

Minutes of the Shire of Tammin Ordinary Council meeting held at Council Chambers, 1 Donnan Street, Tammin, on Thursday, 19 April 2007.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr Leslie declared the meeting open at 2.04 pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present

Cr B. Leslie	President (Presiding Person)
Cr L. Caffell	Deputy President
Cr M. Greenwood	Member
Cr R. Stokes	Member
Cr M. Wheeldon	Member

Mr M. Oliver	Chief Executive Officer
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Visitors

Nil

Apologies

Cr S. Jefferies	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

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Ordinary Council Meeting Minutes – 15 March 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 72/06 MOTION – Moved Cr Greenwood 2nd Cr Wheeldon

That the minutes of the Ordinary Council meeting held on 15 March 2007 be confirmed as a true and correct record.

CARRIED 5/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Cr Leslie acknowledged the Interests training provided by Ms Jenny Law from the Department of Local Government and Regional Development earlier in the day together with the updates on election changes, Official Misconduct legislation and the Public Accounts Committee.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 WE-ROC Executive Meeting (ORG-15)

Meeting held in Westonia on 28 March 2007. The Shire of Tammin was not represented.

Matters recommended relevant to Tammin include that:

- it be acknowledged that uniformity in the opening and closing of the prohibited and restricted burning periods is unlikely;
- it be noted that better coordination of burning periods and imposition of harvest bans is desirable; and
- the effects of Daylight Saving of the regulated 6.00 pm burning time for garden refuse, be noted and suggested that it be a standard condition of any permit to amend this to 7.00 pm
- WE-ROC nominate a representative and deputy, to the Central Wheatbelt Visitors Centre Advisory Board from the community who has a particular interest and/or expertise in tourism;
- the second representative be Councillor of a Member Shire, but not necessarily their Shire's delegate to NEWROC; and
- the deputy for the second representative be the Director of the Economic Development Portfolio.
- That a joint WE-ROC and NEWROC meeting day be held at the Shire of Merredin on Tuesday, 24 April 2007.
- Redraft of the *Wheatbelt Central Map & Visitor Guide* is needed, and that the information from the various Shires will need to be updated.

COMMENT

Minutes of the meeting are available.

The joint WE-ROC and NEWROC meeting day to be held at the Shire of Merredin on Tuesday, 24 April 2007 conflicts with the Shire of Tammin's properties inspection. An apology has been forwarded.

10.2 Great Eastern Zone WALGA

Meeting held in Dowerin on 23 March 2007. The Shire of Tammin was not represented.

Matters discussed included:

- Zone elections cycle
- Daylight Saving Referendum
- Avon Waterways Committee
- Grain Transport Working Group
- Australian plague locust workshop
- Official Conduct Bill
- Elections and proportional preferential voting
- Rationalisation of sporting boundaries
- Clearing of road reserves
- New swimming pool legislation

Minutes of the meeting are available.

Cr Caffell left the Chamber at 2.15 pm.

10.3 Hon Wilson Tuckey MP Visit

Meeting held in Tammin on 2 April 2007 and attended by all Councillors, the CEO and Mrs Jayne York.

The essence of discussions was to seek financial support for TALEC. The outcome was for the Shire of Tammin to prepare a brief submission seeking Federal government contribution to a cost sharing arrangement between Federal, State and Local Government together with private enterprise.

10.4 Tammin Primary School – Playground Upgrade Opening

Ceremony held on 2 April 2007 and attended by all Councillors and the CEO.

10.5 Audit Committee

Minutes of the Audit Committee meeting held on 15 March 2007 are attached.

STAFF RECOMMENDATION

That the Minutes of the Audit Committee meeting held on 15 March 2007 be received.

Simple Majority Required

MIN 73/07 MOTION – Moved Cr Greenwood 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 4/0

10.6 TALEC Committee

Minutes of the TALEC Committee meeting held on 15 March 2007 are attached.

STAFF RECOMMENDATION

That the Minutes of the TALEC Committee meeting held on 15 March 2007 be received.

Simple Majority Required

MIN 74/07 MOTION – Moved Cr Wheeldon 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 4/0

Cr Caffell entered the Chamber at 2.18 pm.

10.7 Roads Inspection (ENG-17)

Inspection held on 16 April 2007.

10.7.1 Turon Rd – Floodway

Noted entrance and exit gravelling completed following a report from Mrs D Betti.

10.7.2 Turon Rd / Leslie Rd

Noted intersection realignment funded by State Blackspot.

Recommended that signage be installed, the old north-south section connecting Turon Road and Leslie Road be closed off on the south end (cut table drain) and that suitable signage (relocate from Tammin South Rd / Dixon Rd) be installed on Leslie Road approach indicating modified intersection.

Cr Leslie declared a financial and proximity interest in Items 10.7.3 and 10.7.4 and left the Chamber at 2.20 pm. Cr Caffell assumed the Chair.

10.7.3 Leslie Rd (see Item 12.1.3 – 16 November 2006)

Request for inspection of holes in road from Cath Forsyth. Holes and rough surface between highway and rail crossing a remnant from last winter. Little able to be done until next rain (moisture). Also, gravel fill required either side of bitumen rail crossing.

Recommended that no action be taken on Leslie Rd rough surface and gravel fill either side of bitumen rail crossing until suitable rains.

MIN 75/06 MOTION – Moved Cr Greenwood 2nd Cr Wheeldon

That the recommendation be adopted.

CARRIED 4/0

10.7.4 Bungulla North Rd

Noted shoulder widening required in various locations. Noted guide posts missing from culvert north of Bungulla (together with suckers restricting vision). Also noted missing Crest sign immediately north of Bungulla.

Recommended that shoulder widening on Bungulla North Rd be carried out from Roads To Recovery funding when time permits, the guide posts be re-installed and suckers removed from the culvert north of Bungulla and the Crest sign be replaced immediately north of Bungulla.

MIN 76/06 MOTION – Moved Cr Greenwood 2nd Cr Wheeldon

That the recommendation be adopted.

CARRIED 4/0

Cr Leslie entered the Chamber at 2.24 pm and assumed the Chair.

10.7.5 Yorkrakine East Rd

Request for inspection of corrugations by Ray Reid. Worst section 100m east of bitumen. Little able to be done until next rain (moisture).

Recommended that no action be taken on Yorkrakine East Rd rough surface until suitable rains.

10.7.6 Yorkrakine Road

Request to inspect culvert between Nock Rd and Yorkrakine West Rd by D O'Loughlin. Top of culvert on west side being cut by grader (insufficient clearance).

Recommended that the hole in the culvert be filled with concrete and that the section of road be lifted using fill from the windrows immediately to the south of the culvert.

10.7.7 Nock Rd – Chevron

Noted that the Chevron sign was required on the western end of Nock Rd.

Recommended that a Chevron sign be installed on the western end of Nock Rd.

10.7.8 Tammin Wyalkatchem Rd – Mackin Creek Floodway

Request to inspect floodway approaches by Cr Leslie. Floodway found to be less severe than floodway on the east-west section of Tammin Wyalkatchem Rd. Further, the widening of the balance of the road was considered of higher priority. Also, removal of by-pass road to be completed together with patching of bitumen

Recommended that suitable signage warning of the floodway be erected, the by-pass road be removed and the bitumen surface patched..

Cr Stokes declared a proximity interest in Items 10.7.9 and 10.7.10 and left the Chamber at 2.29 pm.

10.7.9 Wyola North Rd – Sheeting

Request to inspect gravel sheeting on hill approximate SLK 3 by Rodney Rogers. Sheeting found to be in good condition (relative to balance of the Shire).

10.7.10 Wyola South Rd – Sheeting

Request to inspect gravel sheeting on hill between Franklin Rd and Quinn Rogers Rd by Rodney Rogers. Sheeting worn through only in a couple of places (but with sand holes).

Recommended that the holes be patched when time permits.

MIN 77/06 MOTION – Moved Cr Caffell 2nd Cr Greenwood

That the recommendation be adopted.

CARRIED 4/0

Cr Stokes entered the Chamber at 2.32 pm.

10.7.11 Barrack Rd – Gravel Sheeting

Request to inspect Barrack Rd for gravel sheeting by Dustin McCreery. Noted that sheeting is currently being carried out this year.

Recommended that further gravel sheeting of Barrack Rd be carried out in 2007/08.

10.7.12 Barrack South Rd – Rough

Request to inspect surface by Cr Jefferies. Full length of road inspected. Road alignment is an issue, as is the formation of the road south and west of Cr Jefferies property. First 900m has some corrugation but probably better than most Shire roads at this time of the year.

Recommended that no action be taken at this time.

10.7.13 Goldfields Rd – Bitumen

Inspected recent bitumen widening out to 7m. Noted issues of old and new join in places.

Also noted surface damage to road by Phil Rose, President, Shire of Katanning over Easter following blown tyre.

Recommended that Staff patch the joins in the widening and also the surface damage.

10.7.14 Harris Rd – Overgrowth

Request to inspect overgrowth by Cr Wheeldon. Road found to be almost impassable with soft scrub.

Recommended that the overgrowth be cleared when time permits.

10.7.15 Kitto Rogers Rd – Roads To Recovery

Noted that the Roads To Recovery sign at the western end of the Road has spun.

Recommended that the Roads To Recovery sign at the western end of the Road be re-erected.

10.7.16 Kitto Rogers Rd – Culvert

Request to inspect required culvert by Peter Ralston. Mr Ralston showed the general area where the road was restricting the general flow of water. Noted that a culvert would be difficult but a floodway might be easily installed. Also noted that the existing culvert needed cleaning out. Agreed to re-inspect when flooded.

Recommended that the culvert on Kitto Rogers Rd, adjacent to the landcare plot, be cleaned out.

10.7.17 Ralston Rd – Fence

Request to inspect fence pushed over by Shire Staff by Peter Ralston. A short section of an old fence on curve south of Gardner Reserve Rd has been damaged. Agreed 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.

