance Audit Return be adopted and submitted to the Department of Local Government and Regional Development.

Simple Majority Required

## MIN 16/08 MOTION – Moved Cr Greenwood 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 5/0

### 11.8 Australia Day 2008 (ORG-00)

Author – MG Oliver, CEO, 27 January 2008 Interest – Nil

#### BACKGROUND

Australia Day was celebrated in Tammin at Memorial Park on Saturday, 26 January 2008. It is appropriate that Council review the day and determine if an event is appropriate for 2009.

#### COMMENT

The program of events was:

10.30 am	Start	Australian music Kids to get tattooed
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11.00 am	Flag Raising Ceremony Sing National Anthem Presidential Welcome (Cr Wheeldon) Thank-A-Volunteer Address (Cr Jefferies)
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11.15 am	Kids games	Flag races
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11.45 am	Lunch
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12.15 pm	Water fights	Sprinkler Water slide Water balloons Water pistols
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Drinks (champagne and orange juice, beer and cordial) and food were provided free (Cr Greenwood cooked).

#### FINANCIAL IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Nil

#### STATUTORY IMPLICATIONS

Nil

#### FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATION

That Council offer critical comment on the 2008 Australia Day celebration and determine whether an event is appropriate for 2009.

Simple Majority Required

**MIN 17/08 MOTION – Moved Cr Wheeldon 2nd Cr Caffell**

That the 2009 Australia Day celebration be carried out on a similar basis to the 2008 function.

CARRIED 5/0

**11.9 Cunderdin Tammin Landcare Conservation District (AGR-01)**

Author – MG Oliver, CEO, 4 January 2008 Interest – Nil

**BACKGROUND**

On 18 December 2007 the Committee was wound up and the surplus funds disbursed between the Shire of Cunderdin and the Shire of Tammin on the 60:40 ration of contribution.

Some \$8,562.36 was received by the Shire of Tammin together with an assortment of plan cabinets, filing cabinets, white board, displays and maps.

**COMMENT**

It is appropriate that an appropriate use be determined for these funds.

Whilst not required legally, a *landcare* orientation would seem appropriate.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That failing a use being determined for the surplus funds from the Cunderdin Tammin Landcare Conservation District, the South Tammin Catchment Group be invited to nominate a project.

Simple Majority Required

**MIN 18/08 MOTION – Moved Cr Caffell 2nd Cr Greenwood**

That the issue lay on the table until the March 2008 Ordinary Council meeting to allow further consideration of the matter.

CARRIED 5/0

**11.10 Community Crime & Safety Prevention Plan (LLAW-01)**

Author – MG Oliver, CEO, 4 January 2008 Interest – Nil

Items 11.15 – 8 March 2006, IB 34 – May 2006, 12.1.2 – 21 June 2006, 12.1.3 – 21 December 2006, 10.5 – 15 March 2007, 12.1.2 – 15 March 2007, IB 8 – 18 July 2007 and IB 16 – 23 August 2007 refer.

**BACKGROUND**

Consultants Estill & Associates have provided the final version of the Community Safety and Crime Prevention Plan 2007-2010.

The preparation of the Plan was funded by the Office of Crime Prevention.

## COMMENT

The Plan provides for the following new initiatives:

- |                                                                         |          |
|-------------------------------------------------------------------------|----------|
| • Choose Respect Program                                                | \$1,500  |
| • Additional security lighting                                          | \$5,000  |
| • Recreational Activities trailer (joint project with WE-ROC)           | \$5,000  |
| • Youth Development Officer (contribution to joint project with WE-ROC) | \$10,000 |

A further new initiative – street lighting of Donnan Street/Great Eastern Hwy (\$20,000) has been added.

The other WE-ROC member Councils have been advised that Tammin will not be using the implementation grant funds for the joint project initiatives.

Rod Thornton, Be-Active Coordinator, has suggested that a New Initiative be included for the provision of a skate board track. This would support funding applications. Rod suggests that the track could be almost fully funded. It would seem that if this Initiative was pursued, the inclusion of a BMX track would complement the skate board track and that both could be easily accommodated on a section of the old tennis courts and the land immediately to the north.

## FINANCIAL IMPLICATIONS

The 2007/08 Budget provided for \$20,000 to implement the Plan (E053015) and \$61,880 for additional / upgrade of street lights (E122060) with a contribution of \$30,940 from Main Roads WA (I122015).

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Extensive through Plan preparation.

## STAFF RECOMMENDATION

That:

- the Community Safety and Crime Prevention Plan 2007-2010 be adopted with the inclusion of New Initiatives for new and upgrade of street lighting in Donnan Street / Great Eastern Hwy and a joint skateboard and BMX track; and
- the new and upgrade of street lighting in Donnan Street / Great Eastern Hwy project proceed utilising the \$20,000 implementation funding.

Simple Majority Required

## MIN 19/08 MOTION – Moved Cr Wheeldon 2nd Cr Jefferies

That the Staff Recommendation be adopted.

CARRIED 5/0

### 11.11 Dept of Planning & Infrastructure – Management (Vesting) of Reserves (PROP-06)

Author – MG Oliver, CEO, 13 January 2008 Interest – Nil

## BACKGROUND

As part of the subdivisional process, land is often given up as a condition of approval of subdivision and becomes Crown land. The land is given up under Section 152 of the *Planning and Development Act 2005* for the purpose of recreation, drainage, right of way, pedestrian access way etc.). To assist in streamlining the process DPI seeks to ascertain whether the Shire of Tammin will accept automatic vesting of such land.

**COMMENT**

Whilst it is anticipated that the incidence will be rare, it would seem logical that the Shire of Tammin accept the vesting and manage the land accordingly.

**FINANCIAL IMPLICATIONS**

Minimal.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That DPI be advised that the Shire of Tammin is willing to accept automatic management and vesting of Section 152 Reserves.

Simple Majority Required

**MIN 20/08 MOTION – Moved Cr Greenwood 2nd Cr Caffell**

That the Staff Recommendation be adopted.

CARRIED 5/0

**11.12 Tamma Village Rents (ASS-1093)**

Author – MG Oliver, CEO, 16 January 2008 Interest – Nil

Items 11.6 – 23 August 2007, 10.1 – 15 November 2007 and 11.13 – 20 December 2007 refer.

**BACKGROUND**

Council resolved in August 2007 (and re-confirmed in December 2007) that the joint venture property rents (Tamma Village and Nottage Way houses) be individually assessed in accordance with the tenant's income and the Department of Housing and Works direction with 50% of the change being phased in from 1 February 2008 and the balance being phased in from 1 August 2008. Further, that the rent for any new tenants be assessed in accordance with the tenant's income.

In introducing this change, further direction from Council is required due to the complication of pension changes.

**COMMENT**

The pension (which is the general income source for those residents in Tamma Village) is reviewed by the Federal Government in March/April and September/October each year. The Department of Housing and Works re-assesses the market rent from time to time.

**FINANCIAL IMPLICATIONS**

Minimal.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Discussed with the tenants individually.

## **STAFF RECOMMENDATION**

That rent reviews for the Tamma Village and the Nottage Way units be 1 February 2008, 1 August 2008 and then on the change in the pension (March-April, September/October) each year or on the change of the assessed market rent (where applicable).

Simple Majority Required

## **MIN 21/08 MOTION – Moved Cr Greenwood 2nd Cr Jefferies**

That the Staff Recommendation be adopted.

CARRIED 5/0

### **11.13 Old Isuzu FTS 4x4 Fire Tender (TN.267)**

Author – MG Oliver, CEO, 16 January 2008 Interest – Nil

Items 11.16 – 16 November 2006 and 11.5 – 17 May 2007 refer.

## **BACKGROUND**

The 1988 Isuzu FTS 4x4 fire tender (TN.267 – Engine No. JTGFB518501003446) is obsolete – with the arrival of the new FESA unit. The unit is the property of the Shire of Tammin.

Council resolved in November 2006 to offer the vehicle for sale locally and offers be bought back to Council for consideration. The vehicle was advertised in the Tammin Tabloid in January 2007. Despite several enquiries, no offers were received.

Council resolved in May 2007 that the vehicle be offered for sale State wide and offers be bought back to Council for consideration. This action has not been carried out – due to continuing discussions locally.

An offer of \$4,400 has been received from a local.

## **COMMENT**

The fire tender is fully operational – but is regarded as too old for use as a Brigade unit. Left in it's existing condition, it would provide an ideal farm unit. Alternatively, the fire fighting bits could be stripped off the vehicle leaving it useful as a water carrier.

