

Minutes of the Shire of Tammin Ordinary Council meeting held at Council Chambers, 1 Donnan Street, Tammin, on Thursday, 18 October 2007.

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

Cr Leslie declared the meeting open at 2.06pm.

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

**Present**

Cr B. Leslie	President (Presiding Person)
Cr L. Caffell	Deputy President
Cr M. Greenwood	Member (Arrived 3.02pm)
Cr S. Jefferies	Member
Cr R. Stokes	Member
Cr M. Wheeldon	Member

Mr R.G Bone	Acting Chief Executive Officer
Miss L.Winterswyk	Administration Officer

*Note: Prior to the commencement of the meeting Mr Murray Packham JP, was in attendance to swear in re-elected Councillors. (Leslie, Stokes and Caffell).*

**Apologies**

Nil

**Leave of Absence**

Nil

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4. PUBLIC QUESTION TIME**

Nil

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS**

**6.1 Item 11.5 – Plant Hire Account**

Cr Jefferies declared a financial interest. The nature of the interest being family related to the applicant.

**Item 11.4 – 2,4-D Ester Permit Application**

Cr Stokes declared a financial interest and proximity interest. The nature of the interest being his intent to use the herbicide 2,4-D ester.

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

**7.1 Ordinary Council Meeting Minutes – 20 September 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 204/07 MOTION – Moved Cr Stokes 2nd Cr Jefferies**

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

CARRIED 5/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION
9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
10. REPORTS OF COMMITTEES/COUNCILLORS
11. Agenda Items

<b>Agenda Reference:</b>	11.1
<b>Subject:</b>	Parking & Parking Facilities Amendment Local Law 2007
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	LLAW-07
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	8 October 2007
<b>Author:</b>	Glenn Bone, Acting Chief Executive Officer

### PREVIOUS REFERENCE

Item 11.9 – 21 June 2007 and item 11.1 – 20 September 2007 refers.

### BACKGROUND

In November 2006 Council resolved to adopt the proposed Shire of Tammin Management Parking and Parking Facilities Local Law 2006.

The Local Law was gazetted on 7 February 2007.

The Joint Standing Committee on Delegated Legislation has vetted the Local Law and advised that in replicating the 2005 WALGA Model, two minor errors have occurred. Additionally, Schedule 3 was omitted. The Committee requested that the Shire of Tammin provide an undertaking to:

- rectify the errors in clauses 3.10(1)(d) and (e); and
- insert Schedule 3.

In June 2007 Council resolved to review the Shire of Tammin Parking & Parking Facilities Local Law 2006 by incorporating the amendments noted by the Joint Standing Committee On Delegated Legislation and Schedule 3 without any places listed. Further, that the proposed Shire of Tammin Parking & Parking Facilities Local Law Amendment 2007 be advertised in accordance with the provisions of the *Local Government Act*.

### COMMENT

The proposed Shire of Tammin Parking & Parking Facilities Amendment Local Law 2007 was advertised in the West Australian on 27 June 2007 and on the Shire of Tammin's Public Notice Board with submissions being invited to be received up to 27 August 2007. No submissions were received.

Subsequent to the September meeting, the Department of Local Government and Regional Development noted that there were two anomalies contained within the material sent to the Minister for Local Government on 8 August 2007. Specifically, these were an incorrect numbering sequence used in the preamble and also a lack of reference to the *Local Government Act 1995* in each of the four forms within Schedule 3.

The Department have recommended that these errors be corrected and the documents be re-submitted to Council. The relevant documents are attached.

### FINANCIAL IMPLICATIONS

Nil

### POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Local Government Act 1995

Section 3.12 (2) - details the procedures required for the review of the local laws. The steps required to review local laws are:

- (1). Council resolves to review the local law;
- (2). Council advertises Statewide that it intends to review the local law;
- (3). Submissions are called with a minimum period of 60 days;
- (4). Council considers the submissions and amends/adopts local law;
- (5). Council advertises the adopted local law;
- (6). Administration procedures – forward one hard copy and one electronic copy of the local law to the Delegated Legislation Committee.

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

The proposed local law has been advertised in accordance with the Local Government Act 1995. Copies of the proposed local law have been available from the Shire Office and notices were placed on the Shire of Tammin Notice Board and advertised in a statewide and local newspaper.

## STAFF RECOMMENDATION

That Council resolve to make the Shire of Tammin Parking & Parking Facilities Amendment Local Law 2007 in accordance with section 3.12(4) of the *Local Government Act* and affix the Shire of Tammin's Common Seal. Further, that the Local Law be:

- published in accordance with section 3.12(5) and 3.12(6) (Government Gazette, local paper and public notice board);
- forwarded to the Minister for Local Government and Regional Development in accordance with section 3.12(5); and
- forwarded to the Joint Standing Committee on Delegated Legislation.