10.7.18 Ralston Rd – Shoulder Width

Request to inspect the shoulder width between W&P Button and T&A Crogan by Cr Greenwood (on behalf of Bernie Stokes). Noted that approximately 350m required widening by clearing soft scrub on east side. Also, pruning of vegetation at intersection Dixon Rd (north east) and Moore Rd (south) to improve vision when entering from the east.

Recommended that the widening of shoulders on Ralston Rd be list for consideration in the draft 2007/08 Budget.

Cr Caffell declared a proximity interest in Items 10.7.19 and left the Chamber at 2.46 pm.

10.7.19 South Tammin Rd – End Of Bitumen

Request to inspect hole at end of bitumen by Cr Caffell. Noted that gravel worn away.

Recommended that the hole be filled (and water bound) as a matter of priority (together with the ends of the other section of bitumen further south).

MIN 78/06 MOTION – Moved Cr Greenwood 2nd Cr Wheeldon

That the recommendation be adopted.

CARRIED 4/0

10.7.20 Clark Rd – Corrugations

Request to inspect for corrugations by Cr Caffell. Noted that the road was in better condition than the Shire average.

Cr Caffell entered the Chamber at 2.49 pm.

10.7.21 Nelson Rd – Corrugations

Request to inspect the section of Road between Fourie/Greenwood and Hockings by Cr Caffell. Noted that some sections had worn through gravel sheeting with minor corrugations (in relation to other areas of the Shire).

Recommended that the sheeting be listed for consideration in the draft 2007/08 Budget.

10.7.22 Town Footpaths – Gopher Access

Request to inspect gopher access to Ridley Street (Booth St and Redmond Street) by Cr Wheeldon.

Recommended 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.

MIN 79/06 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the balance of the recommendation not previously considered be adopted.

CARRIED 5/0

10.8 TALEC Sub-Committee

Cr Stokes reported on the Sub-Committee's trip to Fairbridge Farm.

11. AGENDA ITEMS

Agenda Reference:	11.1
Subject:	Entry Statements
Location:	West Tammin
Applicant:	Shire of Tammin
File Ref:	ASS-337/8 393 427
Disclosure of Interest:	Nil
Date:	13 December 2006
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Councillor discussions – 21 September 2006 and Council's resolution on 21 December 2006 (Item 11.14); 13 February (Item 5.8) and 15 February 2007 (Item 11.1).

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.

COMMENT

Main Roads WA has sought a plan of the proposal.

FINANCIAL IMPLICATIONS

Unknown until more detail is determined.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council determine a direction for the entry statement / Main Roads WA blocks proposal.
Simple Majority Required

MIN 80/07 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That the item lay on the table.

CARRIED 5/0

Agenda Reference:	11.2
Subject:	Feedlot Expansion
Location:	Shire of Quairading
Applicant:	RA Rogers & Co (Kylagh Feedlot)
File Ref:	TPLAN-03
Disclosure of Interest:	Nil
Date:	8 March 2007
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Advising of a proposal to expand the feedlot in the Shire of Quairading (off Quartermaine Road) and seeking comment on the effects this might have on the Shire of Tammin.

COMMENT

The only detrimental effect would appear to be the additional traffic on the Shire of Tammin local road network.

In this regard, Rogers have confirmed the continued access to their gravel pit.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That RA Rogers & Co be thanked for their consideration in advising the Shire of Tammin of the proposed expansion of their feedlot.

Simple Majority Required

MIN 81/07 MOTION – Moved Cr Greenwood 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Cr Greenwood declared an interest in Item 11.3 and left the Chamber at 3.04 pm.

Agenda Reference: 11.3
Subject: Subdivision/Amalgamation
Location: Tammin South Road
Applicant: Hartford P/L
File Ref: ASS-198
Disclosure of Interest: Nil
Date: 13 March 2007
Author: Mick Oliver, Chief Executive Officer

BACKGROUND

Proposal to consider the rationalisation of rural property boundaries, amalgamating locations 22484 (1.3152 ha) and 20535 (111.5035 ha) and re-splitting to create lots of approximately 68 ha and 44 ha either side of Tammin South Road.

COMMENT

Currently, the small location 22484 is inconsistent in size with rural properties and location 20535 is split by Tammin South Road.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That no objection be made to the proposal by Hartford P/L to amalgamate locations 22484 and 20535 and subdivide the resultant property into two lots of approximately 68 ha and 44 ha.

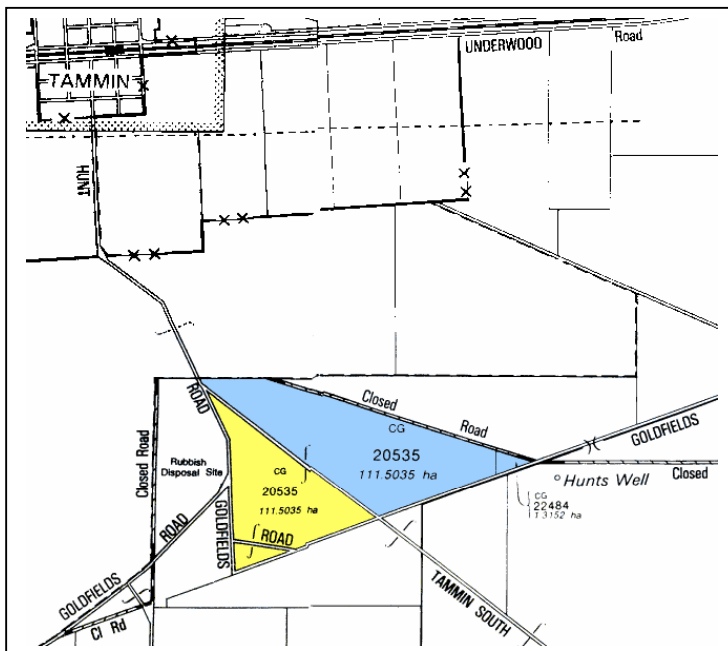
Simple Majority Required

MIN 82/07 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 4/0

Cr Greenwood entered the Chamber at 3.07 pm.



Agenda Reference: 11.4
Subject: Fees & Charges
Location: Tammin Town Hall / Lesser Hall
Applicant: Shire of Tammin
File Ref: ASS-1063
Disclosure of Interest: Nil
Date: 28 March 2007
Author: Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Item 11.14 – 17 August 2006 refers.

BACKGROUND

The Lesser Hall is hired monthly (first Tuesday of month from 1.30-3pm) to Max Employment Agency.

The arrangement has been long standing at a hire charge of \$25.00.

Council resolved on 17 August 2006 (Min 234/06) to set the charge at \$300 (Outside people/organisations without liquor).

COMMENT

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 6.16 of the Local Government Act provides that:

- (1) a local government may impose (by absolute majority) and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- (2) A fee or charge may be imposed for the following
 - a. Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government
 - b. Supplying a service or carrying out work at the request of a person
 - c. Subject to section 5.94, providing information from local government records;
 - d. Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate;
 - e. Supplying goods;
 - f. Such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be –
 - a. Imposed (by absolute majority) during a financial year; and
 - b. Amended (by absolute majority) from time to time during a financial year.

Section 6.17 further provides:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –
 - (a) The cost to the local government of providing the service or goods;
 - (b) The importance of the service or goods to the community; and
 - (c) The price at which the service or goods could be provided by an alternative provider.
- (2) A high fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
 - a. Under section 5.96;
 - b. Under section 6.16 (2) (d); or
 - c. Prescribed under section 6.16 (2) (f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service
- (4) Regulations may –
 - a. Prohibit the imposition of a fee or charge in prescribed circumstances; or
 - b. Limit the amount of a fee or charge in prescribed circumstances.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the omission from the Fees and charges for the Lesser Hall hire charge to Max Employment be confirmed at \$25 per visit.

Simple Majority Required

MIN 83/07 MOTION – Moved Cr Greenwood 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.5
Subject:	Harvest & Vehicle Movement Bans
Location:	Shire of Tammin
Applicant:	DOAC
File Ref:	BUSH-00
Disclosure of Interest:	Nil
Date:	28 March 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Items 11.1.1 – 2 November 2005 (Min 203/05) and 11.1.9 – 8 February 2006 (Min 9/06) refer.

BACKGROUND

DOAC has considered the Final Report on Harvest and Vehicle Movement Bans and has resolved to recommend:

- to standardise the fire index across the Region and use the McArthur Grassland Meter index of Fire Danger Index of 32.
- to use the Kestrel Weather Meter to measure the weather for determining harvest and vehicle movement bans.

COMMENT

Council resolved on 2 November 2005 (Min 203/05) to adopt and implement for the 2005/2006 Harvest Season:

1. adopt the Bushfire Index Rating of 32, the wind speed be the average wind speed and certified weather recording equipment, Kestrel Meter be used as the adopted equipment standard.
2. Harvest Bans and Vehicle Movement Bans are not to be separated, however, designated out loading areas be confined to homestead shed based silo storage sites (not paddock storage sites).
3. the Harvest Ban and Vehicle Movement Policy of the Shire of Yilgarn be presented to Council for implementation with the following amendments
 - a. *replace Shire of Yilgarn with Shire of Tammin*
 - b. *replace six (6) with two (2) to initiate a Harvest Ban*
 - c. *replace Fire Weather Officers with Fire Control Officers*
4. Council to arrange for magnets to be made for the advertising and reminder of Council's new contact details for Harvest Ban information.
5. a flyer be prepared and placed at the Kellerberrin, Tammin, Yorkrakine, Quairading, Cunderdin CBH Receival Points, including advice of the new Harvest Ban Information Line.

A copy of the Report has been provided to the Chief Bushfire Control Officer, Mr Haydn Dixon.

The *Harvest Ban Calculation Instructions* has been updated to reflect the notes on Kestrel Weather Meters.

Council's Policy needs to be updated to reflect existing procedures.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council's existing Policy, adopted on 18 October 2005, provides that the Chief Bushfire Control Officer and Deputy Chief Bushfire Control Officer or their delegate, be authorised to initiate Harvest and Vehicle Movement Bans within the Shire of Tammin.