GST is applicable.

## **FINANCIAL IMPLICATIONS**

Unbudgeted income.

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Advertised in the Tammin Tabloid.

## **STAFF RECOMMENDATION**

That the offer of \$4,400 (inc.) for the outright sale of the 1988 Isuzu FTS 4x4 fire tender (TN.267 – Engine No. JTGFB518501003446) be accepted.

Simple Majority Required

## MIN 22/08 MOTION – Moved Cr Caffell 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 5/0

The meeting adjourned at 3.30pm for afternoon tea with Principal Robyn Webster and Tammin teacher Jason Grosser (Kristie Deering an apology) and reconvened at 4.13pm with all previously present in attendance.

### 11.14 Lots 12 & 19 Donnan Street (ASS-1062)

Author – MG Oliver, CEO, 22 January 2008 Interest – Nil

Items 11.28 – 20 April 2006 and 11.7 – 21 June 2006 refer.

#### BACKGROUND

An offer of \$5,000 has been received from SS Frith for the purchase of Lots 12 & 19 Donnan Street.

In September 2002 an offer of \$1,500 (in total) was made for the purchase of lots 12 and 19 Donnan Street however the transaction was not proceeded with due to Council's concerns regarding the protection of Frearson Park, which is located on the Donnan Street side across both blocks.

Subsequently, (and following advice from Cr Greenwood that a Solicitor would be able to prepare a suitable document to attach to the titles of the land that would ensure protection to the community by providing the Shire of Tammin control and access to Frearson Park whilst giving title of the land to the applicants) Council resolved in April 2006 that the land be offered for private sale at \$1,000 in total (both blocks) subject to:

- 1) the purchaser being responsible for payment of the costs involved in the legal protection of Frearson Park (solicitor preparation and lodging);
- 2) the purchaser being responsible for payment of the valuation costs;
- 3) the purchaser being responsible for all settlement costs;
- 4) the purchaser being responsible for the maintenance of the fence at the rear of Frearson Park;
- 5) the water supply (meter) to Frearson Park be restricted to Frearson Park and that the service be paid for by the Shire of Tammin; and
- 6) the necessary statutory requirements being complied with.

The offer was not accepted and the applicant entered into a weekly tenancy.

#### COMMENT

Lot 12 is 1,012m<sup>2</sup> (with a 20.12m frontage) and Lot 19 is 379m<sup>2</sup> (with a 8.57m frontage). Frearson Park is approximately 231m<sup>2</sup> (coloured hatched yellow on the adjacent plan).

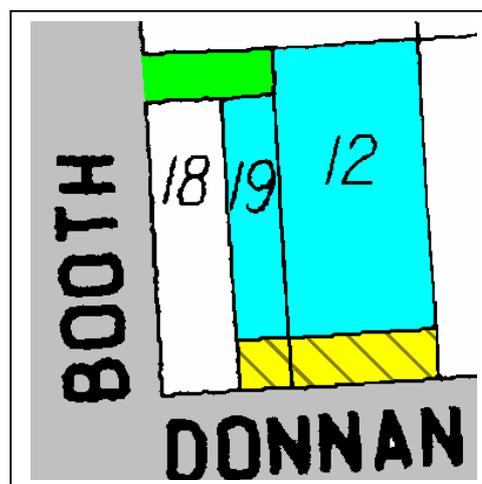
The land at the rear of Lots 18 & 19 (coloured green on the adjacent plan) is actually a ROW (Lot 66) providing rear access to Lots 19 and 12.

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

The market value is required from a licensed valuer.

Settlement costs are involved and GST is applicable.

The septic drain for the septic system of Lot 18 is located on Lot 19 (immediately behind the Frearson Park fence).



## **FINANCIAL IMPLICATIONS**

Unbudgeted income.

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Section 3.58 of the Local Government Act provides:

- (1) In this section —  
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
“property” includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
  - (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned;
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
  - (a) the names of all other parties concerned;
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.
- (5) This section does not apply to —
  - (a) a disposition of land under section 29 or 29B of the Public Works Act 1902;
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **STAFF RECOMMENDATION**

That:

1. a market valuation be obtained; and
2. the land be offered for private sale at the market valuation price subject to:
  - the purchaser being responsible for payment of the costs involved in the legal protection of Frearson Park (solicitor preparation and lodging);
  - the purchaser being responsible for the maintenance of the fence at the rear of Frearson Park;
  - the water supply (meter) to Frearson Park be restricted to Frearson Park and that the service be paid for by the Shire of Tammin; and
  - the necessary statutory requirements being complied with.

Simple Majority Required

### **MIN 23/08 MOTION – Moved Cr Jefferies 2nd Cr Greenwood**

That the Staff Recommendation be adopted.

CARRIED 5/0

### **11.15 WALGA – SSS Taskforce (OLGOV-01)**

Author – MG Oliver, CEO, 31 January 2008 Interest – Nil

#### **BACKGROUND**

The official launch of the draft report from the SSS Taskforce titled “The Journey – Sustainability into the Future” is to be held on Thursday 28 February 2008 at the University Club, Crawley commencing at 9.30am (extending through to 1pm and followed by lunch).

Due to the size of the venue, each local government is to be restricted to 2 representatives.

#### **COMMENT**

The draft report is not scheduled to be distributed until after the launch – denying the opportunity for meaningful questions and debate. The Great Eastern Country Zone proposes to have a special meeting on the subject – at a date to be set at its next meeting on 22 February 2008.

There seems little point in attending a *publicity* launch – when weighed against the cost.

#### **FINANCIAL IMPLICATIONS**

Minimal direct cost

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That the Shire of Tammin not be represented at the launch of the SSS Taskforce report to be held in Perth on 28 February 2008.

Simple Majority Required

### **MIN 24/08 MOTION – Moved Cr Greenwood 2nd Cr Wheeldon**

That the Staff Recommendation be adopted.

CARRIED 5/0

**11.16 Tidy Towns 2008 (ORGL-08)**

Author – MG Oliver, CEO, 6 February 2008 Interest – Nil

**BACKGROUND**

Nomination is now open for the 2008 competition.

**COMMENT**

Crs Wheeldon and Jefferies were appointed representatives to the Tammin Tidy Towns Committee by Council on 15 November 2007.

Registrations close 31 March 2008 and submission close on 31 July 2008.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That the Shire of Tammin enter the 2008 Tidy Town competition and that a Committee be formed to organise the entry.

Simple Majority Required

**MIN 25/08 MOTION – Moved Cr Jefferies 2nd Cr Wheeldon**

That the Staff Recommendation be adopted.

CARRIED 5/0

**11.17 Shekinah Glory Ministries (ADM-17)**

Author – MG Oliver, CEO, 11 February 2008 Interest – Nil

**BACKGROUND**

Application is made to hire the Tammin Hall at a concessional rate for 3 hours each alternate Saturday for the forthcoming year to help aboriginal residents of Tammin, both physically and spiritually, indicating that they are unable to pay the \$300 fee per day.

**COMMENT**

The hire rate set by Council is \$300/day (outside people/organisations without liquor) and with a \$300 bond.

The fee for local people/organisations is set at \$100/day.

The fee structure evolved from much discussion by Council 2 years ago.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **STAFF RECOMMENDATION**

That Shekinah Glory Ministries be advised that a concessional hall hire rate is not available.  
Simple Majority Required

Cr Wheeldon indicated that the Ministries were to use the Tammin CWA building.

## **MIN 26/08 MOTION – Moved Cr Caffell 2nd Cr Greenwood**

That the Staff Recommendation be adopted.

CARRIED 5/0

### **11.18 General Electors Meeting**

Author – MG Oliver, CEO, 12 February 2008 Interest – Nil

#### **BACKGROUND**

The Shire of Tammin General Meeting of Electors was held on 12 February 2008. Minutes of the meeting have been provided to Councillors.

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

Legislation also requires Council to record reasons for its decisions arising from decisions made at the Electors meeting.

#### **COMMENT**

Issues arising from the meeting included:

- Town Hall future. The general consensus was that a Hall is required and there was little support for the cost of a new one. As such, the other suggestion that a maintenance / upgrade list be prepared, assessed and budgeted for should proceed.
- TALEC future. Whilst no clear direction emerged, there seemed little support for continuing along the existing loss making direction. It would seem that the TALEC Committee should continue along the path of a further community survey and make its recommendation to Council in due course – not withstanding that the process is somewhat behind the timetable set by Council in March 2007.
- Community entertainment. No clear direction again. Perhaps the new CDO will be able to activate this issue. In the interim, the results of the last community survey should be distributed for comment.
- Ponding of water adjacent to Tamma Village. This drainage headwall needs to be progressed.
- Tennis Courts nets. Replacement nets should be purchased – despite the lack of budget provision.