Absolute Majority Required

## MIN 217/07 MOTION – Moved Cr Wheeldon 2nd Cr Stokes

*That the Staff Recommendation be adopted.*

CARRIED BY AN ABSOLUTE MAJORITY 5/0

<b>Agenda Reference:</b>	11.2
<b>Subject:</b>	Better Beginnings Literacy Program
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	EDU-01
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	4 October 2007
<b>Author:</b>	Delia Betti, Community Development Officer

## PREVIOUS REFERENCE

Nil

## BACKGROUND

The Better Beginnings Family Literacy Program is a holistic universal early intervention literacy program. The program is coordinated by the State Library of WA and delivered through public libraries to support parents as their child's first teacher. The Shire of Tammin public library will receive over \$1000 worth of free resources which can be used in the library.

## COMMENT

Nil

## **FINANCIAL IMPLICATIONS**

\$36.00 for the 2007/08 financial year. The ongoing cost to the Shire will be \$6.00 per baby born in the Shire in that financial year. There is provision in the 2007/08 budget for Library Purchases.

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Nil

## **STRATEGIC PLAN IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

I have consulted with the Tammin Playgroup.

## **STAFF RECOMMENDATION**

That Council support the Better Beginnings Family Literacy Program and pay the \$36.00 fee.  
Simple Majority Required

## **MIN 218/07 MOTION – Moved Cr Caffell 2nd Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 5/0

Agenda Reference:	11.3
Subject:	Unit 10
Location:	Tamma Village
Applicant:	C & M Harrison
File Ref:	ASS - 1063
Disclosure of Interest:	Nil
Date:	10 October 2007
Author:	Glenn Bone, Acting Chief Executive Officer

## **PREVIOUS REFERENCE**

Nil

## **BACKGROUND**

Colin and Mary Harrison have been allocated Unit 10 at Tamma Village and will shortly be taking up residency.

Prior to moving in they have sought approval to make a number of changes to Unit 10 and its surrounds. The modifications are beyond the scope of the tenancy agreement and therefore require the consent of the owner (Shire of Tammin). The modifications/variations sought are:

- (1) the installation of a satellite TV aerial and reinstallation of the existing aerial to the near bedroom.
- (2) installation of a computer outlet to the rear bedroom.
- (3) installation of a water feature and fishpond in the enclosed garden area.
- (4) installation of a small (1.8m x 2.7m) colourbond utility shed in the courtyard area.

The Harrisons advise they will cover the cost of these installations should approval be granted.

Finally, approval is also sought to park their caravan close to the side fences.

## **FINANCIAL IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Tenancy at the Tamma Village is governed by firstly, the Housing Joint Venture Agreement and secondly, a Periodic Tenancy Agreement.

Clause 11 of the Periodic Tenancy Agreement provides the following:

“The TENANT shall not affix any picture or make any renovation, alteration or addition to the residential premises, without the prior consent of the OWNER, provided such consent shall not be unreasonably withheld”.

## **STRATEGIC PLAN IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **COMMENT**

It is recommended that approval to requests 1 & 2 be sanctioned subject to the relevant installations being undertaken by a competent tradesperson and at the applicant's cost. Also, at the completion of the tenancy the removal of these fixtures and restitution to the former condition is to be at the applicant's expense.

It is further recommended that items 3 & 4 be approved subject to the applicants meeting all expenses for the installation thereof.

Aesthetically, there may be a problem with the intended parking of a caravan adjacent to the fence however caravans are a regular sight in an urban environment.

## **STAFF RECOMMENDATION**

That Council grant approval to C & M Harrison for the following:

- 1.1 the installation of a satellite TV aerial and reinstallation of the existing aerial to the rear bedroom.
  - 1.2 installation of a computer outlet to the near bedroom.
  - 1.3 installation of a water feature and fishpond in the enclosed garden area;
  - 1.4 installation of a small (1.8m x 2.7m) colourbond utility shed in the courtyard area;
- subject to all installations being at their expense and in the case of items 1 & 2, the work being undertaken by a competent tradesperson; and
2. the parking of a caravan in a close proximity to Unit 10's fence.

Simple Majority Required

## **MIN 219/07 MOTION – Moved Cr Wheeldon 2nd Cr Caffell**

*That the Staff Recommendation be adopted.*

CARRIED 5/0

Cr Stokes declared a financial interest and left the meeting at 2.15pm

Agenda Reference:	11.4
Subject:	2,4-D Ester Permit Application
Location:	Shire of Tammin
Applicant:	Australian Grains Centre
File Ref:	AGR - 09
Disclosure of Interest:	Nil
Date:	10 October 2007
Author:	Glenn Bone, Acting Chief Executive Officer

### **PREVIOUS REFERENCE**

Nil

### **BACKGROUND**

The Australian Grains Centre notes that the Australian Pesticide and Veterinary Medicines Authority (APVMA) has suspended the use of 2,4-D High Volatile Esters (HVE's) for the control of summer weeds during the months when grain growers need it most. Last year the Shire provided written support for a permit application which allowed growers to continue to use this important weed control tool during 2006/07 summer months. This permit has now expired.