The decision to initiate a Harvest and Vehicle Movement Ban is to be determined by not less than three individual Fire Weather Readings from within the Shire of Tammin from one of the four Fire Control Officers within the Shire of Tammin.

In the event that the Fire Danger Index reaches 32 or more, based on an average of three or more weather readings representative of three distinct areas of the Shire of Tammin, a Harvest and Vehicle Movement Ban will be automatically issued over the whole of the Shire of Tammin.

Once issued, a Harvest and Vehicle Movement Ban will remain in force until such time as is originally indicated.

In the event of inclement weather conditions prevailing, a Harvest and Vehicle Movement Ban may be extended beyond the original time indicated.

For the purpose of 'Press Releases' relating to the issue of Harvest and Vehicle Movement Bans, the following wording will be utilised at all times:

“A Harvest and Vehicle Movement Ban is in effect over the whole of the Shire of Tammin until ?.00pm, and may be extended if necessary”

OR

“Currently there are no Harvest and Vehicle Movement Ban within the Shire of Tammin”.

OR (in the case of a fire)

“A Harvest and Vehicle Movement Ban is in effect over the whole of the Shire of Tammin until further notice, due to a fire within the Shire of Tammin”.

Under no circumstances will the words 'to be reviewed at' be utilised when issuing notice of Harvest and Vehicle Movement Ban due to weather conditions.

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council's Policy adopted on 18 October 2005, be amended to:

That the Chief Bushfire Control Officer or the Deputy Chief Bushfire Control Officer or their delegate, be authorised to initiate and lift Harvest and Vehicle Movement Bans within the Shire of Tammin.

The decision to initiate or lift a Harvest and Vehicle Movement Ban is to be determined by a Fire Weather Reading from within the Shire of Tammin using the Kestrel Weather Meter and the McArthur Grassland Meter Fire Danger Index. The *Harvest Ban Calculation Instructions* for the Kestrel Weather Meter are to be used for readings.

In the event that the Fire Danger Index reaches 32 or more, a Harvest and Vehicle Movement Ban is to be imposed over the whole of the Shire of Tammin.

Once issued, a Harvest and Vehicle Movement Ban will remain in force until such time as is lifted.

For the purpose of *Media Releases* relating to the issue of Harvest and Vehicle Movement Bans, the following wording will be utilised at all times:

“A Harvest and Vehicle Movement Ban is in effect over the whole of the Shire of Tammin until further notice”

OR

“Currently there are no Harvest or Vehicle Movement Ban within the Shire of Tammin”.

Bans imposed and the lifting of bans are to be advertised via:

- UHF radio – all 40 channels;
- Recorded message;
- SMS mobile telephone service (to registered users); and
- Facsimile to the media.

Simple Majority Required

MIN 84/07 MOTION – Moved Cr Caffell 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.6
Subject:	Tammin Lots 126, 129 & Surrounding UCL
Location:	Tammin
Applicant:	Department of Planning & Infrastructure
File Ref:	ASS-1006 & ASS-1007
Disclosure of Interest:	Nil
Date:	19 March 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Item 11.2.2 – 15 June 2005 refers.

BACKGROUND

Following a proposal by Mr Tully to purchase Tammin Lots 126, 129 & surrounding UCL in order to control motorcycle access, illegal rubbish dumping and fire hazards on the land, the State Land Services' Land Inspector has conducted an assessment of the site. His Report states that at the time of inspection there was very little recent dumping, re-vegetation may assist in reduction of salt encroachment and he considered the adjoining unmade road reserve a greater fire hazard than the unallocated crown land.

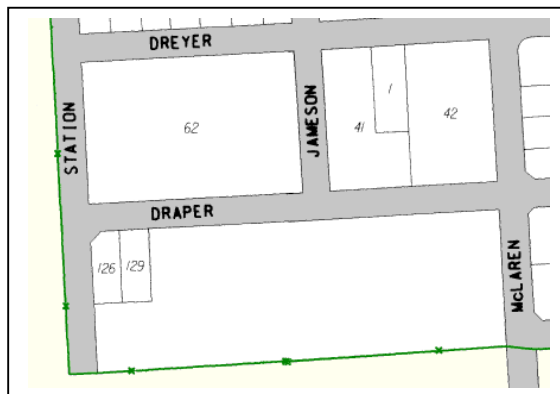
As the above land is the last remaining land available for future subdivision in Tammin it is considered inappropriate to amalgamate the land with an adjoining freehold title for the reasons given by Mr Tully. A better proposal would be to reserve the land for Landscape Protection and/or future development with a Management Order to an appropriate agency to manage those concerns expressed by Mr Tully.

A reserve and Management Order to the Shire of Tammin would provide the Shire the opportunity to manage the land and secure it for future sub-division and development. Council is invited to consider accepting an appropriate reservation with a Management Order.

COMMENT

Council has previously considered this issue in June 2005 when it was resolved that the Department for Planning & Infrastructure be advised that the Shire of Tammin has no objections to the sale of lots 126, 129 and vacant crown land in Draper Street, Tammin and the following comments are provided: -

1. That the purchaser be advised that the land is zoned residential and Council will not permit any other use or certain home occupations such as machinery repairs or the like on the lots created.
2. That the purchaser be advised that the keeping of large animals is subject to the written approval of Council.
3. That the preferred option for sale is to include the proposed use of the land.
4. That lot sizes be one acre.
5. That dedication of road reserve be on south side.



FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction.

Simple Majority Required

MIN 85/07 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That the DPI be advised that as the land is the only land available for future residential subdivision it should not be disposed.

CARRIED 5/0

Crs Caffell, Greenwood and Wheeldon declared an impartiality interest in Item 11.7.

Agenda Reference:	11.7
Subject:	Reserve 26972 Lease
Location:	Tammin
Applicant:	Tammin Bowling Club (Inc.)
File Ref:	ASS-1064
Disclosure of Interest:	Nil
Date:	2 April 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Item 11.1 – 21 December 2006 refers.

BACKGROUND

Reserve 36972 is vested in the Shire of Tammin for the designated purpose of Recreation (Bowling Club) with the power, subject to approval from the Minister for Lands, to lease for a term not exceeding 21 years.

The Shire of Tammin entered into a lease agreement with the Tammin Bowling Club Inc in 1984 for a period of 21 years through to 1 October 2005. The Agreement provided that the Club would:

- Pay rent of \$1 per annum on demand.
- Pay all rates and taxes, electricity, water charges and telephone rental and charges.
- Maintain the improvements (including fences and gates), fair wear and tear and damage from fire, storm, earthquake and tempest excepted.
- Control noxious weeds and vermin.

The Agreement has expired.

Council resolved on 21 December 2006 that a new agreement, based on the existing agreement with the inclusion of provisions for the tenant to be responsible for both insurance premiums and insurance claims excesses, be negotiated with the Tammin Bowling Club.

A 21 year lease agreement, based on the previous agreement with the inclusion of the insurance provisions has been drafted. The draft has been accepted by both the Club and the Minister for Lands.

COMMENT

The Club has signed the new Lease agreement.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Common Seal be affixed to the lease agreement between the Shire of Tammin and the Tammin Bowling Club, for Reserve 36972.

Simple Majority Required

MIN 86/07 MOTION – Moved Cr Caffell 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.8
Subject:	Asset Management Improvement Program
Location:	Shire of Tammin
Applicant:	WALGA
File Ref:	OLGOV-03
Disclosure of Interest:	Nil
Date:	2 April 2007
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Arising from the release of the Report – In Your Hands: Shaping the Future of Local Government in Western Australia, were wide ranging recommendations in relation to asset management and infrastructure renewal – noting that local government is responsible for managing \$13b on infrastructure assets.

A Program has been developed to assist local government to improve their infrastructure asset management.

Participation in the Program involves 4 visits (at approximately 6 monthly intervals) over a 2 year period. The cost of the Program and Information Kit is \$16,390 (Inc.) or \$4,097.50/visit. Financial assistance has been sought.

COMMENT

As at 30 June 2006, the Shire of Tammin had \$2.2m of property, plant and equipment and a further \$20.8m of infrastructure assets (essentially roads and footpaths).

Whilst the improvement in management of assets is of great significance to local government, the cost, in relation to Tammin's assets, could not be justified.

FINANCIAL IMPLICATIONS

Significant – if Council was to become involved in the Program and the Program did not receive a subsidy.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That WALGA be advised that whilst the Tammin is interested in the Program, it is cost prohibitive.
Simple Majority Required

MIN 87/07 MOTION – Moved Cr Greenwood 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.9
Subject:	Grain / Rail Transport Options
Location:	Wheatbelt
Applicant:	Great Eastern Zone WALGA
File Ref:	OSGOV-40
Disclosure of Interest:	Nil
Date:	2 April 2007
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Arising from the Great Eastern Zone meeting in Dowerin on 23 March 2007 was the formation of a joint Avon-Midland, Great Eastern and Central Zones working group to look at the grain/rail transport options for the Wheatbelt. In large part, the initiative has come about due to the Grain Infrastructure Group and several studies over the past two years.

The Zone has endorsed Cr Derek Clauson of Mt Marshall and Cr Stephen Padfield of Narembeen, as representatives to the Working Group.

One of the important matters that came out of the meeting is that a joint State and Local Government case needs to be developed for a significant investment in transport infrastructure to be made by the Federal Government. The total investment is estimated to be in the order of \$750 million over 10 years, of which the State is seeking a 50% contribution by the Federal Government. It is emphasised that this is new money being sought – not funds redirected from some other program.

The Working Group considers that an essential component of getting heard in Canberra will be to send a delegation to knock on the doors of Ministers, Parliamentarians and Departments. The delegation will most likely be -

- WALGA representative – preferably Bill Mitchell as President of WALGA, ALGA Vice President, and Chair of WALGA Infrastructure portfolio.
- Paul Hamersley from DPI - being the State representative and having the involvement with all the various State Government reports and committees etc;
- Cr Anita Jarvis - Chair of the Working Group;
- one further Local Govt representative from either Great Eastern Zone or Central Country Zone.