#### **FINANCIAL IMPLICATIONS**

No provision in the Budget for the drainage headwall or the tennis court nets.

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

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

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

Section 5.33 of the Local Government Act provides that:

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

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **PRINCIPAL ACTIVITY PLAN IMPLICATIONS**

Nil

#### **STAFF RECOMMENDATIONS**

That the minutes of the Shire of Tammin General Meeting of Electors held on 12 February 2008, be received.

Simple Majority Required

#### **MIN 27/08 MOTION – Moved Cr Wheeldon 2nd Cr Greenwood**

That the Staff Recommendation be adopted.

CARRIED 5/0

That:

- a maintenance / upgrade list for the Tammin Town Hall be prepared and reported to Council for assessment and budgeting.
- the TALEC Committee be advised to continue along the path of a further community survey and make it's recommendation to Council in due course.
- the results of the last community survey on entertainment be distributed to the community.
- the drainage headwall be progressed.
- replacement nets for the tennis courts be purchased.

Absolute Majority Required

#### **MIN 28/08 MOTION – Moved Cr Wheeldon 2nd Cr Greenwood**

That the Staff Recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

#### **11.19 Banners in the Terrace (OLGOV-12)**

Author – MG Oliver, CEO, 13 February 2008 Interest – Nil

#### **BACKGROUND**

Correspondence from WALGA inviting participation in the Banners In The Terrace for display in the Terrace 27 July – 9 August as part of Local Government Week 2008.

#### **COMMENT**

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

The winners will be announced at the 2008 Local Government Week Convention on Thursday, 31 July 2008.

Banners are required to be in Perth by 4 July 2008.

Banners must be produced on PVC with the blanks cost ranging from \$85-\$136 plus GST and freight.

Categories for the competition are:

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

#### **FINANCIAL IMPLICATIONS**

No provision was made in the 2007-2008 Budget. Total costs (including paints) are likely to be in the region of \$300.

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That the Tammin Primary School be invited to prepare a sponsored banner for 2008.

Absolute Majority Required

Cr Wheeldon noted that Principal Robyn Webster had committed the School to producing a banner.

#### **MIN 29/08 MOTION – Moved Cr Jefferies 2nd Cr Caffell**

That a banner and paints be supplied to the Tammin Primary School.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

#### **11.20 Staff Structure (PERS-10 / PERS-14)**

Author – MG Oliver, CEO, 13 January 2008 Interest – Nil

Item 11.2 – 15 February 2007 refers.

#### **BACKGROUND**

Council resolved the Staff Structure in October 2005 and re-confirmed the structure in December 2005 as:

##### Administration and Management Staff:

Chief Executive Officer

Administration Officer

Finance Officer

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

##### Works & Services Staff:

Works Supervisor x 1

Grader/Truck Operator Team Leader x 1

Truck/Loader Operator x 1

Grader/Truck Operator x 1

General Hand/Plant Operator x 1

Parks & Gardens x 1

##### Other Staff:

TALEC Managers

Office Cleaner

Town Amenities Cleaner

Subsequently, Council resolved on 8 March 2006 that the position of Works Supervisor be deleted from the Shire of Tammin's Staff Structure. An additional part time Parks & Gardens staff member was appointed at about the same time.

Council considered the review of the Structure briefly in November 2006, at length in December 2006 and again in February 2007 when Council resolved that the positions of Senior Finance Officer and Works Supervisor be readvertised.

#### **COMMENT**

The positions of Works Supervisor and Senior Finance Officer have been advertised – with the vacancy closing on 13 February 2008.

#### **FINANCIAL IMPLICATIONS**

Significant, depending on Council's decision.

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That Council amend the Staff Structure for the Shire of Tammin to:

Administration and Management Staff:

Chief Executive Officer

Senior Finance Officer

Finance Officer

Administration Officer

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

Works & Services Staff:

Works Supervisor x 1

Grader/Truck Operator Team Leader x 1

Truck/Loader Operator x 1

Grader/Truck Operator x 1

General Hand/Plant Operator x 1

Parks & Gardens x 1

Other Staff:

TALEC Managers

Office Cleaner

Town Amenities Cleaner

Simple Majority Required

#### **MIN 30/08 MOTION – Moved Cr Caffell 2nd Cr Wheeldon**

That the Staff Recommendation be adopted.

CARRIED 5/0

Cr Jefferies left the Chamber at 5.10pm and entered the Chamber at 5.12pm.

Mr Oliver left the Chamber at 5.36pm, entered the Chamber at 6.07pm, left the Chamber at 6.16pm and entered the Chamber at 6.24pm.

## **11.21 M.G. Oliver Employment Contract Review (PERSONAL)**

Author – MG Oliver, CEO, 13 January 2008 Interest – M.G. Oliver – as incumbent  
Item 11.9 – 15 February 2007 refers.

### **BACKGROUND**

The Shire of Tammin employs M.G. Oliver in the position of Chief Executive Officer under a 3 year contract.

The contract commenced on 13 January 2006.

The contract provides that a performance review (Clause 8) is to be carried out annually (or more frequently if the Council or the CEO perceives there is a need to do so).

The contract provides that the remuneration package shall be reviewed annually by Council (clause 12.2.1).

### **COMMENT**

A copy of the Contract, which includes the Duties & Functions (Clause 6), Performance Criteria (Clause 7) and details of the Performance Review (Clause 8) has been provided to Councillors.

Arising from the Joondalup saga, the Minister for Local Government instructed the Salaries & Allowances Tribunal to report on the salaries of chief executive officers of local government. Legislation only requires local governments to give consideration to the Report before entering into or renewing a contract of employment. As such, Council is not obliged to give consideration to the Report when reviewing a remuneration package mid-term in a contract – however it does provide a useful yardstick.

A copy of the Salaries & Allowances Tribunal's inaugural Report, dated 27 June 2007, has been provided to Councillors.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY IMPLICATIONS**

Section 5.38 of the Local Government provides that the performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **STAFF RECOMMENDATION**

That Council:

- undertake the Performance Review as required by Clause 8; and
- review the remuneration package as at 13 January 2008 as required by Clause 12.2.1.  
Simple Majority Required

### **MIN 31/08 MOTION – Moved Cr Caffell 2nd Cr Wheeldon**

That it be recorded that the CEO's performance has been reviewed and that the President advise Mr Oliver of the change to his remuneration package effective 13 January 2008.

CARRIED 5/0

**11.22 M.G. Oliver Employment Contract (PERSONAL)**

Author – MG Oliver, CEO, 13 January 2008 Interest – M.G. Oliver – as incumbent  
Items 4.1 – 1 December 2005, RES 228/05 – 7 December 2005 & Item 11.5 – 21  
December 2006 refer.

**BACKGROUND**

Clause 4 of the Term Of Employment 3 with the CEO provides that the Shire of Tammin will employ the CEO for a term of 3 years, commencing on the 13th day of January, 2006 and expiring on the 12th day of January, 2009.

Clause 5 further provides that there is no compulsion on either the Council or the CEO to agree to a new Contract. The Council and/or the CEO shall initiate discussions not later than 12 months prior to the expiry of the Term for the parties to enter into a new Contract for a further term with the Council making a decision to finalise those discussions not later than 9 months prior to the expiry of the term of this Contract. In the event that the Council and the CEO agree to a new contract, a new contract will be executed.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That Council provide direction.

Simple Majority Required

**MIN 32/08 MOTION – Moved Cr Greenwood 2nd Cr Jefferies**

That Mr Oliver be offered a new 5 year contract.

CARRIED 5/0

**11.23 Financial Report & Budget Review (FIN-05)**

Author – MG Oliver, CEO, 7 February 2008 Interest – Nil

**BACKGROUND**

The Financial Reports for 2007/08 to 31 December 2007 and 31 January 2008 are attached.

The Local Government Act requires a review of the Budget to be conducted between 1 January and 31 March each year.