In order to allow growers to continue to use this important weed control tool, the Better Farm Integrated Quality Program (the CBH Group) is re-applying for this permit and has again included the Shire of Tammin in the application. If successful, this permit will be in effect from 1 December 2007 to 30 April 2008.

Support for this approach is requested.

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY IMPLICATIONS**

Nil

### **STRATEGIC PLAN IMPLICATIONS**

Nil

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **COMMENT**

Last year, 56 Shires were included in HVE 2,4-D Permit 9673. Specific Shire restrictions for the Shire of Tammin were recorded as:

“There is one tree nursery in the Shire. The permit buffer zones apply to this side: i.e. a minimum of a 1km buffer but potentially 10km if grapevines or tomatoes are produced there”.

### **STAFF RECOMMENDATION**

That the Shire of Tammin support the CBH Group application for the use of 2,4-D High Volatile Esters during the months of December to May.

Simple Majority Required

## MIN 220/07 MOTION – Moved Cr Caffell 2nd Cr Jefferies

*That the Staff Recommendation be adopted.*

CARRIED 4/0

Cr Stokes returned to the meeting at 2.16pm

Cr Jefferies declared a financial and proximity interest and left the meeting at 2.16pm

Agenda Reference:	11.5
Subject:	Plant Hire Account
Location:	Shire of Tammin
Applicant:	Brian Crook
File Ref:	ENG - 33
Disclosure of Interest:	Nil
Date:	10 October 2007
Author:	Glenn Bone, Acting Chief Executive Officer

### PREVIOUS REFERENCE

Nil

### BACKGROUND

Correspondence has been received from Debra Mullen on behalf of her father (Brian Crook) in respect to a plant hire account. The equipment hired was a plate compactor which according to the private works application, was taken on 8 June 2007 and returned on 25 June 2007.

Debra advises that after completing the work her father became ill and she neglected to inform the Shire (or return the compactor) that they had finished with the equipment so it sat in their paddock for approximately two weeks.

Debra admits this is an error on their part, however believes the account is extremely excessive and hopes the Shire will revise the charge.

### FINANCIAL IMPLICATIONS

The Shire's 2007/08 Schedule of Fees & Charges prescribes a rate of \$75/day for the plate compactor. At the time of usage there was no specific charge for this equipment listed on the 2006/07 Schedule.

### POLICY IMPLICATIONS

Nil

### STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.12(1) – a local government may waive or grant concession in relation to any amount of money (apart from rates and service charges)

### STRATEGIC PLAN IMPLICATIONS

Nil

### FUTURE PLAN IMPLICATIONS

Nil

### COMMUNITY CONSULTATION

Nil

### COMMENT

It is noted the private works application form (docket No 0095) has not been signed by the client and that the CEO has endorsed the docket for a charge of 2 weeks @ \$50/day. This resulted in an invoice 902 to Mr B Crook on 23 July 2007, for \$700.

Unfortunately, the applicants do not say how long the compactor was used for - only that it was at their property for approximately two weeks. The nature of the works would entail only a few days at

most. This is a somewhat subjective approach however perhaps Council would settle on \$150 representing 3 days at say \$50/day?

### **STAFF RECOMMENDATION**

That Council in reviewing invoice 902 (\$700) to Mr B Crook, write off a sum of \$550 thereby leaving a residual amount of \$150 payable.

Simple Majority Required

### **MIN 221/07 MOTION – Moved Cr Caffell 2nd Cr Wheeldon**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

Cr Jefferies returned to the meeting at 2.19pm

Agenda Reference:	11.6
Subject:	Fees for Planning Services
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	TPLAN - 04
Disclosure of Interest:	Nil
Date:	11 October 2007
Author:	Glenn Bone, Acting Chief Executive Officer

### **PREVIOUS REFERENCE**

Item 11.8 – 20 September 2007 refers.

### **BACKGROUND**

Last month when Council considered an application for Planning Approval (Home Occupation), I thought this would probably be a rare occasion! However, another one is in the wind and as the fees are payable at the time the application is made, Council should now determine the level of fees applicable.