To this end the Working Group has requested that the Zone make a contribution to the costs. As a very rough idea, costs are expected to be in the order of \$1,000 to \$2,000.

COMMENT

Whilst not perhaps directly affected by this decision, the issue and direction should be supported.

FINANCIAL IMPLICATIONS

Minimal – paid through the Zone.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Great Eastern Zone of WALGA's support for the formation of a joint Zones working group to look at the grain/rail transport options for the Wheatbelt be supported.

Simple Majority Required

MIN 88/07 MOTION – Moved Cr Stokes 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.10
Subject:	Rating of Charitable Organisations
Location:	Shire of Derby/West Kimberley
Applicant:	WALGA
File Ref:	PROP-10
Disclosure of Interest:	Nil
Date:	2 April 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

BACKGROUND

The State Administrative Tribunal (SAT) has made a determination to uphold a claim for an exemption from rates levied on a pastoral lease on the basis that the whole of the land was used exclusively for charitable purposes.

The applicant is an organisation representing the local indigenous population, including Aboriginal elders of the area. The taxation authorities has recognised the Association as a charity for some purposes. The land is run as a pastoral station.

An appeal is being mounted and contributions to the cost of the appeal are sought.

COMMENT

Interestingly, SAT's position detailed to WALGA on 26 March 2007 (Local Government News 13.07) is that reimbursing local government for the loss in rating ability should be taken up with the Commonwealth and/or State.

FINANCIAL IMPLICATIONS

There is no provision in the 2006/07 Budget.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council consider offering nominal financial support to the Shire of Derby/West Kimberley in it's appeal against the State Administrative Tribunal's decision.

Absolute Majority Required

MIN 89/07 MOTION – Moved Cr Wheeldon 2nd Cr Caffell

That \$250 financial support be offered to the Shire of Derby/West Kimberley in it's appeal against the State Administrative Tribunal's decision.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

The meeting adjourned at 3.30 pm for afternoon tea and reconvened at 3.40 pm with all those previously present in attendance.

Agenda Reference:	11.11
Subject:	Lot 51 Tammin Wyalkatchem Rd
Location:	Tammin
Applicant:	Quondong Farms
File Ref:	ASS-31
Disclosure of Interest:	Nil
Date:	3 April 2007
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Seeking the right to crop the land north of the town dam which is being subdivided from Lot 11 in return for maintaining firebreaks and control of weeds.

COMMENT

The proposed Lot 51, on which the dam is located, is 4.8439 ha. The area of balance of this site available for cropping is unknown.

The site is in the final stages of subdivision.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Quondong Farms be permitted to crop the balance of proposed Lot 51 in return for maintaining firebreaks and control of weeds. Further, that such permission be granted on a cropping season basis until Council determines otherwise.

Simple Majority Required

MIN 90/07 MOTION – Moved Cr Caffell 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.12
Subject:	Street Lighting
Location:	Great Eastern Hwy / Donnan Street
Applicant:	Western Power
File Ref:	ENG-30
Disclosure of Interest:	Nil
Date:	4 April 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Item 11.15 – 18 May 2006 refers.

BACKGROUND

Council resolved in May, 2006 that the Western Power/Synergy be requested to provide a design and cost to extend street lighting to the roadhouse entrance for consideration in the draft 2006/07 Budget.

Western Power has provide a design (10 additional lights between Strang Street and Yorkrakine Road) and quotation - \$61,884.55 plus GST.

The quotation has been forwarded to Main Roads WA, who appear interested in installing the lighting, to allow further consideration.

The quotation is valid for 60 days (2 May 2007).

COMMENT

Some direction from Council is required regarding this significant commitment.

FINANCIAL IMPLICATIONS

The 2006/07 Budget (Account E122060) provided \$20,000 for these additional lights. A further \$20,000 (Account E053015) was available (to be shared with other projects) as part of the Crime Prevention Plan.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction regarding the upgrade of street lighting on Great Eastern Hwy / Donnan Street.

Simple Majority Required

The CEO tabled correspondence from Main Roads WA offering to pay 50% of the installation costs and 50% of the on-going operational costs.

MIN 91/07 MOTION – Moved Cr Wheeldon 2nd Cr Greenwood

That Western Power's quotation be accepted however Western Power be requested to defer the project to allow it to align with the Crime Prevention Plan.

CARRIED 5/0

Agenda Reference:	11.13
Subject:	Disused Car Bodies
Location:	Lot 3 – 6 Barrack Rd, Tammin
Applicant:	Shire of Tammin
File Ref:	ASS-436
Disclosure of Interest:	Nil
Date:	22 March 2007
Author:	Phil Steven, Manager Environmental Health & Building

PREVIOUS REFERENCE

Items 11.8 – 17 August 2006 and 11.2 – 15 March 2007 refers.

BACKGROUND

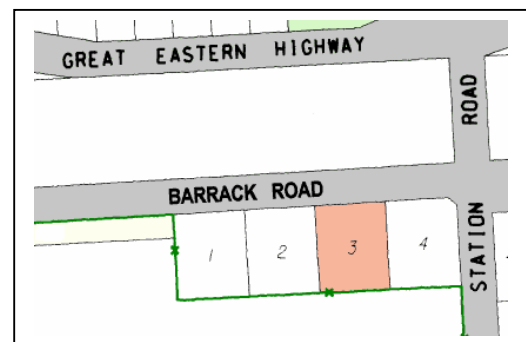
Council has received a number of complaints about the disused vehicle bodies on Lot 3 – 6 Barrack Road, Tammin. In total there are approximately 20 car bodies and 4 buses. Although there is not a noise issue because vehicles are not used commercially as a wrecking yard, the block is unsightly which is affecting the amenity of the area.

Council resolved on 15 March 2007 to enter into discussions with the owner of the property to endeavour to have the site cleaned up.

COMMENT

Discussions have been held with the owner of the property.

It is suggested that a notice be served on both the owner and occupier under section 3.25 of the Local Government Act 1995 requiring that disused material be removed from Lot 3 Barrack Road. The notice should be sent by registered mail as soon as possible, because the daily penalties threatened often act as an incentive for an early response from the notice recipient(s).



If the notice is not complied with, a scrap metal merchant such as Simsmetal would likely remove that number of disused vehicles at no cost, or credit.

STATUTORY IMPLICATIONS

Under Town Planning Scheme No. 1 (TPS 1), the property is zoned *residential* and has an area of 2,023 m². The type of use carried on the property does not neatly fit within any of the use classes within the TPS 1 zoning table. However it would fit within the definition of *storage yard* in Appendix 1 (interpretation) which “means any land used for the storage of goods”.

Since this use class is not listed in the zoning table, any person who wishes to undertake this land activity needs to apply to Council. Council would need to determine that the land use was compatible with the zoning, before advertising the application for comment, which could be considered thereafter as described in Clause 3.2.5.

Council has not approved the *storage yard* land use activity, therefore the existing use contravenes TPS 1. Under Clause 8.2 of TPS 1, this is an offence under section 218. The local authority may serve notice under Section 214-216 of the Planning & Development Act for contravention of Local Planning Scheme (Town Planning Scheme). There are penalties under section 223 of \$50,000 and, in the case of a continuing offence, a further fine of \$5 000 for each day during which the offence continues, under the Planning & Development Act 2005. Infringements are allowed for under the Act, but suitable Regulations have not been gazetted yet (still in draft stage). If

infringements were legislated, it would be useful for the Shire of Tammin in this situation. However, it may be preferred for a notice to instead be served using the Local Government Act 1995.

Section 3.25 of the Local Government Act 1995 allows certain notices to be served and provides:

- (1) A local government may give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that —
 - (a) is prescribed in Schedule 3.1, Division 1; or
 - (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.
- (2) Schedule 3.1 may be amended by regulations.
- (3) If the notice is given to an occupier who is not the owner of the land, the owner is to be informed in writing that the notice was given.
- (4) A person who is given a notice under subsection (1) is not prevented from complying with it because of the terms on which the land is held.
- (5) A person who is given a notice under subsection (1) may apply to the State Administrative Tribunal for a review of the decision to give the notice.
- (6) A person who fails to comply with a notice under subsection (1) commits an offence.”

Clause 5A of Schedule 3.1 of the Local Government Act 1995, allows a Local Government to require by notice that an owner or occupier:

- (1) Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy.
- (2) In this item — “disused material” includes disused motor vehicles, old motor vehicle bodies and old machinery.”

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That a notice is served on the owner and occupier of Lot 3 Barrack Road, Tammin to remove all disused car bodies and material and make good Lot 3 to the satisfaction of the Manager of Environmental Health and Building Services, and that all material removed from Lot 3 to be disposed of appropriately at an approved landfill site, or collected by a registered scrap metal merchant.

Simple Majority Required

MIN 92/07 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.14
Subject:	2007/08 Community Grants
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-04
Disclosure of Interest:	Nil
Date:	8 April 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Item 11.1.6 – May 2005; 11.8 – 18 May 2006 and 11.1 – 27 July 2006 refer.

BACKGROUND

In April 2005 and May 2006 Council advertised for budget submissions from sporting, community or welfare groups/organizations requiring financial assistance from the Shire of Tammin in the following year. Applications were to include audited financial statements and most recent Bank Statement.

In July 2006 Council resolved that provision be included in the draft 2006/07 Budget for community grants to:

- | | |
|---|----------|
| • Tammin Economy Shop (Cooinda) – for wages for the co-ordinator and assistant | \$5,000 |
| • Tammin Art Committee – for Tammin Art Prize | \$1,650 |
| • Tammin Bowling Club – to subsidize employment of a greenkeeper | \$18,000 |
| • Tammin Playgroup – shade structure to cover part of sand pit | \$2,420 |
| • Tammin Golf Club – supply of materials to the value of \$1,000 and the services of a builder to complete works with volunteer labour assistance | \$? |

Council had previously resolved to provide in the draft 2006/07 Budget for a contribution / donation to:

- Royal Flying Doctor Service – \$200 (item 11.5 – 8 March 2006 RES 37/06); and
- Eastern Districts Display Committee, Royal Show – \$350 (item 11.3 – 21 June 2006 RES 166/06).