**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.

The Department of Local Government & Regional Development has previously provided guidance on the Budget Review procedure as follows:

1. Planning for the budget review should leave sufficient time for rectifying the problems highlighted (if any).
2. Prepare a statement of financial activity for the period under review with comparatives of actual year to date results with year to date budgets or amended budgets for operating and capital income and expenditure. The budget year to date comparatives should reflect the anticipated budgeted expenditure for the period under review (refer to attached example). Statement of Financial Activity does not have to be by programme and local governments may conduct reviews by departments and divisions.
3. Establish materiality levels either as a percentage and/or dollar value approved by Council (FM Regulation 34(5)).
4. Ensure that overheads have been properly allocated to cost centres before the review is conducted.
5. Compare actual year to date amounts with budget year to date amounts for each line item of operating and capital income and expenditure for the period to arrive at the amount of the variance.
6. Project the actual year to date results to the end of the financial year and compare this with the annual budget to determine if the line item remains within budget.
7. Flag material variances between year to date actual and year to date budget for operating and capital income and expenditure line items. Reasons for the variance needs to be acted upon in sufficient time before the end of the financial year.
8. Conduct a critical assessment of material variances to determine whether they are permanent or timing differences.
9. Identify major changes within the local government that may have a high impact on a local government's finances such as:
  - Structural changes;
  - Cancellation or deferment of projects;
  - External factors such as pricing, contracts, shortages of labour and materials; and
  - Prepare a report of the financial impact of these changes.
10. Senior management should prepare budget variation estimates of all known changes that impact on the annual budget. These variations may not require approval from Council if they fall within the approved budget estimates for the department or directorate. This may depend on the policy and practice of each local government.
11. Identify significant changes within a local government since the adoption of the annual budget that may require a budget amendment and approval by Council. For instance this may include:
  - A change in staff levels;
  - A change in policy or practices such as the use of outside contractors;
  - One-off unforeseen events such as fires and flood;
  - Changes of suppliers; and
  - New legislative requirements.
12. Identify any offsetting increases in income or reductions in expenditure that will help reduce major variances.
13. Establish whether the budget review process and recommendations have a material impact on the long-term and or strategic plans of the local government and if required update these plans.
14. Establish whether the working capital and projected cash flow to the close of the financial year provides sufficient working capital to meet current commitments before the following year's budget is adopted and there is sufficient cash flow before rates, grants and other sources of revenue are received in the following financial year.
15. Flag incomplete projects to be carried forward into the new financial year for inclusion in the following year's budget.
16. Flag grants and contributions received that are likely to remain unspent at the close of the financial year. These should be identified as committed funds for the following year's budget.
17. Some local governments may find it advantageous to conduct a budget review in conjunction with the preparation of the following year's draft budget.
18. Prepare a report with recommendations for Council explaining the reasons for material variances identified in the budget review.

19. Audit Committee to prepare its recommendations for submission to Council.
  20. Within 30 days after Council has made its determination of the audit committee recommendations, forward a copy of the review and determination to the Department.
- All through the Report, the non-cash item of Depreciation is a variance as it is yet to be allocated.
  - On page 5 – Salaries expenditure is down \$26,991 due to the Senior Finance Officer position not being filled. Sick leave expenditure (up \$8,572) and Annual Leave expenditure (up \$5,174) relates to the settlement with Ms McDonald. Computer Maintenance expenditure is down \$8,502 due to an account outstanding to Haines Norton. The Loss on Disposal of Asset (\$6,028) was budgeted for in the Balance Sheet. \$26,991
  - On page 7 – Crime Prevention Plan income (down \$20,000) is waiting on payment. \$0
  - On page 8 – Reimbursement Abattoir income (down \$6,899) and Meat Inspection Salaries expenditure (down \$6,726) offset one another. \$0
  - On page 10 – Refuse Site Maintenance expenditure (down \$6,273) relates to the accounting lag. \$0
  - On page 11 – Government Grants Non-Operating income (down \$50,000) relates to the outstanding Community Water Grant – oval reticulation and partially offset against Town Dam expenditure (down \$24,693). The Contributions income (up \$5,350) relates to the previous years reimbursement from the Golf Club. The Functions and Events income (down \$15,767 relates to outstanding events to be organised (unlikely without a CDO) and offset against the Functions and Events expenditure (down \$12,256). The Cropping Lease income (up \$47,707) will be cleared when the funds are disbursed. Donnan Park Pavilion Mtce expenditure (down \$8,755) should be offset against Donnan Park Oval Mtce expenditure (up \$12,705) and Memorial Park Maintenance expenditure (down \$6,050). The Sports Council expenditure (down \$6,500) is waiting on the Shire of Bruce Rock's invoice for Be-Active contribution. \$5,350
  - On page 13 – Roads to Recovery income (down \$12,993) is waiting on a recoup by Staff. Street Cleaning expenditure (up \$7,014) relates to the additional effort this year and will require monitoring. Road Maintenance expenditure (up \$9,017) will require monitoring. Road Construction expenditure (down \$47,469) relates to Staffing issues, including the vacant Works Supervisor position. The employment of contractors (Goldfields Rd and Tammin Wyalkatchem Rd) will reverse this situation. The detail is shown on the bottom of page 19. (\$16,031)
  - On page 14 – CDO Salary expenditure (down \$7,685) relates to staffing issues. Entry Statements expenditure (down \$5,400) waits on a decision from Council but anticipated to be spent. \$7,685
  - On page 17 – Fuel Tax Credit income (up \$9,078) relates to the diligent work by Mrs Crane. Fuels and Oils expenditure (up \$10,084) and Parts & Repairs expenditure (up \$21,474) are both over Budget and will require monitoring. Gross Salaries & Wages Paid expenditure and Salaries & Wages Allocated income (\$14,199) offset one another and reflect vacant positions noted previously. Contributions and Donations income (up \$8,178) primarily relates to the resolution of the Cunderdin Tammin Landcare Office – which is anticipated to be disbursed once Council sets a direction. (\$22,480)
  - On page 19 – Land acquisition expenditure is over Budget \$9,315. \$9,315
- Total variation (assuming works program completed) \$10,830

## FINANCIAL IMPLICATIONS

No significant implications.

### **POLICY IMPLICATIONS**

Council resolved (Item 11.8 – 23 August 2007) that in accordance with section 34(5) of the Local Government (Financial Management) Regulations 1996 a variance percentage of 10% or \$5,000 be adopted for reporting material variances.

### **STATUTORY IMPLICATIONS**

Section 33A of the Local Government (Financial Management) Regulations provides that:

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **STAFF RECOMMENDATION**

That:

- the Financial Reports for December 2007 January 2008 be received.
- no changes be made to the 2007/08 Budget provisions;
- the Budget Review be adopted; and
- a copy of the Budget Review be forwarded to the Department of Local Government & Regional Development.

Simple Majority Required

### **MIN 33/08 MOTION – Moved Cr Greenwood 2nd Cr Caffell**

That the Staff Recommendation be adopted.

CARRIED 5/0

#### **11.24 Cheque List (FIN-05)**

Author – Carol Crane, Finance Officer, 13 February 2008 Interest – Nil

### **BACKGROUND**

Accounts for payment (cheques issued) for December 2007 are listed totalling:

Municipal Fund	numbers 1370 – 1416	\$259,789.03
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Accounts for payment (cheques issued) for January 2008 are listed totalling:

Municipal Fund	numbers 1417 – 1494	\$144,538.81
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### **COMMENT**

No abnormal expenditure has been made.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **STAFF RECOMMENDATION**

That the cheques issued for December 2007 and January 2008 be endorsed.

Simple Majority Required

## **MIN 34/08 MOTION – Moved Cr Wheeldon 2nd Cr Jefferies**

That the Staff Recommendation be adopted.

CARRIED 5/0

### **11.25 Town Planning Scheme No 1 Amendment 1 (TPLAN-04)**

Author – MG Oliver, CEO, 16 February 2008 Interest – Nil

Item 11.4 – 20 September 2007 refers.