### **FINANCIAL IMPLICATIONS**

A relatively small income stream for Planning Services

### **POLICY IMPLICATIONS**

Nil

### **STATUTORY IMPLICATIONS**

Planning and Development (Local Government Planning Fees) Regulations 2000

- Reg 5 – provides the maximum fees for services in relation to certain planning matters.
- Reg 7 – sets out how fees may be reduced.
- Schedule 1 – prescribes the maximum fees for planning services.

### **STRATEGIC PLAN IMPLICATIONS**

Nil

### **FUTURE PLAN IMPLICATIONS**

Nil

### **COMMUNITY CONSULTATION**

Nil

### **COMMENT**

Fees that apply to planning services are set down in the *Planning and Development (Local Government Planning Fees) Regulations 2000*.



Schedule 1 (in part) provides that the maximum fixed fees are:

<b>Item</b>	<b>Description of planning service</b>	<b>Maximum Fee</b>
1	Determination of development application (other than for an extractive industry) where the estimated cost of the development is –	
	(a) not more than \$50,000	\$123.00
	(b) more than \$50,000 but not more than \$500,000	0.23% of the estimated cost of development
	(c) more than \$500,000 but not more than \$2.5 million	\$1,415 + 0.18% for every \$1 in excess of \$500,000

The Schedule has quite a number of items however for the purposes of the Shire of Tammin it will be sufficient to consider just the above few.

Last month in considering item 11.8 (Home Occupation), Council determined that the fee payable would be 50% of the maximum prescribed by the Regulations. The Regulations also allow a local government to in respect of a service prescribed under Schedule 1 Part 1, to impose a fee that is less than the maximum fee prescribed in respect of that service (Reg.7(1)).

Accordingly, Council could again follow the same logic or set a different percentage if it feels this would be appropriate. However, as it is unlikely the Shire is going to be run of its feet with planning applications, the 50% factor is no doubt reasonable for the time being.

#### **STAFF RECOMMENDATION**

That Council determine the following fees for planning services (50% of the maximum):

<b>Item</b>	<b>Description of planning service</b>	<b>Maximum Fee</b>
	Determination of development application (other than for an extractive industry) where the estimated cost of the development is –	
	(a) not more than \$50,000	\$61.50
	(b) more than \$50,000 but not more than \$500,000	0.115% of the estimated cost of development
	(c) more than \$500,000 but not more than \$2.5 Million	\$707.50 + 0.09% for every \$1 in excess of \$500,000

*Note: The Acting CEO reported that subsequent to the preparation of the agenda he had discovered that Council had previously dealt with this topic at the meeting in 21 June 2007. (Minute 158/07) The resolution is as follows:*

*“That the fees in the Town Planning (Local Government Planning Fees) Regulations 2000, be implemented in 2007/08”.*

*Consequently there was no need to deal with item 11.6 above.*

Agenda Reference:	11.7
Subject:	Be-Active Sport & Recreation Scheme
Location:	Shire of Merredin
Applicant:	Be-Active Management Committee
File Ref:	SPREC - 04
Disclosure of Interest:	Nil
Date:	11 October 2007
Author:	Glenn Bone, Acting Chief Executive Officer

## **PREVIOUS REFERENCE**

Nil

## **BACKGROUND**

As Council is aware, the Shire of Merredin has confirmed their withdrawal from the Be-Active Sport & Recreation Scheme by way of a letter in late August 2007.

At the Be-Active Management Committee meeting on 5 September 2007, it was unanimously agreed that a letter should be written to the Shire of Merredin expressing the Management Committee's disappointment and explaining the ramifications of their decision. The same meeting also resolved to request that each member Council (Shires of Bruce Rock, Kellerberrin, Tammin, Westonia and Yilgarn) write to the Shire of Merredin expressing concern regarding their withdrawal from the Scheme.

The Management Committee have also written to the Wheatbelt Sports Council, Healthway, Premiers' Physical Activity Task Force, schools and sporting clubs in the Shire of Merredin advising them of the Shire's decision to withdraw from the Scheme.

## **FINANCIAL IMPLICATIONS**

See "Comment"

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Nil

## **STRATEGIC PLAN IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **COMMENT**

The Shire of Merredin's decision could throw the Be-Active Scheme into jeopardy. Funding from Healthway has been secured through to November 2009 and the other five Shires have committed to the Scheme for that period. With the Shire of Merredin's withdrawal from the Scheme financial pressure will be applied to the remaining members. The financial gap will either have to be filled with increased contributions from member shires or finding another Shire to join the Scheme. This will be particularly difficult due the detrimental and irresponsible timing of Merredin's decision.

## **STAFF RECOMMENDATION**

That Council express its concern to the Shire of Merredin regarding their decision to withdraw from the Be-Active Sport & Recreation Scheme.