COMMENT

Council has promoted the community cropping lease for the benefit of:

- Tammin Senior Citizens
- Tammin Play Group
- Tammin P & C
- Tammin Golf Club
- Tammin Bowling Club
- Tammin Cricket Club
- Tammin Hockey Club
- Kellerberrin Tammin Football Club

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That community groups be invited to make submissions for financial support for consideration with the draft 2007/08 Budget.

Simple Majority Required

MIN 93/07 MOTION – Moved Cr Stokes 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.15
Subject:	Policy Manual
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	ADM-52
Disclosure of Interest:	Nil
Date:	9 April 2007
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Whilst researching the Policy on Harvest and Vehicle Movement Bans, the inherited Policy Manual came *into focus*.

A copy of the *tidied up* Policy Manual has been provided to Councillors.

COMMENT

Policies adopted since January 2006, together with those which have been discovered, have been added to the Policy Manual. It is unknown whether the Policy Manual was complete to begin with.

The areas of the Policy Manual in light print need either review or deletion as being inconsistent with the Law or existing practice.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Significant.

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction in relation to the Policy Manual.

Simple Majority Required

MIN 94/07 MOTION – Moved Cr Stokes 2nd Cr Wheeldon

That the CEO draft a new Policy Manual for Council's consideration.

CARRIED 5/0

Agenda Reference:	11.16
Subject:	Plan For The Future
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-04
Disclosure of Interest:	Nil
Date:	9 April 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

Item 11.6 – 15 February 2007 refers.

BACKGROUND

Council adopted a Principal Activities Plan in February 2005.

Legislation (Local Government Act) was amended in 2005 to replace the requirement of an annual 4 year principal activities plan with a bi-annual plan for the future.

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.

Council resolved on 15 February 2007 that:

1. a *draft* Plan For The Future be prepared in a similar format to the last Principal Activities Plan; and
2. the significant activities reported on be restricted to roadworks and plant replacement.

COMMENT

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

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

Inaugural Future Plan.

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the *draft* Plan For The Future be advertised for community comment before being considered further by Council in June 2007.

Simple Majority Required

MIN 95/07 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.17
Subject:	Old Station Building
Location:	Lot 29291 Great Eastern Hwy
Applicant:	Shire of Tammin
File Ref:	ASS-1501
Disclosure of Interest:	Nil
Date:	9 April 2007
Author:	Mick Oliver, Chief Executive Officer

PREVIOUS REFERENCE

28 July 1998; 18 September 1998, March 1999 and Item 11.5 – 15 February 2007.

BACKGROUND

Council resolved on 28 July 1998 to purchase the whole of Avon Location 29225 (ex-Westrail station) from DOLA and indicated an intention to offer for sale the portion of Avon Location 29225 immediately east of the crane lifting pad, which includes the old Westrail station to F & G Batchelor for a sum of \$1,750 plus \$1,000 for the building plus statutory transfer fees.

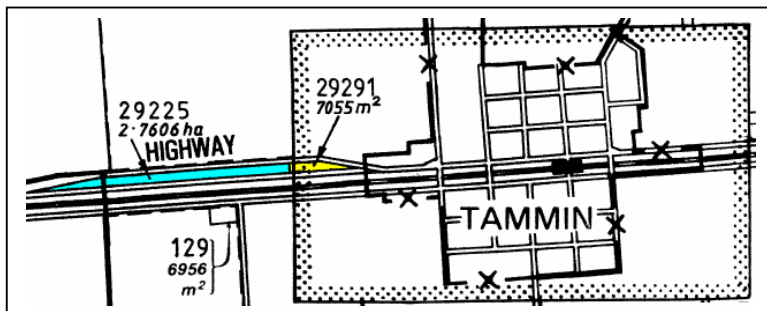
Council resolved on 18 September 1998 to accept the offer from F & G Batchelor of \$2,750 for the land and building to be paid equally over a 3 year period inclusive of 6% interest (\$971.66 per year).

There is no documented Offer and Acceptance.

Progress regarding the acquisition was reported in March 1999.

The acquisition of the land (Lot 29291) by the Shire of Tammin was completed in February 2001.

The balance of the land (Lot 29225) is a Reserve (Reserve 45831) under a management order with the primary interest holder being the Shire of Tammin (24 August 1999).



Council resolved in February 2007 that:

- the formal Offer by F & G Batchelor be received;
- a valuation of the property (in it's derelict state without services and fencing) be obtained; and
- submissions be invited on the proposed sale by advertisement.

A valuation of \$5,000 was obtained.

The proposed sale was advertised on 17 March 2007. No submissions were received.

COMMENT

The matter of the sale was followed up with F & G Batchelor in July 2006 and again on 4 January 2007.

In conversation with Mr Batchelor it would seem that there has been significant difficulties and delays in the transaction – not the least of which was the issue of the Title for the property. This has created great frustration on their part. At the time of the Agreement being reached, the derelict building was un-serviced without windows and was being used as a *drug emporium*. Mr Batchelor has indicated he has, with secured the building, fenced the site and with the assistance of a headworks grant, connected services – at a cost of some \$15,000.

The land is zoned rural. The building has been used by F & G Batchelor for rare and endangered plants – although no record has been found regarding an agreement or the payment of rent, rates etc. The Shire of Tammin does not have keys to the premises.

On 10 January 2007 an *Offer and Acceptance* form was completed for the sale of the property for the sum of \$2,750 (plus GST) as originally agreed – although the previous Council resolution makes reference to *statutory fees*. It is unknown what these fees might have been – and it is considered too long ago to try and establish what it cost to obtain Title to the property. Obviously, each party will be responsible for their own settlement fees.

Legislation requires due process to be undertaken for the sale of land and property. In relation to the sale of land by *private treaty* the Act requires the property to be valued and submissions on the proposed sale be invited by advertisement. It is unknown whether this process has been completed – again no record can be found. It is estimated that this process will cost around \$600.

FINANCIAL IMPLICATIONS

Unbudgeted income from the land sale. Unbudgeted expense on sale process.

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Section 3.58 of the Local Government Act provides:

- (1) In this section —
“dispose” includes to sell, lease, or otherwise dispose of, whether absolutely or not;
“property” includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or

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

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Advertised for submissions in the West Australian on 17 March 2007.

STAFF RECOMMENDATION

That the Offer from F & G Batchelor of \$2,750 (plus GST) for lot 29291 be accepted and the transfer process be completed.

Simple Majority Required

MIN 96/07 MOTION – Moved Cr Caffell 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.18
Subject:	Development Timeframe Extension
Location:	Lot 62 Dreyer Street
Applicant:	Russell Tully
File Ref:	ASS-1161
Disclosure of Interest:	Nil
Date:	11 April 2007
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

On 13 May 2005 Mr Tully sought permission to reside in temporary accommodation whilst he builds his house and advising that house plans would be submitted within 2 months.

On 14 June 2005 Mr Mitchell wrote back confirming recent discussions regarding the use of the sea container and caravan/bus as temporary accommodation whilst a dwelling is constructed and

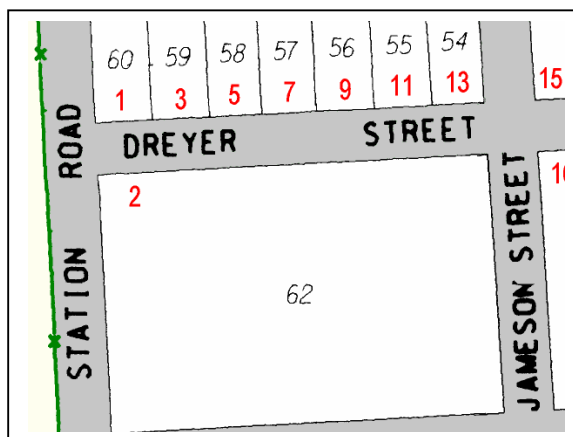
noted that pursuant to Section 144 of the Health Act 1911 – 1979, a local government may approve of a building not originally approved as a dwelling with conditional consent.

Mr Mitchell advised that the Shire of Tammin is prepared to approve of the use of the sea container and caravan/bus as temporary accommodation for a period of twelve months whilst a dwelling is constructed. The temporary approval may be extended by a further twelve months if conditions warrant. The conditions of temporary approval are: -

1. Provision of a shower, WC, kitchen and hand basin properly constructed and connected to an approved waste disposal system.
2. The sea container and caravan/bus are to be connected by an electrician to Western Power and water is to be supplied to all facilities.
3. Plans of the proposed dwelling are to be received at the Shire Offices before the 30 July 2005.
4. Construction of the dwelling is to commence within 4 months of approval of the plans.
5. The use of the temporary accommodation is limited to two persons only living at the address, Lot 62 Dreyer Street, Tammin

The temporary consent expired on 30 June 2006.

Responding to correspondence dated 18 May 2005, a proposal was submitted to Council on 15 June 2005 for the purchase of lots 28 and 29 Dreyer Street by Mr Tully for the purpose of development. Mr Tully addressed Council on his intentions. Council resolved to support in principal the sale of the two blocks for \$500 each subject to at least one block having a dwelling built on it within 12 months and a second within 24 months. On 14 September 2005 Mr Peczka wrote to Mr Tully advising that Council's decision was now cancelled.



On 15 July 2005 Mr Mitchell advised Mr Tully regarding the location of septic tanks and leach drain system on lot 62 Dreyer Street and requested that the location is reflected in the building plans to be received prior to the 30 July 2005. Further, Mr Tully was advised regarding the placement of a workshop, noting that it is necessary for Council to approve of the use of the workshop on the site as there are Town Planning Scheme implications. Council will need to receive a submission detailing the extent of business, position within the property and the size and materials of the shed to be constructed. Unless Council approval is sought the use may be contrary to the Scheme. Finally, Mr Tully was advised that the finished height of the floor of the residence shall be 200mm above the crown of road in addition to structural engineers plans, proper drawings, energy efficiency ratings certificate and other requirements of the Building Regulations 1989.