## **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 has prepared the Amendment which proposed to amend the scheme by

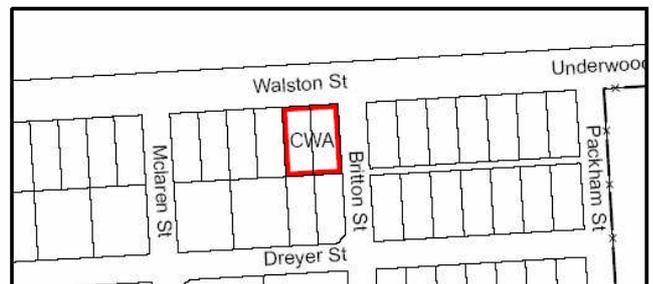
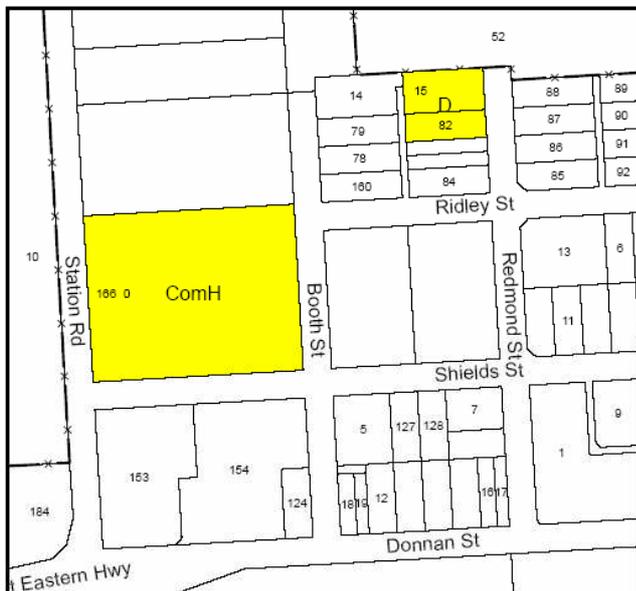
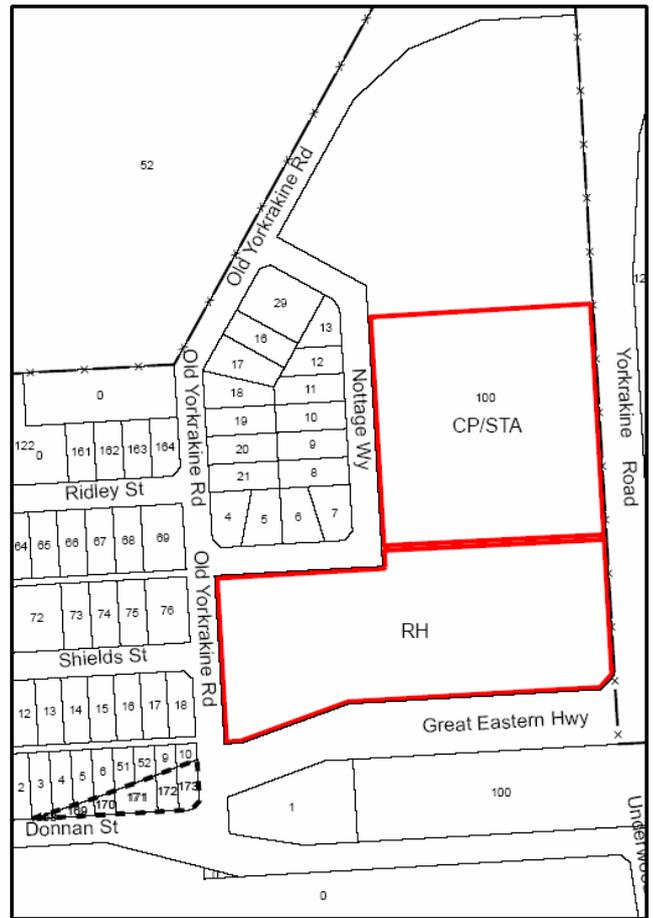
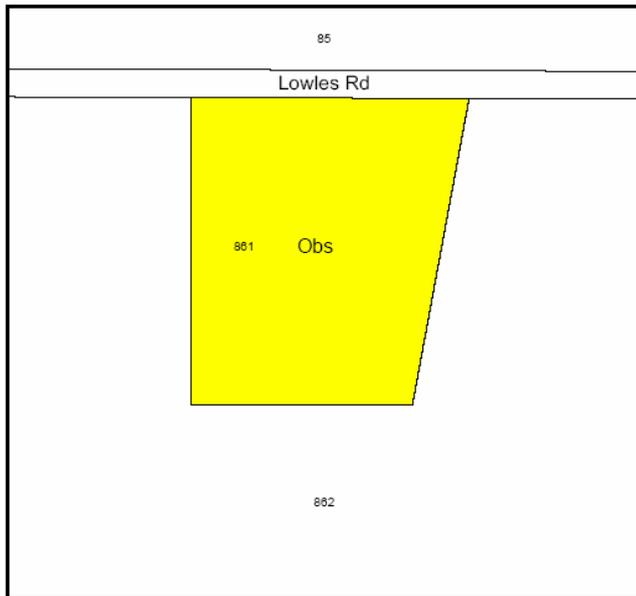
1. Reclassifying Crown Reserve 43892 Booth Street, Tammin, from 'Residential R12.5' zone to 'Public Purposes – Community Housing' local scheme reserve;
2. Reclassifying Lots 82 and 89 Redmond Street, Tammin, from 'Residential R12.5' zone to 'Public Purposes – Depot' local scheme reserve;
3. Rezoning 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'.

## **COMMENT**

The proposed zoning for TALEC has been changed from 'Education' to 'Rural Accommodation'.

## **FINANCIAL IMPLICATIONS**

Provision of \$1,500 has been included in the 2007/08 Budget (Account E102105) to commence a Scheme Amendment. Council has previously resolved to accept PlanWest's costs on an hourly basis.



# Shire of Tammin

## TOWN PLANNING SCHEME No 1 AMENDMENT No 1

  
 SCALE 1:5,000  
 (at A4)

### Legend

#### ZONES

Special Use

- RH - Roadhouse
- CP/STA - Caravan Park/Short Term Accommodation
- CWA - Country Womens Association
- RA - Rural Accommodation