Simple Majority Required

## MIN 222/07 MOTION – Moved Cr Wheeldon 2nd Cr Caffell

*That the Staff Recommendation be adopted.*

CARRIED 5/0

Agenda Reference:	11.8
Subject:	Dual Fire Control Officers
Location:	Shire of Tammin
Applicant:	Shire of Kellerberrin
File Ref:	BUSH - 00
Disclosure of Interest:	Nil
Date:	11 October 2007
Author:	Glenn Bone, Acting Chief Executive Officer

### PREVIOUS REFERENCE

Nil

### BACKGROUND

The Shire of Kellerberrin has requested that the following Bush Fire Control Officers be registered as dual Fire Control Officers with the Shire of Tammin:

- Murray McDonald
- Jan McNeil
- Frank Morley
- David Lamplugh

### FINANCIAL IMPLICATIONS

Nil

### POLICY IMPLICATIONS

Nil

### STATUTORY IMPLICATIONS

Bush Fire Act 1954:

Section 40 – provides that two or more local governments may by agreement join in the appointment of bush fire control officers and that officers so appointed may exercise their power and authorities in each of the districts so appointed.

### STRATEGIC PLAN IMPLICATIONS

Nil

### FUTURE PLAN IMPLICATIONS

Nil

### COMMUNITY CONSULTATION

Nil

### COMMENT

Nil

### STAFF RECOMMENDATION

That pursuant to section 40 of the Bush Fires Act 1954, Council appoints the following Shire of Kellerberrin Bush Fire Control Officers as dual Fire Control Officers for the Shire of Tammin:

- Murray McDonald
- Jan McNeil
- Frank Morley
- David Lamplugh

Simple Majority Required

**MIN 223/07 MOTION – Moved Cr Caffell 2nd Cr Stokes**

*That this item be deferred for consideration at the November 2007 meeting and that the A/CEO liaise with the Shire of Tammin's Chief Bushfire Control Officer, Mr Haydn Dixon, with regard to across-the-board dual Bushfire Control Officers with neighbouring Shires.*

CARRIED 5/0

Agenda Reference:	11.9
Subject:	Financial Report
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-05
Disclosure of Interest:	Nil
Date:	11 October 2007
Author:	Carol Crane, Finance Officer

**PREVIOUS REFERENCE**

Nil

**BACKGROUND**

The Financial Report for 2007/08 to 30 September 2007 is attached.

**COMMENT**

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

**FINANCIAL IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATIONS**

That the Financial Report for September 2007 be received.

Simple Majority Required

**MIN 224/07 MOTION – Moved Cr Caffell 2nd Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 5/0

Agenda Reference:	11.10
Subject:	Cheque List
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-05
Disclosure of Interest:	Nil
Date:	11 October 2007
Author:	Carol Crane, Finance Officer

## PREVIOUS REFERENCE

Nil

## BACKGROUND

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

Municipal Fund	numbers 1005 – 1185	\$130,990.42
Trust Fund	numbers 879 – 883	\$1,286.23

## COMMENT

No abnormal expenditure has been made.

## FINANCIAL IMPLICATIONS

Nil

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATIONS

That the cheques issued for September 2007, be endorsed.

Simple Majority Required

## MIN 225/07 MOTION – Moved Cr Caffell 2nd Cr Jefferies

*That the Staff Recommendation be adopted.*

CARRIED 5/0

Cr Michael Greenwood attended the meeting at 3.02pm

## 12. REPORTS OF OFFICERS – For period up to 10 October 2007

### 12.1 Chief Executive Officer's Report

#### 12.1.1 Great Eastern Country Zone (ORG-02)

On 21 September 2007 the ACEO in the company of Cr Louise Caffell attended the Great Eastern Country Zone meeting at Westonia. Issues relevant to Tammin included:

- The Great Eastern Country Zone is to meet in person at an appropriate time prior to Local Government Week, in Burswood, if possible, as a joint meeting with the Central Country Zone, with the March and September meetings remaining as now.
- Due to the changes to the local government electoral calendar, the following process will now be instituted:
  - (1) The Executive Officer to write to all Member Councils by 15 November 2007 calling for nominations from delegates to the Zone for the positions of representative and deputy representative to State Council.
  - (2) Nominations to be submitted to the Executive Officer by 31 January 2008.
  - (3) The Executive Officer provides written advice to all Member Councils of the details of the nominations received; and

- (4) The March Ordinary Council meeting of the Zone is to be held on 22 February 2008 and the first item of business is to be the election of representative and deputy representative to the State Council.