On 1 February 2007 Mr Tully has advised that due to the theft on the entire contents of his assets from lot 62 Dreyer Street (approximate value of \$30,000), he is only ready to comply with showers, kitchen and hand basin etc. Further, he has approached contractors regarding (septic) works. Mr Tully has submitted an effluent disposal system application for a system partially installed at some time in the past (with an undated note from Mr Mitchell to Mr Keith Johnson as *constructed please*).

Council resolved on 15 February 2007 that Mr Tully be advised that a detailed proposal for the development of the property, with a timeframe, is required to allow consideration of this issue. Further, that any agreed timeframes will be enforced, noting his failure to comply with the previous approval. This information was conveyed to Mr Tully by letter on 15 February 2007 with the suggestion that he call in and discuss the situation. These discussions occurred on 9 March 2007 with the detail summarised in letter form later that day.

On 11 April 2007 Mr Tully responded citing the theft of his property by Tammin residents and marriage as the cause of the delay and indicating:

- it is his intent to build a 2-3 bedroom house;
- the building will be complete within 12 months; and
- plans will be complete within 6 weeks.

Further, that he has taken onboard Council's concern regarding the property's appearance by:

- upgrading the driveway (lights, lawns, fruit trees, shrubs, weed spraying);
- painting of unsightly assets to help blend in better with surroundings;
- filling in of unsightly open trenches;
- sale and relocation of unsightly cars;
- possible relocation of unsightly caravan to help blend in with surroundings.

COMMENT

Mr Tully has been advised that any agreed timetable will be strictly enforced.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Mr Tully's development timetable proposal be accepted and he again be reminded that approval to reside in the caravan is at Council's pleasure.

Simple Majority Required

MIN 97/07 MOTION – Moved Cr Caffell 2nd Cr Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Cr Wheeldon declared an impartiality interest in item 11.19.

Agenda Reference:	11.19
Subject:	Community Crop
Location:	Shire of Tammin
Applicant:	CWA Tammin
File Ref:	ORGL-20
Disclosure of Interest:	Nil
Date:	11 April 2007
Author:	Mick Oliver, Chief Executive Officer

BACKGROUND

Seeking an explanation as to why the CWA Tammin was not included in the 2006 program and as to what the criteria was.

Further, advising that CWA Tammin has a building which requires constant care and upkeep which requires funds and seeking inclusion in the 2007 crop.

COMMENT

The 2006 program included (with the % share):

Kellerberrin Tammin Football Club	20%
Tammin Golf Club	20%
Tammin Bowling Club	20%
Tammin P & C	15%
Tammin Cricket Club	10%
Tammin Hockey Club	10%
Tammin Play Group	2.5%
Tammin Senior Citizens	2.5%

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction.

Simple Majority Required

MIN 98/07 MOTION – Moved Cr Caffell 2nd Cr Stokes

That the share of the Kellerberrin Tammin Football Club, Tammin Golf Club and Tammin Bowling Club be reduced by 1% and that the CWA Tammin be given a 3% share of the program.

CARRIED 5/0

Agenda Reference:	11.20
Subject:	Financial Report
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-05
Disclosure of Interest:	Nil
Date:	April 2007
Author:	Lisa Mackin, Acting Finance Officer

BACKGROUND

The Financial Report for 2006/07 to 31 March 2007 is attached.

COMMENT

FINANCIAL IMPLICATIONS

No significant implications.

POLICY IMPLICATIONS

Council resolved (241/06) on 17 August 2006 that in accordance with section 34(5) of the Local Government (Financial Management) Regulations 1996 a variance percentage of 10% or \$2,000 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.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Financial Report for 31 March 2007 be received.

Simple Majority Required

MIN 99/07 MOTION – Moved Cr Wheeldon 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

Agenda Reference:	11.21
Subject:	Cheque List
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-05
Disclosure of Interest:	Nil
Date:	12 April 2007
Author:	Lisa Mackin, Acting Finance Officer

BACKGROUND

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

Municipal Fund	Cheque Numbers 588-672	\$137,394.12
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COMMENT

Includes:

- contribution to the Be-Active scheme \$6,600.00
- publishing of local laws \$5,148.45
- road name and directional signs \$7,652.70

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the cheques issued for March 2007 be endorsed.

Simple Majority Required

MIN 100/07 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

12. REPORTS OF OFFICERS – For period up to 11 April 2007

12.1 CHIEF EXECUTIVE OFFICER'S REPORT

12.1.1 Northam Saleyards (AGR-11)

On 10 March 2007 the CEO met with the Shire of Northam to finalise a submission to the State Government to secure funding for the saleyards. This follows on from 17 February 2007 workshop.

12.2 COMMUNITY DEVELOPMENT OFFICER'S REPORT

12.2.1 21 Gun Salute Band

Preparations are now in place for 21 Gun Salute at Kadjiny Kep on the 20 April 2007. Advertisements are currently running in the Advocate, Mercury and on Radio West. The Tammin Golf Club are running a licensed bar and the Tammin P&C will be providing food for sale. Staff will assist in putting up tents for change rooms for the band on Friday morning. Numbers of pre sale tickets have not indicated the need to hire port a loo's. Police have been notified of the function and will be in attendance.

12.2.2 Grant Applications

Grant applications have been completed and submitted to:

- Lotterywest for Audience Development through the Gordon Reid Regional Performing Arts Grant.
- Department for Planning and Infrastructure Country Pathways Program – Dual purpose pathway along Shield Street and Station Road.
- Anzac Day Small Grants Scheme – flagpole for Memorial Park.

12.2.3 Circuit West

I attended the bi-annual Circuit West conference in Moora on the 13-14 April 2007. This group is made up of regional venues from throughout the State. Although most of the venues represented are larger theatres, the key issues are similar and include marketing, sponsorship, ticket sales and funding. Our location gives Tammin the opportunity to tag onto existing tours that may be travelling through.

12.2.4 Barking Gecko's Tour

Friday, 22 June 2007 has been locked in for Barking Gecko's tour of the "Troll in the Bowl" This show will be marketed to surrounding schools and playgroups.

12.2.5 Avon Cricket Association Grand Final

Tammin successfully hosted the Avon Cricket Association Grand Final on the 17 March 2007. The hard work of the Tammin Shire staff was publicly acknowledged with special thanks given to David Martin for his work throughout the cricket season.

12.2.6 Way Out West Outdoor Cinemas

I met Ned Nettleton from Way Out West Outdoor Cinemas on the 17 March 2007 to have a trial run to see if their outdoor screen would be able to be erected on the amphitheatre stage. Unfortunately the screen was too large, but they are looking at other options as they have had requests from community halls that also have size as a factor. I hope to be able to present an outdoor movie at Kadjininy Kep in October/ November.

STAFF RECOMMENDATION

That Council receive the Officers' Reports

Simple Majority Required

MIN 101/07 MOTION – Moved Cr Stokes 2nd Cr Greenwood

That the Staff Recommendation 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 4.31 pm.

Tabled before the Ordinary Council meeting on 17 May 2007.

CR B LESLIE, Chairman

COUNCILLORS INFORMATION BULLETIN – APRIL 2007

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 29	Dept of Environment & Conservation – Wildfire Threat (ENVH-52)

IB 1 Status Report

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

	Council Resolution	Officer	Action
	<p>Tamma Village – Emergency Keys An outstanding item inherited by the CEO from an unknown Council resolution was to obtain originals of the unit’s keys for security and in the case of emergencies.</p>	CEO	<p>Keys are in the Shire Office for units: 1 Warren Tangye 2 Mary Stokes 3 Beryl Greenwood 5 May Reyne 6 Marge Hocking 7 Mary Caffell 8 Daisy Harrison 9 Stephan Krieger 10 Ann Batchelor</p> <p>Keys are required for unit: 4 Isabelle Newbury</p>
	<p>Northam Regional Saleyards Project Minute 233/05 – 7/12/2005 1. That Council “participates” in providing an underwritten financial amount of \$50,000 towards to Northam Regional Saleyards Project. 2. That Council agree to execute an Agreement to identify commitment and contribution towards the Project subject to: a) Councils approval of the business plan and; b) acceptance of the legal agreement.</p> <p>Minute 10/06 – 8/2/2006 That: • the Business Plan and draft Agreement be accepted; and • authority be given for the signing and affixing of the Common Seal to the Agreement.</p>	CEO	<p>Site works completed (with Shire of Tammin assistance).</p> <p>Project with the State Government seeking financial contribution to complete funding.</p>
	<p>Sight Distance Hazard – Bamboo in Town Drain Line – West end Town Rail Crossing Item 11.4.11 – 7/12/2005 Works instruction was issued for Staff to completely remove bamboo plantation on the east and west side of the Towns’ Westnet Rail (formerly Westrail) crossing point. Further instruction has been issued to ascertain ownership of the major drain and the responsible organization/body for annual maintenance attention. At this stage ownership of the Drain appears to be with Westnet Rail as the owner of the Rail Reserve.</p>	CEO	<p>WestNetRail was requested to spray the bamboo on 16 February 2007.</p>