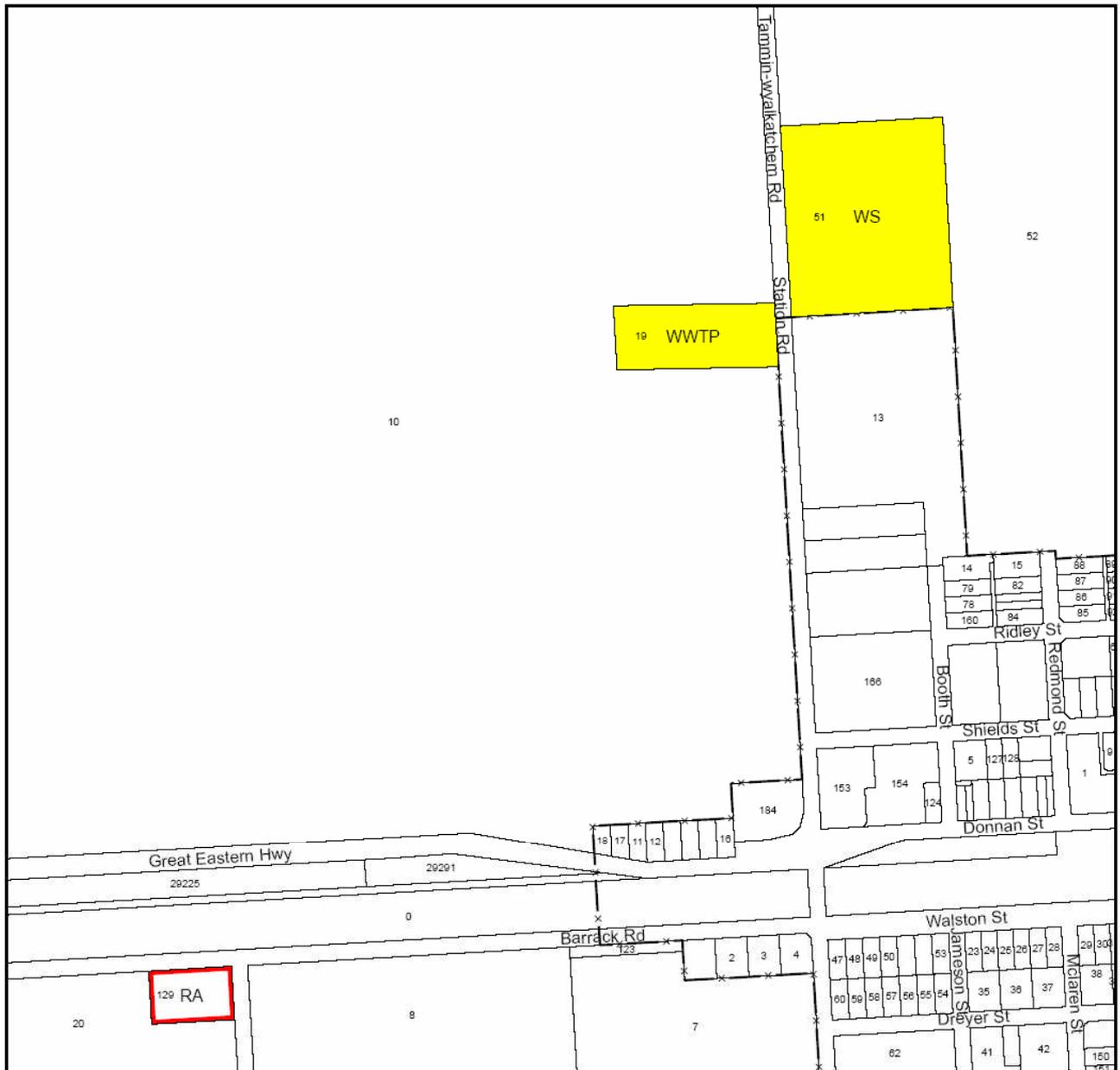
#### LOCAL SCHEME RESERVE

Public Purposes

- CH - Community Housing
- WWTP - Waste Water Treatment Plant
- WS - Water Supply
- Obs - Observatory



## SCHEME AMENDMENT MAP A



# Shire of Tammin

## TOWN PLANNING SCHEME No 1 AMENDMENT No 1



SCALE 1:7,500  
(at A4)

### Legend

#### ZONES

Special Use

- RH - Roadhouse
- CP/STA - Caravan Park/Short Term Accommodation
- CWA - Country Womens Association
- RA - Rural Accommodation

#### LOCAL SCHEME RESERVE

Public Purposes

- CH - Community Housing
- WWTP - Waste Water Treatment Plant
- WS - Water Supply
- Obs - Observatory



## SCHEME AMENDMENT MAP B

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil – but will be part of the process through advertising.

**STAFF RECOMMENDATION**

That, in pursuance of Section 75 of the Planning and Development Act 2005, Council resolves to amend Town Planning Scheme No 1 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 89 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

Simple Majority Required

**MIN 35/08 MOTION – Moved Cr Caffell 2nd Cr Greenwood**

That the Staff Recommendation (noting the correction to the Scheme Amendment Map A - Lots 82 and 89 Redmond Street) be adopted.

CARRIED 5/0

**13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

**15. CLOSURE OF MEETING**

There being no further business the Chairman closed the meeting at 6.56 pm.

Tabled before the Ordinary Council meeting on 20 March 2008.

Cr RJ Stokes, Chairman

# COUNCILLORS INFORMATION BULLETIN – February 2008

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 4	WALGA – Review of SPP 2.5 (OLGOV-01)
IB 5	Community Crop (ORGL-20)
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IB 9	WAPC – SPP 2.5 Agricultural & Rural Land Use Planning Review
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IB 17	Sale of Land For Non-Payment Of Rates (ASS-468)
IB 18	Abattoir (ENVH-42)
IB 19	Great Eastern Country Zone - State Council Representative (ORG-02)
IB 20	WALGA – Issues Update No 4.08 (OLGOV-11)
IB 21	Kadjininy Kep (RES-26973)
IB 22	International C1600 Truck (TN.366)
IB 23	Mitsubishi Truck (TN.229)
IB 24	Demolition Order – Lot 7 Shields St (ENVH-36 & ASS-302)
IB 25	WALGA – Issues Update No 5.08 (OLGOV-11)
IB 26	Lot 861 Lowles Rd – Observatory Site (ASS-1233 & ASS-1532)
IB 27	Events Committee
IB 28	Magellan Metals
IB 29	Tammin Abattoir – South African Workers (ASS-171)

## 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.

	<b>Council Resolution</b>	<b>Officer</b>	<b>Action</b>
	<p><b>Consolidated Emergency Services Building</b>  <b>Item 11.2.2 – 7 December 2005</b>            That the Shire of Tammin proceed to acquire 15m of the rear of the lot for the Consolidated Emergency Services building lot for amalgamation into the Hydrology Model land for the purposes of change rooms and infrastructure for the model.</p>	CEO	<p>FM Surveys Northam quoted \$6,150 (November 2005) and have been requested to prepare the necessary documentation for the acquisition.</p> <p>Application has been made to DLI.</p>
	<p><b>Storage &amp; Catchment Dams</b>  <b>Item 11.6 – 20 April 2006</b>            That the gravel bund at the corner of Shields Street and Station Road be replaced with a concrete wall with an emergency removable section.</p>	CEO	Barry Leslie requested.
	<p><b>Kadjininy Kep</b>  <b>Item 11.14 – 20 April 2006</b>            That a non-return valve be sourced and fitted to the stage area water trough.</p>	CEO	
	<p><b>Properties Inspection</b>  <b>Item 11.18 – 20 April 2006</b></p> <ul style="list-style-type: none"> <li>• Locate memorabilia or small cardboard buildings for historic photo cabinet. Seek advice from Ron York regarding displaying the existing photos.</li> <li>• Prepare septic and storm water drainage plans for the Office and Hall.</li> <li>• Repair broken window on north east corner of Hall stage.</li> <li>• Prepare electrical diagram, including WIN re-broadcast equipment.</li> <li>• That RCD protection be installed on the Town Hall kitchen and Lesser Hall sub-boards.</li> </ul>	CEO	<p>Office septic plan completed, Hall system has not been researched.</p> <p>Electrical diagram has been put on hold pending the replacement of the Hall power board.            Order for the RCD protection has been issued to Peter Mitchell.</p>
	<p><b>Roads Inspection</b>  <b>Item – 20 April 2006</b></p> <ul style="list-style-type: none"> <li>• that improvements be made to the fencing to seal the dam spillways, noting the issue of debris blocking any serious water movements</li> <li>• additional rock and cement slurry on upstream and downstream sides of Turon Rd. Culvert (Bungulla Creek Crossing) to prevent scouring</li> <li>• that pedestrian ramps (concrete</li> </ul>		Barry Leslie requested.

	slab) over curb be provided at the intersection of Ridley & Redmond Streets (south west corner).		Barry Leslie requested.
	<p><b>Municipal Inventory, Statements &amp; Plans</b></p> <p><b>Item 11.13 – 21 June 2006</b></p> <p>That the CEO research and complete/update draft plans when time permits for Council's consideration.</p> <ul style="list-style-type: none"> <li>• Municipal Inventory</li> <li>• Equal Employment Management Plan</li> <li>• Health &amp; Safety Plan</li> <li>• Severance &amp; Redundancy Plan</li> <li>• Gratuity Plan</li> <li>• Future Plan</li> <li>• Strategic Plan</li> <li>• Review of Wards &amp; Representation</li> </ul>	CEO	
	<p><b>Tammin Town Hall</b></p> <p><b>Item 11.25 – 15 February 2007</b></p> <p>That:</p> <ul style="list-style-type: none"> <li>• a ground water monitoring system be put in place; and</li> <li>• two ventilation shafts be installed on the southern end of the main hall area to extract under floor air.</li> </ul>	CEO	<p>Monitoring system in place.</p> <p>Keith Johnson requested to install the ventilation shafts.</p>
	<p><b>Roads Inspection</b></p> <p><b>Item 10.7.6 – 19 April 2007</b></p> <p>That the hole in the culvert on Yorkrakine Rd be filled with concrete and that the section of road be lifted using fill from the windrows immediately to the south of the culvert.</p> <p><b>Item 10.7.13 – 19 April 2007</b></p> <p>That Staff patch the joins in the widening on Goldfields Rd and also the surface damage.</p> <p><b>Item 10.7.14 – 19 April 2007</b></p> <p>That the overgrowth on Harris Rd be cleared when time permits.</p> <p><b>Item 10.7.17 – 19 April 2007</b></p> <p>That Staff would 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> <p><b>Item 10.7.22 – 19 April 2007</b></p>	Team Leader	Barry Leslie requested.