#### **12.1.2 WE-ROC (ORG-15)**

On 26 September 2007 the ACEO attended a WE-ROC Executive meeting in Kellerberrin. Of interest to Tammin was the following motion:

- (1) That WE-ROC write to the Wheatbelt Development Commission seeking the opportunity to participate in the State's budget planning process. Issues of interest to WE-ROC members include increased funding for the Country Housing Authority and Trailwest; and
- (2) That as WALGA undertakes the lead role with the development of budget submissions to the State Government it be requested to establish for implementation in future years a suitable consultation process to allow individual local governments input into the development of the submission.

#### **12.1.2 Kellerberrin Sub-Group Wheatbelt North Regional Group (ENG-47)**

On 27 September 2007 the ACEO in the company of Councillor Barry Leslie attended a Sub-Regional Road Group meeting at Dowerin.

At the meeting it was resolved that the Technical Officers meet on 11 October to review and endorse the 2008/09 Road Project submissions.

#### **12.1.4 Joint WE-ROC & NEW-ROC Meeting (ORG-15)**

On 5 October 2007 the ACEO in the company of Cr Louise Caffell attended the joint WE-ROC, NEW-ROC meeting at Wyalkatchem. The Minister for Local Government Ljiljanna Ravlich MLC was also in attendance. Issues relevant to Tammin included:

- The Minister commented that the approaches of WE-ROC and NEW-ROC were not inconsistent with the objectives of the government.
- Of significance the Minister stated that there was no plan to force local government amalgamations in this State.
- In referring to the LGMA 2027 Report, the Minister observed this document might have "spooked the horses" notwithstanding the qualification at the start of the report that this was not the viewpoint of the LGMA.
- The Minister stated that she is happy with the informal composition of WE-ROC and NEW-ROC in their present set up.
- At the joint forum a range of grizzles about the style and effectiveness of Local Government Week and the AGM were expressed.

#### **12.1.5 Townsite Inspection – Firebreaks/Flammable Material (BUSH-02)**

On 3 October 2007 accompanied by Finance Officer Carol Crane, I conducted an inspection to identify properties within Tammin townsite that had build-ups of flammable material.

Notices have been forwarded regarding 32 defective properties requiring remedial work to be completed by 1 November 2007.

The inspection also noted areas the responsibility of the Shire where work is required.

#### **12.1.6 Rates Collections (PROP-14)**

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

Arrears	Levies Actual	Collection Including Discount	Collection %
\$23 971.08	\$612 637.70	\$549 839.09	90%

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

- (1) Overnight Accommodation for two in a Hotel Studio Room with Resort Views at the Sorrento Beach Resort
- (2) Overnight Accommodation for two in a Standard Room at Baileys Hotel Motel plus breakfast at Café Bellavista

Last year the draw was conducted at the Ordinary Council meeting (19 October 2006) by the Deputy President (in the President's absence) assisted by a Staff member without an interest in property (rates) in the Shire of Tammin.

The Rates Prize draw was conducted by the Acting CEO. The winners were:

- Sorrento Beach Resort Assessment 1503 – WT & PL Button
- Baileys Hotel Motel Assessment 171 – DeQuintal Property Holdings

#### **12.1.7 Staff Training (PERS-15)**

Training attended by C Crane and G Button:

- Effective Performance Management and Appraisal. Shire of Dowerin on 10 September 2007
- Time Management and Negotiating Workload. Shire of Wyalkatchem on 18 September 2007
- Communication and Team Work. Shire of Wyalkatchem on 18 September 2007

Training attended by Laurise Winterswyk, Lisa Mackin, Delia Betti, Michael Tomlinson, Toby McQuistan and Keiwiet Van Der Walt at the Shire of Tammin on 18 September 2007:

- Communication and Team Work.
- Time Management and Negotiating Workload.

### **12.2 Community Development Officer's Report**

#### **12.2.1 Bankwest Seniors' Week**

I was unsuccessful in obtaining a Lotterywest Grant for an activity during Seniors' Week.

#### **12.2.2 CDO Network Meeting**

I hosted a CDO Network meeting in Council Chambers on 13 September 2007.

We had three guest speakers on the day – one from the Avon Catchment Council and two from Tourism WA. The meeting was well attended by CDO's from surrounding Shires and was a fantastic opportunity to meet others and exchange ideas. Our next meeting is in Merredin on 8 November 2007.

#### **12.2.3 Achievement Night**

A very successful Achievement Night was held at the Tammin Bowling Club on 27 September with over 40 people in attendance. Community members were recognized for outstanding achievement in sport, academic achievement and service to the community. Thanks to Barry Leslie for presenting the certificates on the night.

#### **12.2.4 Community Survey**

I sent out a community survey to gauge interest in what people would like to see happening in Tammin. Responses should be back to me by 22 October 2007.