	<p>Sale of land for non-payment of rates Minute 34/06 – 8/3/2006 That:</p> <ul style="list-style-type: none"> • The Shire of Tammin take formal possession of lots 31 & 32 Walston Street pursuant to section 6.64(1) of the Local Government Act; • formal notice be served on JI & KM Arnold at their last known addresses advising that the Shire of Tammin has taken possession of the land pursuant to section 6.64(2) of the Local Government Act; • a caveat be lodged on the titles of the land to preclude dealings in respect of the land pursuant to section 6.64(3) of the Local Government Act; and • Staff be instructed to take whatever administrative action necessary to sell the land for non-payment of rates pursuant to section 6.64(1)(b) of the Local Government Act. 	CEO	<p>Form 2 served on owner and Form 3 erected on site on 17 April 2006.</p> <p>Mayberry Hammond lodged Caveats on 13 June 2006.</p> <p>The properties, unless the debt is paid, will be auctioned on 19 April 2007 with the other properties with 3 years outstanding rates.</p>
	<p>Storage & Catchment Dams Item 11.6 – 20 April 2006 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	
	<p>Storage & Catchment Dams Item 11.6 – 20 April 2006 That research continue into the method of pumping (reticulation) of the dam water, the use of the dam water on the Donnan Park couch and the transfer of water from Hunts Well.</p>	CEO	Water pipe from Hunts Well bore now connected to town dam.
	<p>Storage & Catchment Dams Item 11.6 – 20 April 2006 That the collection into the Storage Dam of the run-off from the CBH hardstand and the drain on the southern side of the railway be researched.</p>	CEO	Survey of CBH is to be carried out by F Rodda & Co in February 2007.
	<p>Kadjininy Kep Item 11.14 – 20 April 2006</p> <ul style="list-style-type: none"> • That a non-return valve be sourced and fitted to the stage area water trough. 	CEO	

	<p>Properties Inspection Item 11.18 – 20 April 2006</p> <ul style="list-style-type: none"> • Locate memorabilia or small cardboard buildings for historic photo cabinet. Seek advice from Ron York regarding displaying the existing photos. • Prepare septic and storm water drainage plans. • Repair broken window on north east corner of hall stage. • Prepare electrical diagram, including WIN re-broadcast equipment. • That RCD protection be installed on the Town Hall kitchen and Lesser Hall sub-boards. 	CEO	
	<p>Roads Inspection Item – 20 April 2006</p> <ul style="list-style-type: none"> • that improvements be made to the fencing to seal the dam spillways, noting the issue of debris blocking any serious water movements • additional rock and cement slurry on upstream and downstream sides of Turon Rd. Culvert (Bungulla Creek Crossing) to prevent scouring • Relocate table drain on south-east side of Wyola North Rd to prevent scouring adjacent to spillway slab. • that pedestrian ramps (concrete slab) over curb be provided at the intersection of Ridley & Redmond Streets (south west corner). 		
	<p>Street Lighting – Tammin Roadhouse Item 11.15 – 18 May 2006</p> <p>That the Western Power/Synergy be requested to provide a design and cost to extend street lighting to the roadhouse entrance for consideration in the draft 2006/07 Budget.</p>	CEO	<p>Western Power has provide a design and quotation - \$61,884.55 plus GST.</p> <p>The quotation has been forwarded to Main Roads WA, who appear interested in installing the lighting, to allow further consideration.</p> <p>The quotation is valid for 60 days (2 May 2007).</p>

	<p>Municipal Inventory, Statements & Plans Item 11.13 – 21 June 2006 That the CEO research and complete/update draft plans when time permits for Council's consideration.</p> <ul style="list-style-type: none"> • Municipal Inventory • Recordkeeping Plan • Equal Employment Management Plan • Health & Safety Plan • Severance & Redundancy Plan • Gratuity Plan • Future Plan • Strategic Plan • Review of Wards & Representation 	CEO	
	<p>Give-Way Sign - Shields Street / Redmond Street Item 11.14 – 15 February 2007 That Main Roads WA be requested to relocate the Give-Way signs from Strang Street to Shields Street (to make Strang Street the through route).</p>	CEO	Main Roads WA requested to relocate the Give-Way signs.
	<p>Development Timeframe Extension - Lot 62 Dreyer Street Item 11 – 15 February 2007 That Mr Tully be advised that a detailed proposal for the development of the property, with a timeframe, is required to allow consideration of this issue. Further, that any agreed timeframes will be enforced, noting his failure to comply with the previous approval</p>	CEO	
	<p>Tammin Town Hall Item 11.25 – 15 February 2007 That:</p> <ul style="list-style-type: none"> • a ground water monitoring system be put in place; • two ventilation shafts be installed on the southern end of the main hall area to extract under floor air; and • no action be taken at this time on commissioning a further Report. 	CEO	Plumber requested to install the ventilation shafts.

	<p>Road Names Item 11.1 – 15 March 2007 That it be recommended to the Geographic Names Committee that the:</p> <ul style="list-style-type: none"> • western extension of Nock Road be named Nock Road; and • unnamed road off Doongin Peak Road and connecting back to Packham Rd be named Bolton after Charles Bolton who previously farmed in that area. 	CEO	Landgate requested to name the roads.
	<p>Lot 3 - 6 Barrack Rd Item 11.2 – 15 March 2007 That Staff enter into discussions with the owner of Lot 3 Barrack Rd to endeavour to have the site cleaned up</p>	CEO	EHO has had discussions with owner.
	<p>WE-ROC Natural Resource Management Group Plan draft Item 11.5 – 15 March 2007 That the <i>draft</i> WE-ROC Natural Resource Management Group Plan be endorsed for public comment.</p>	CEO	<i>Draft</i> advertised in the <i>Tammin Tabloid</i> on 10 April 2007.
	<p>CEO – Annual Leave Item 11.10 – 15 March 2007 That Mr Oliver be permitted to take approximately 5 weeks leave in September/October 2007 and that arrangements be made to secure an Acting CEO for this period.</p>	CEO	Mr Gilfellow is unavailable.

IB 2 WAPC – Amalgamation Of Lots 15 & 14 Old Yorkrakine Rd/Nottage Way (ASS-1083)

Correspondence advising of the Shire of Tammin’s application to amalgamate lots 15 & 14 and seeking comment.

Comment

The lots are the site for the new CEO residence.

WAPC has been advised that the Shire of Tammin fully supports the application.

IB 3 WALGA – Issues Update No 06.07 (OLGOV-11)

Correspondence providing an update on issues including:

- WALGA Submission on the National Sustainability Framework
- Skilled Professionals Available
- A Cleaner Energy Future For W.A
- Banners in the Terrace
- Australian Standards Training Program
- Elder Abuse Protocol Guideline Workshops

IB 4 DLGRD – Operational Guidelines (OSGOV-26)

Correspondence forwarding Operation Guideline No 17 – Delegations.

IB 5 WALGA – SSS Taskforce Bulletin (PROP-00)

Items 11.15 – 21 September 2006 and Information Bulletin Item 10.3 – 19 October 2006 refers.

Correspondence forwarding Issue No 2 – detailing the response plan to the 41 recommendations. The Local Government Summit is scheduled for 20 April 2007.

A Regional Workshop is planned for 21 September 2007 at Westonia.

IB 6 Cunderdin TeleCentre

Correspondence providing details of changed arrangements and services provided and offering membership (\$25/year) to obtain discounts.

Comment

The Centre's services are not utilised to any great extent (split between Kellerberrin and Cunderdin). As such, the membership has not been taken up.

IB 7 KATS Football Club – Community Crop (SPREC-09)

Correspondence expressing appreciation and thanks for the community crop disbursement.

IB 8 September 2007 Ordinary Council Meeting

Item 11.8 – 15 February 2007 refers.

The Yorkrakine Hall Committee has advised that the Yorkrakine Hall is available as the venue for the September 2007 Ordinary Council meeting.

IB 9 WA Country Health Service – Wheatbelt Health Service Plan

Correspondence forwarding a copy of the Wheatbelt Health Service Plan Discussion Paper and seeking feedback by 20 April 2007.

IB 10 Pioneer Park – Park Bench Damage

Item 8.1 – 21 December 2006 refers.

The Kellerberrin Police has reported that it has apprehended the individuals (juveniles) involved in the damage to the park benches at Pioneer Park (corner of Walston and McLaren Streets).

IB 12 WALGA – Issues Update No 10.07 (OLGOV-11)

Correspondence providing an update on issues including:

- Cost Shifting to Sustainability Forum
- Blessing of the Roads Information Pack Now Available
- Local Government Appointments to Boards and Committees
- Banners in the Terrace
- Local Government Marketing and PR Network
- Community Culture Cultural Planning Fund
- Contaminated Sites Act 2003
- Fight Flu Website

IB 13 WAPC – Lots 14 & 15 Old Yorkrakine Rd (ASS-1083)

Correspondence advising of preliminary approval for the amalgamation of lots 14 & 15 Old Yorkrakine Rd.

Comment

This is the site for the new house.

FR Rodda & Co has surveyed the lots' boundaries and have been requested to prepare the necessary plans to receive WAPC final approval.

IB 14 DLGRD – Queens Birthday Holiday

Correspondence inviting requests to change the local celebration date for the Queens Birthday holiday from Monday, 1 October 2007.

Comment

The invitation allows local governments to use the holiday to coincide with local celebrations, sports days etc.

IB 15 WALGA – Issues Update No 11.07 (OLGOV-11)

Correspondence providing an update on issues including:

- Association meeting with The Hon Ljiljana Ravlich MLC
- Association meeting with Opposition Spokesperson Gary Snook MLA
- Business Continuity Workshops
- Banners in the Terrace Competition
- Road Traffic Code 2000 Amendments – Small Motorised Electric Scooters
- Free Community Road Safety Grants Workshops
- Captivate Workshops

IB 16 Roads To Recovery Audit (ENG-28)

An Audit of the records for 2005/06 was conducted by Jason Pye from Walter Turnbull on 19 March 2007.

The Audit noted:

- that the 2005/06 expenditure of \$70,332 could not be verified as the accounts had been closed off, summarised and wiped from Kellerberrin's computer.
- that Administration being charged to Public Works Overheads includes some excluded items (staff training, protective clothing, OHS, employee housing maintenance, telephone, insurance, administration);
- that forecasting the next quarter's expenditure requires documentation;
- the annual expenditure (other than Roads to Recovery) includes depreciation and other items (interest on loans, depot maintenance depreciation, buildings depreciation, infrastructure depreciation, furniture and equipment depreciation, plant and equipment depreciation, street cleaning, footpath maintenance, street lighting, street trees depreciation) which should be removed;
- that Ministerial consent is required when Roads to Recovery grant funds are not expended within 6 months of receipt; and
- the Works Schedule should be updated monthly.