	That a crossover be installed into the School vehicle gate off Booth Street and a footpath crossover in Ridley St across Redmond St (both sides) to allow gopher on the footpath.		
	<p><b>Properties Inspection</b>  <b>Item 10.3 – 17 May 2007</b></p> <ul style="list-style-type: none"> <li>• Re-nail timber slat in lesser hall ceiling and also in kitchen.</li> <li>• Replace missing tiles in Donnan Park umpires room.</li> <li>• Replace broken floodlight (250W/500W) in Donnan Park carpark (protect with mesh).</li> <li>• Track down wording for Heritage Park plaque never installed (Joan Button).</li> <li>• Install saddles on reticulation wiring in TALEC west accommodation wing.</li> </ul>	CEO	Waiting on Joan Button / Glenys Batchelor
	<p><b>House Inspections</b>  <b>Item 10.3 – 17 May 2007</b></p> <ul style="list-style-type: none"> <li>• 4 Old Yorkrakine Rd - Timber skirting fallen off eaves.</li> <li>• 11 Nottage Way - Smoke alarm required.</li> <li>• 9 Nottage Way - Smoke alarm required.</li> <li>• 22 Ridley Street - Paving of path to clothes to be installed.</li> <li>• 45 Draper Street – complete fencing/gates.</li> </ul>	CEO	Order issued, work partially completed.
	<p><b>TALEC Committee</b>  <b>Item 10.4 – 15 March 2007</b>  That:</p> <ul style="list-style-type: none"> <li>• the Management Committee of TALEC be requested to explore alternative uses for TALEC to come into effect from the end of 2007;</li> <li>• the alternative uses to be on a self managed business basis;</li> <li>• existing bookings to TALEC for 2007 be honoured;</li> <li>• the business case to be prepared to detail Council's future commitments; and</li> <li>• the CEO be requested to publicise this change in direction for the use of TALEC and invited interested residents to discuss this views with their local Councillor.</li> </ul>	CEO	<p>Project awarded to Andrew Huffer who in turn has commissioned Aha Consulting.</p> <p>Meetings have been held and a community survey developed.</p>
	<b>Equipment Hire</b>	CEO	

	<p><b>Item 11.9 – 18 July 2007</b> 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>		
	<p><b>2006/07 Fees &amp; Charges</b> <b>Item 11.6 – 23 August 2007</b> That independent professional advice be sought on the appropriate level of rent for the Shire of Tammin's non-joint venture properties.</p>	CEO	
	<p><b><u>Outstanding Projects</u></b> <b>Item 12.1.3 – 21 December 2007</b></p> <ul style="list-style-type: none"> <li>• Kadjininy Kep completion.</li>   <li>• Acquisition of land from FESA</li> <li>• Dam completion – plan to stabilise inlet to catchment dam and plan to transfer of water to storage dam are required. Headwall (with relief gate) to be installed across the creek on the corner of Station Rd and Shields Street. Northern section of the drain (between the Donnan Park gate and the dam) requires widening. Consideration of the width of the drain at the crossover into Donnan Park has been mentioned. Provision of a security flap across the drain in the fence still to be completed.</li> <li>• Oval reticulation – connection of the delivery tank to the Hunts Well supply and the Scheme supply. Connection of the pumps to power. Provision of an personnel access gate in the dam perimeter fence.</li> <li>• TALEC – conversion of boiler room to laundry – tiler to be sourced.</li> <li>• Donnan Street off street parking – power supply to be resolved.</li> <li>• Roads construction program.</li> <li>• Building maintenance program – program to consider heavy maintenance and improvements to the Shire's buildings.</li> <li>• Rubbish collection contract – the contract with Avon Waste</li> </ul>		<p>The outstanding realignment of the southern fence (between Memorial Park and Kadjininy Kep is preventing the commencement of the pathways, hard pan area, additional lawns and kerbing and new garden beds (see July 2006 design) <i>With Landgate.</i></p>

	<p>expired in June 2007. It is proposed to call tenders in conjunction with the Shires of Kellerberrin and Cunderdin.</p> <ul style="list-style-type: none"> <li>• 4 Old Yorkrakine Rd – bathroom refit – tiler to be sourced.</li> <li>• 22 Ridley St – extend path paving to clothes line.</li> <li>• Tamma Village – Unit 1 bathroom – tiler to be sourced.</li> <li>• Painting – Council Chamber, 4 Old Yorkrakine Rd interior</li> </ul>		
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**IB 2 WALGA – Issues Update No 50.07 (OLGOV-11)**

Correspondence providing an update on issues including:

- Warr Bill Through Both Houses of Parliament
- Sporting Association – Draft Model Rules
- Local Activity Grants (LAGs)
- Disability and Inclusion Plan Grants (DAIPs)
- Training Update
- Heather Macgorn Scholarship/Emerging Leaders Program
- Season’s Greetings

**IB 3 Fairlane Sedan (TEND-23/TEND-23)**

IB 18 – 15 November 2007 refers.

The G8 Fairlane was traded in on the Ford Ranger ute on 30 November 2007 and the new Statesman sedan was picked up on 21 December 2007.

By trading in the Fairlane on the Ranger and *clean skinning* the Statesman, the net changeover reduced by:

	<b>Quoted</b>	<b>Actual</b>
City Motors – Statesman Sedan	\$50,603.47	\$50,603.47
Less Trade	<u>\$38,500.00</u>	
Net	\$12,103.47	
Midway Ford – Ranger Ute	\$22,972.80	\$22,972.80
Less Trade		<u>\$40,500.00</u>
Net		-\$17,527.20
Net (Including GST)	\$35,076.27	\$33,076.27
Net (excluding GST)	\$32,160.22	\$30,342.04

Budget provision (Account E16850\* – \$10,000 sedan and \$25,000 ute) is \$35,000.

**IB 4 WALGA – Review of SPP 2.5 (OLGOV-01)**

Correspondence advising of a review of State Planning Policy 2.5 which applies to rural land throughout the State. The objectives of the Policy are to protect agricultural land, plan for rural settlement, minimise land use conflict and manage natural resources. WALGA is to establish a Policy Advisory Group to assist in developing a representative submission. The first meeting of the Group is to be held on 30 January 2008.

**IB 5 Community Crop (ORGL-20)**

The crop was harvested on 14 December 2007 with contributions from a number of people, returning 1.65 tonne/ha from the 145ha arable – a total of 239.88 tonne.

**IB 6 Common Seal**

On 10 January 2008 the Common Seal was affixed to the agreement with the Country Arts WA Inc for the tour of Carpe Idiotus.

**IB 7 Dept of Consumer & Employment Protection – Associations Incorporation (ADM-40)**

Correspondence providing an update of the Review and details of the Draft Model Rules to support the Bill to replace the *Associations Incorporation Act 1987* and inviting comment by 29 February 2008.

**IB 8 WAPC – Planning Policy DC 3.4**

Correspondence advising that the Commission has resolved to rescind the existing DC 3.4 and replace it with a new version. The changes have been made in response to submissions from local governments, surveyors and others involved in rural planning. They affect the rules governing the creation of rural residential, homestead and conservation lots, and the realignment of cadastral boundaries. Specific changes include:

- separation of the provisions for boundary realignments and the rationalisation of farm lots;
- clarified criteria for the creation of homestead lots;
- widened scope for the creation of conservation lots and the removal of a minimum lot size;
- the reintroduction of prevailing lot size as a relevant consideration in subdivision assessment; and,
- acceptance of alternatives to a reticulated water supply for lots under 4ha in certain circumstances

Also, the provisions relating to the various forms of rural settlement and to intensive agriculture have been removed and will be considered during the review of SPP 2.5. Comments on these policy changes are invited.

**IB 9 WAPC – SPP 2.5 Agricultural & Rural Land Use Planning Review**

Correspondence advising that the Commission, in partnership with WALGA, has been consulting with local government on the review of State planning policy 2.5 'Agricultural and rural land use planning'. WALGA has convened a Policy Advisory Group for this purpose with representation from rural councils and staff from the Department for Planning and Infrastructure (DPI). Commencing on 30 January 2008, the advisory group will meet once a month for three months to develop a representative submission on SPP 2.5 for presentation to the WAPC.

On the completion of the review, the revised SPP will be advertised. WAPC will at the same time publish a planning bulletin, which will also address any concurrent changes to DC 3.4 Subdivision of rural land.

**IB 10 Tamma Village (ASS-1093)**

Mr GVT (Graham) Dodd has rented Unit 9 from 14 January 2008.

**IB 11 FESA – National Medal (BUSH-00)**

Correspondence seeking details of the nominations for Bush Fire Brigade volunteers who are eligible to be awarded the National Medal or Service Clasp to the National Medal.

Nominations are required by 29 February 2008.

**Comment**

A copy of the correspondence has been forwarded to Bernie Stokes.