#### **12.2.5 Little Aussie Readers' Scheme and Better Beginnings Literacy Program**

I met with the Playgroup Mums on 20 September to implement the Little Aussie Readers' Project with them. Scrapbooks were distributed to all children 0 – 5 years of age. The resource file will be kept in the Shire Library. I also discussed the idea of the Better Beginning Literacy Program that is being implemented statewide by the State Library of WA. If we participate in the program the Shire Library will receive over \$1000 worth of books, puppets and resources for very little input.

### 12.2.6 Yoga-lates Classes

I have been contacted by Anne-Marie McWhirter from Kellerberrin and have assisted her in getting Yoga-lates classes up and running in Tammin one evening a week. It is planned to hold an information evening on Monday 22 October at the Bowling Club to gauge community interest in the program. The proposed classes will then be on Monday evenings from 7.00pm– 8.30pm.

### 12.2.7 CircuitWest Conference

I will be attending the CircuitWest conference in Perth on 18 and 19 October. The conference will showcase performances that will be available to tour regional Western Australia during 2008.

### **STAFF RECOMMENDATION**

That Council receive the Officers' Reports

Simple Majority Required

### **MIN 226/07 MOTION – Moved Cr Jeffries 2nd Cr Caffell**

*That the Staff Recommendation be adopted.*

CARRIED 6/0

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

Nil

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

Agenda Reference:	14.1
Subject:	Oval Reticulation
Location:	Donnan Park
Applicant:	Shire of Tammin
File Ref:	AGR-23
Disclosure of Interest:	Nil
Date:	17 October 2007
Author:	Glenn Bone, Acting Chief Executive Officer

### **PREVIOUS REFERENCE**

Item 11.15 – 21 June 2007

### **BACKGROUND**

At the June 2007 meeting Council considered a report on the tender received for the reticulation of Donnan Park. One tender, from Water Dynamics Quinti & Co had been received.

Part of the report included information on extra cost should hard digging be encountered and was reported as follows:

As requested in the tender document, our extra over rate for hard digging will be \$6.50 / mtr (+ GST) with a minimum charge of \$1,000.00 for this eventuality. Should hard digging be encountered then we would liaise direct with the Shire prior to mobilizing larger machinery to site to ensure the most economical outcome.

Council went on to accept the tender and recorded the following motion:

“That the tender of Water Dynamics Quinte & Co be accepted in principle and that the CEO resolve the electrical variation and additional water connection costs.”

Consequently the above was achieved and a purchase order for a total price of \$138,087 + GST was issued.



Trenching work on the oval commenced on 16 October 2007 and immediately ran into difficulty with the hard clay at around 350mm below the surface. The trenches are required to be 0.5m deep. Terry Shingler of Water Dynamics contacted the Acting CEO and it was agreed a larger machine was necessary.

Details of the additional charge are now to hand and this amounts to \$9,341.20 or an extra rate of \$3.86/metre for a linear distance of 2,420m. It was also agreed not to cease work while awaiting approval for the variation as this would involve additional re-mobilization costs.

#### **FINANCIAL IMPLICATIONS**

Provision has been made in the 2007/08 budget for the reticulation contract for the amount of \$138,100 (account E168042).

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Nil

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **COMMENT**

The claimed extra of \$9,341.20 is not provided for in the current budget. Whilst this in itself is not an insurmountable problem, I believe the reasonableness of the extra \$9,341.20 is.

Put simply, the trenching work will take three days to dig and therefore represents more than \$3,000/day additional expense. Some local research has revealed that Laurie Nagle (Doodlakine) charges \$100/hour including travel for the use of a Ditchwitch 3500 machine (including operator). One can therefore argue that the extra cost should be in the range of \$2,500-\$3,000 and not the figure we have been advised.

At the time of preparing this item I had put my thoughts to Water Dynamics but have not so far received an alternate position.

#### **STAFF RECOMMENDATION**

That the A/CEO be instructed to negotiate a revised costing for the trenching work with Water Dynamics.

The Acting CEO advised that just prior to the commencement of the meeting he had received an email from Water Dynamics agreeing to an extra cost of \$3,000 for the trenching work.

Simple Majority Required

#### **MIN 227/07 MOTION – Moved Cr Stokes 2nd Cr Greenwood**

*That the Staff Recommendation be adopted.*

CARRIED 6/0

#### **15. CLOSURE OF MEETING**

There being no further business the Presiding Person closed the meeting at 3.18pm

Tabled before the Ordinary Council meeting on 15 November 2007.