Comment

A full Audit was unable to be completed due to the accounting records having been removed from the Shire of Kellerberrin's computer following the completion of the 2005/06 accounts and PDF archive reports not having been produced for job costing.

The issues raised will be addressed.

IB 17 Unit 7 Tamma Village (ASS-1093)

Mr Barry Norris took up tenancy of Unit 7 from 26 March 2007. Whilst the property was vacant, the carpet was replaced in bedroom 2 (stained beyond repair), the walls in the unit (other than the laundry and bathroom) were painted (with some repairs to cornice and wall cracks) and the ceiling fan switch replaced.

IB 18 WALGA – Continuity Planning Workshops

Correspondence providing details of planning workshops to develop skills in business continuity and resilience in the event of pandemics.

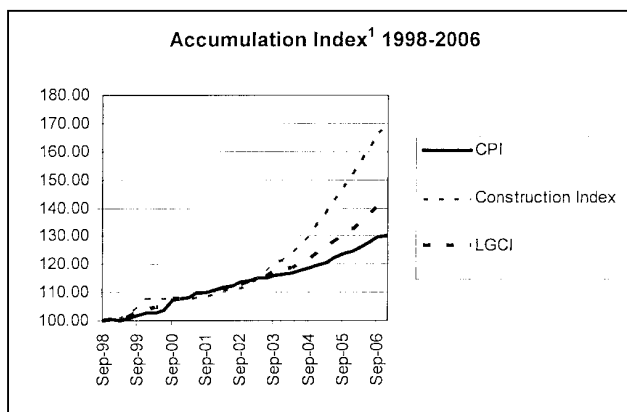
Comment

A workshop is planned for Quairading on 16 May 2007 – conflicting with the employee health check-up.

IB 19 WALGA – 2007/08 Budget

Correspondence forwarding details of the Local Government Cost Index (LGCI) developed and designed to provide a more accurate guide on price changes for the local government sector than the Consumer Price Index (CPI).

In using estimate of costs and revenues over a budget period it is important to use an economic index that reflects the movement of prices underlying the budget process. The most commonly used general purpose index is the Consumer Price Index (CPI) that tracks the price movement in a general basket of goods purchased by households. While the CPI is widely recognised it does not reflect the general costs associated with Local Government activities that tend not to make purchases synonymous with the average Australian household. The LGCI indicates that CPI understates Local Government costs by approximately 10 percent over a decade.



IB 20 WALGA – Issues Update No 12.07 (OLGOV-11)

Correspondence providing an update on issues including:

- Local Government (Official Conduct) Amendment Bill 2005
- Smoke Alarm Battery Campaign
- Breakfast Seminar with CCC Commissioner Kevin Hammond
- What Works Australia Series – Youth Sector Survey
- Harvest Mass Management Scheme
- AS4000 Workshops
- Cultural Planning Course

IB 21 WALGA – Issues Update No 13.07 (OLGOV-11)

Correspondence providing an update on issues including:

- Free Registration – SSS Forum
- Lobbyists Register
- State Administrative Tribunal Meeting
- Corridor Strategies
- Training Update
- Captivate Workshops

IB 22 WALGA – Local Government (Official Conduct) Amendment Bill 2005 (OLGOV-11)

Correspondence providing a detailed update on this new Legislation which was passed by Parliament on 21 March 2007 and is awaiting Royal Assent and the release of supporting Regulations.

Key Features of the Legislation are:

- Establishment of Rules of Conduct Regulations which enshrine minimum behavioural standards to be observed by all elected members. The Rules of Conduct Regulations are in the process of being finalised by the Department in consultation with WALGA.
- Creation of three (3) types of breaches by elected members:
 - minor breach - breach of the Rules of Conduct or a local law under the new Act, contravention of which has been specified as a minor breach;
 - recurrent breach - two or more minor breaches; and
 - serious breach - breach of a written law other than a local law.
- Establishment of a complaints process by which a person can make a complaint where they have reason to believe that an elected member has committed a breach.
- Requirement for complaints to be made in writing using a standard Complaints Form (form is to be developed shortly). The complaint must provide details of who is making the complaint, who is alleged to have committed the breach, details of the contravention that is alleged and any other information required under Regulations.

- Establishment of a Complaints Officer within each Local Government to receive and refer complaints of alleged minor breaches to the Standards Panel. The Complaints Officer is to be a senior officer within the Local Government. The default Complaints Officer will be the Local Government's CEO.
- Director General of the Department of Local Government to receive all complaints of recurrent and serious breaches, with the power to make allegations to the Tribunal on alleged breaches.
- Formation of a Standards Panel to scrutinise and deal with complaints of minor breaches. Where breaches are proven, the Standards Panel will have the power to dismiss the complaint or order that the elected member be publicly censured; be required to make a public apology; undertake specified training; or order two (2) or more of the abovementioned sanctions.
- State Administrative Tribunal ("the Tribunal") to deal with allegations of recurrent and serious breaches referred by the Director General. Where a breach is proven, the Tribunal will have the power to order that the elected member be publicly censured; be required to make a public apology; undertake specified training; be suspended for a period of not more than 6 months; or be disqualified from holding office as an elected member for a period of not more than 5 years. The Tribunal may order two (2) or more of the above sanctions, and it will also have the power to make a suspended order in relation to an elected member being suspended or disqualified.
- The burden of proof that is to be used in determining whether an elected member has committed a breach is to be based on evidence from which it may be concluded that it is more likely than not that the person committed the breach ("balance of probabilities").
- Establishment of a Register of Complaints for Local Governments to record details of minor breaches that have been proven against individual elected members, and where findings have been made by the Standards Panel.
- Penalty for persons that make complaints on the basis of false or misleading information (prosecutable offence with a maximum penalty of \$5,000). Notification of this penalty is to be included as a clear warning on the Complaints Form that must be used by persons seeking to make complaints.
- Legislative requirement for confidentiality to be observed in relation to all complaints (minor and serious) made within the campaign period of a Local Government election (e.g. 44 days prior to the election date). Any person who unlawfully discloses information relating to a complaint during this period commits an offence (maximum penalty of \$5,000).
- Statutory limitation on making complaints of minor breaches is two (2) years after the date the alleged breach occurred. Statutory limitation on making complaints of serious breaches is to be defined in Regulations.

IB 23 WALGA – 2007 Local Government Convention (OLGOV-12)

Item 11.7 – 21 December 2006 refers.

Correspondence providing details of the Convention, which will be held at the Burswood Convention Centre from 4 – 6 August 2007. The tentative schedule for the Convention is as follows:

Saturday 4 August

- Convention Business Sessions 9:00 am – 5:00 pm
- Sundowner 5:30 pm – 6:30 pm

Sunday 5 August

- Convention Business Sessions 9:00 am – Noon
- WA Local Government Association AGM 1:00 pm – 5:15 pm
- Conference Dinner 7:30 pm - Midnight

Monday 6 August

- Special Focus Groups 9:15 am – 1:00 pm
- Zone Roundtable Forum 1:00 pm – 4:00 pm
- State Council Meeting 5:00 pm – 8:00 pm

Comment

Accommodation at the Holiday Inn Burswood has been arranged for:

- Cr Caffell – in Friday out Monday
- Cr Greenwood – in Friday out Monday
- Cr Jefferies – in Friday out Sunday
- Cr Stokes – in Friday out Sunday
- Cr Wheeldon – in Friday out Monday

with Cr Leslie and the CEO using private accommodation.

IB 24 Livestock Transporters & Country Bulk Carriers Association (OLGOV-12)

Item 11.9 – 21 December 2006 refers.

Correspondence expressing appreciation of Council's agreement to contribute funds to the proposal to develop a secondary road network to cater for restricted access vehicles. Since preparing the proposal, it is understood that Main Roads WA has developed an alternative system to assess those roads that would not meet the existing route assessment guidelines. Accordingly, the proposal of a secondary road network has been put on hold.

Comment

Council resolved in December 2007 (RES-333) to support the creation of modified route assessment guidelines for a secondary heavy vehicle network and was prepared to contribute up to \$1,000 providing the proposal attracts significant financial support in local government.

IB 25 Shire of Northam – Saleyards Submission (AGR-11)

Information Item 12.1.4 – 15 March 2007 and Item 12.1.1 – 19 April 2007 refer.

Correspondence forwarding a copy of the submission to Hon Kim Chance seeking \$4m towards the proposed Northam Saleyards.

IB 26 Electoral Distribution Commissioners – Electoral Boundaries (ELE-00)

Correspondence providing details of the process to be used to change the electoral boundaries to introduce the *one vote, one value* arrangements. The process will commence on 4 April 2007 with final boundaries expected to be published on 29 October 2007. Three opportunities will be provided during the process for submissions and comments.

IB 27 Liquor Consumption Consent (RES-26973) (SPREC-10)

Approval has been granted, using delegated authority, for the Tammin Golf Club patrons to consume liquor:

- at TAA Lot 165 (Tammin Golf Club) for the 2007 golf season.
- at Kadjiny Kep on 20 April 2007 ("21 gun salute" playing all the best from ACDC).

IB 28 WALGA – Issues Update No 14.07 (OLGOV-11)

Correspondence providing an update on issues including:

- Proportional Representation Voting Proposal
- Vacancies on Boards and Committees
- Business Continuity Workshops Announced for Local Government
- 2007 National Local Government Asset Management Conference
- Austroads Project CS 1338
- World Environment Day Awards 2007
- Learn About Art
- 2007 National Awards for Local Government

IB 29 Dept of Environment & Conservation – Wildfire Threat (ENVH-52)

Correspondence advising of two projects in conjunction with the Avon Catchment Council to develop Fire and Biodiversity Guidelines and a Wildfire Threat Analysis and of a briefing session to be held at:

- Hyden on 16 April 2007
- Merredin on 17 April 2007
- Northam on 18 April.

The meetings will run from 2pm to 4pm.