**IB 12 WALGA – Issues Update No 1.08 (OLGOV-11)**

Correspondence providing an update on issues including:

- Breakfast with the CCC Commissioner
- Asset and Expenditure Data for the 2006-07 Report
- New Publication to Help Conserve South West Biodiversity
- Complete Guide to The Local Government Act – Councillor's Manual

- Strategic Regional Component of Auslink
- Closed Circuit Television Monitoring
- Corporate Wardrobe
- Roads Forum
- Local Government Alcohol Management Package Available Online
- Symposium

**IB 13 WALGA – Issues Update No 2.08 (OLGOV-11)**

Correspondence providing an update on issues including:

- Systemic Sustainability Study Draft Report Release and Industry Forum
- Breakfast with the CCC Commissioner
- Extension of Zero Waste Plan Development Scheme Deadline
- Training Update
- Workplace Solutions to Visit UK
- Local Government Road Safety Awards
- Social Housing
- MAILBAG
- Infopage – Roads 2025 Regional Road Development Strategy
- Flyer – Breakfast with the CCC Commissioner
- Flyer – Local Government Road Safety Awards – Call for Nominations

**IB 14 WALGA – Long Term Accommodation Strategy (OLGOV-03)**

Correspondence providing an update on Local Government House, indicating that the preferred option is to develop a new site in conjunction with the Town of Vincent in Vincent Street, Leederville.

**IB 15 WALGA – Issues Update No 3.08 (OLGOV-11)**

Correspondence providing an update on issues including:

- Used Oil and State Infrastructure Projects Local Government Survey
- Energy Procurement Project
- Breakfast with the CCC Commissioner
- Workplace Solutions to Visit UK
- Roads and Transport Forum 2008 (6 May 2008)
- Demise of AC/DC Scheme and Rise of New Scheme
- Changes to Working with Children Checks Phasing-In Arrangements
- Best Practice Grants Conference with a Local Government Focus
- Cultural Planning Course

**IB 16 YMCA – Mobile Youth Service**

The Service's bus visited Tammin on 1 December 2007 and reported that the location was the recreation ground. Participants were all of a very young age. The bus had been advertised well and the participants had an enjoyable time. Workers did puzzles and played board games with the participants. Participants took it in turns to play the video games. None of the participants were at all interested in doing outdoor activities so the sports equipment was not used at all. The biggest attraction was the puzzles with young people taking it in turns to have a go at nutting out each one and some of the more dedicated young people were able to fully master the technique required to beat the puzzles.

**IB 17 Sale of Land For Non-Payment Of Rates (ASS-468)**

Item 12.4 – 5 November 2007 refers.

The date for the auction for the sale of land for non-payment of rates has been set as Thursday 8 May 2008. Only one property is now involved.

**IB 18 Abattoir (ENVH-42)**

Item 11.6 – 23 August 2007 refers.

When setting the fees and charges in August 2007 the CEO raised the question of administration loading on the meat inspection charges for Tammin Abattoir. At the time, the answer to the question was unknown – and the issue was left lying on the table.

Section 246F of the *Health Act 1911* details the process for recovery of the cost of providing the meat inspection service – with 246F(5) effectively stating that fees charged are to apply only to the payment of costs of inspections.

**IB 19 Great Eastern Country Zone - State Council Representative (ORG-02)**

Correspondence advising the outcome of nominations as follows:

State Council Representative:

- Cr Halley Cowan Shire of Narembeen
- Cr Eileen O'Connell Shire of Nungarin

Deputy State Council Representative Nomination

- No Nominations.

Accordingly, elections will be conducted at the meeting on Friday 22 February 2008 to fill both vacancies for 2008/10.

**IB 20 WALGA – Issues Update No 4.08 (OLGOV-11)**

Correspondence providing an update on issues including:

- Asset and Expenditure Report 2006/07
- Management of Mature Trees on Urban Land
- SSS Draft Report Release and Industry Forum
- Blessing of the Roads Campaign
- Catalyst Community Arts Funding
- Disability Services Sector Health Check Information Session
- WA Youth Awards 2008
- Make Roads Safe Petition
- National Emergency Volunteer Support Fund Applications 2008-09

**IB 21 Kadjininy Kep (RES-26973)**

A submersible pump (one of two) which circulates the water has failed. The pump has been removed and sent to Perth for repair (insurance claim).

The water inlet float valve has been upgraded (13mm to 25mm) to address the water supply issues experienced each summer.

**IB 22 International C1600 Truck (TN.366)**

Item 11.14 – 16 July 2006 refers.

The motor in the truck has finally been replaced – bringing the vehicle back into operation.

**IB 23 Mitsubishi Truck (TN.229)**

An exchange gearbox has been installed in the truck.

**IB 24 Demolition Order – Lot 7 Shields St (ENVH-36 & ASS-302)**

Information Item 17 – 20 December 2007 refers.

The burnt house was cleaned up by Shire Staff on 2 February 2008 with the septic pumped out on 4 February 2008 (W Williams). An account for the works has been forwarded to the owner – with a caveat to be lodged if not paid promptly.

**IB 25 WALGA – Issues Update No 5.08 (OLGOV-11)**

Correspondence providing an update on issues including:

- Asset and Expenditure Report 2006/07
- Draft Public Health Bill (2008)
- Regional Training Update
- Breakfast with the CCC Commissioner
- SSS Draft Report Release and Industry Forum
- Energy Procurement
- Vacancies on Boards and Committees

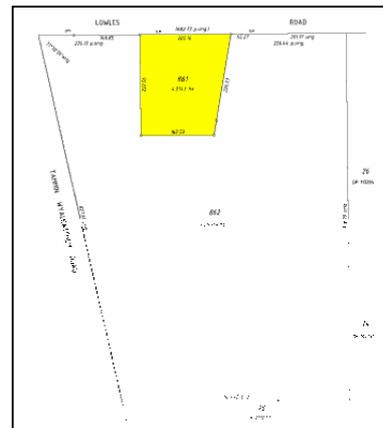
**IB 26 Lot 861 Lowles Rd – Observatory Site (ASS-1233 & ASS-1532)**

Item 11.14 – 18 May 2006 refers.

Purchase settlement from B & L Carter was effected on 7 February 2008. Final costs were:

- Purchase \$5,947
- Survey \$5,581
- Fees \$2,527
- Water \$3,765
- \$17,820

A peppercorn agreement will now be explored with the Astronomical Society of WA in the terms of Councils original decision.



**IB 27 Tammin Events Committee**

A meeting of the Committee was held on 28 August 2007 attended by 3 community members. Issues discussed included:

- Fab Four in early November 2007
- Carols by Candlelight on 16 December 2007
- Christmas Tree 8 December 2007
- The play The Gun in April/May 2008
- Consider amalgamating the Committee with the Tammin Arts Prize Committee
- Hold future meetings at the Roadhouse or the Playgroup (children)
- Future ideas to include outdoor cinema; Scitech Road Show; Touring Menu for Country Arts; Spring Festival (wine, cheese, craft & string quartet).

Following the meeting a survey was distributed by the CDO – resulting in the following information being provided:

What is your age group?

- Under 25 1
- 25 – 40 4
- 41 – 59 4
- 60 + 3

How often would you be willing to attend performances?

- Would not attend
- 1 – 2 times / year 1
- 3 – 5 times / year 9
- 5 + times / year 2

What type of performances would you like to see in your community?

- Band 11
- Play 10
- Comedy 9
- Outdoor Cinema 10
- Other

What type of music do you like?

- County and Western 7
- Heavy Metal 3
- Jazz/Blues 6
- Easy Listening 11
- Other R&B, Hip Hop

When is the best time for you to attend a performance?

- Weeknights 4
- Weekends 12
- During school term 3
- During school holidays 5
- Daytime 3
- Evening 9

Who would you bring with you to a performance?

- Wife / Husband / Partner 9
- Parents
- Children 5
- Friends 7

How much would you be happy to spend for a good night out?

- \$15 1
- \$25 1
- \$30-50 1
- \$50 2
- \$60-\$70 1
- \$80 1
- \$100 3

**IB 28 Magellan Metals (ENVH-39)**

Correspondence providing the detail of their proposal to transport lead carbonate concentrate through the Wheatbelt to the port of Fremantle.

The City of Fremantle has also provided details of its opposition to the proposal.

**IB 29 Tammin Abattoir – South African Workers (ASS-171)**

Support has been provided to the Abattoir for its application to the Department of Immigration to assist workers from South Africa for employment at the Abattoir.