CR B LESLIE, Presiding Person

# **COUNCILLORS' INFORMATION BULLETIN – OCTOBER 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 1 Status Report

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

	<b>Council Resolution</b>	<b>Officer</b>	<b>Action</b>
	<p><b>Tamma Village – Emergency Keys</b> 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	Keys are required for unit 4 Isabelle Newbury
	<p><b>Consolidated Emergency Services Building</b> <b>Item 11.2.2 – 7 December 2005</b> That the Shire of Tammin proceed to acquire 15m of the rear of the lot for the Consolidated Emergency Services building lot for amalgamation into the Hydrology Model land for the purposes of change rooms and infrastructure for the model.</p>	CEO	<p>FM Surveys Northam quoted \$6,150 (November 2005) and have been requested to prepare the necessary documentation for the acquisition.</p> <p>Application has been made to DLI.</p>
	<p><b>Storage &amp; Catchment Dams</b> <b>Item 11.6 – 20 April 2006</b> That the gravel bund at the corner of Shields Street and Station Road be replaced with a concrete wall with an emergency removable section.</p>	CEO	Barry Leslie requested.
	<p><b>Storage &amp; Catchment Dams</b> <b>Item 11.6 – 20 April 2006</b> 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 has been completed by F Rodda & Co. Engineers have confirmed logic. Main Roads WA has been requested to approve the modification to the V-drain.
	<p><b>Kadjininy Kep</b> <b>Item 11.14 – 20 April 2006</b></p> <ul style="list-style-type: none"> <li>• That a non-return valve be sourced and fitted to the stage area water trough.</li> </ul>	CEO	
	<p><b>Properties Inspection</b> <b>Item 11.18 – 20 April 2006</b></p> <ul style="list-style-type: none"> <li>• Locate memorabilia or small cardboard buildings for historic photo cabinet. Seek advice from Ron York regarding displaying the existing photos.</li> <li>• Prepare septic and storm water drainage plans for the Office and Hall.</li> <li>• Repair broken window on north east corner of Hall stage.</li> <li>• Prepare electrical diagram, including WIN re-broadcast equipment.</li> <li>• That RCD protection be installed on the Town Hall kitchen and Lesser Hall sub-boards.</li> </ul>	CEO	<p>Office septic plan completed, Hall system has not been researched.</p> <p>Electrical diagram has been put on hold pending the replacement of the Hall power board.</p> <p>Order for the RCD protection has been issued to Peter Mitchell.</p>

	<p><b>Roads Inspection Item – 20 April 2006</b></p> <ul style="list-style-type: none"> <li>• that improvements be made to the fencing to seal the dam spillways, noting the issue of debris blocking any serious water movements</li> <li>• additional rock and cement slurry on upstream and downstream sides of Turon Rd. Culvert (Bungulla Creek Crossing) to prevent scouring</li> <li>• that pedestrian ramps (concrete slab) over curb be provided at the intersection of Ridley &amp; Redmond Streets (south west corner).</li> </ul>		<p>Barry Leslie requested.</p> <p>Barry Leslie requested.</p>
	<p><b>Street Lighting – Tammin Roadhouse Item 11.15 – 18 May 2006</b></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>	<p>CEO</p>	<p>Western Power has provided a design and quotation - \$61,884.55 plus GST.</p> <p>Main Roads WA has agreed to fund half the cost.</p> <p>Western Power has been requested to hold over the quote for 6 weeks from 2 May 2007 to allow the Community Safety and Crime Prevention plan to be adopted.</p>
	<p><b>Municipal Inventory, Statements &amp; Plans Item 11.13 – 21 June 2006</b></p> <p>That the CEO research and complete/update draft plans when time permits for Council's consideration.</p> <ul style="list-style-type: none"> <li>• Municipal Inventory</li> <li>• Recordkeeping Plan</li> <li>• Equal Employment Management Plan</li> <li>• Health &amp; Safety Plan</li> <li>• Severance &amp; Redundancy Plan</li> <li>• Gratuity Plan</li> <li>• Future Plan</li> <li>• Strategic Plan</li> <li>• Review of Wards &amp; Representation</li> </ul>	<p>CEO</p>	
	<p><b>Tammin Town Hall Item 11.25 – 15 February 2007</b></p> <p>That:</p> <ul style="list-style-type: none"> <li>• a ground water monitoring system be put in place; and</li> <li>• two ventilation shafts be installed on the southern end of the main hall area to extract under floor air.</li> </ul>	<p>CEO</p>	<p>Monitoring system in place.</p> <p>Plumber requested to install the ventilation shafts.</p>

	<p><b>Roads Inspection</b>  <b>Item 10.7.4 – 19 April 2007</b>  That the guide posts be re-installed and suckers removed from the on Bungulla North Rd culvert north of Bungulla and the Crest sign be replaced immediately north of Bungulla.</p> <p><b>Item 10.7.6 – 19 April 2007</b>  That the hole in the culvert on Yorkrakine Rd be filled with concrete and that the section of road be lifted using fill from the windrows immediately to the south of the culvert.</p> <p><b>Item 10.7.13 – 19 April 2007</b>  That Staff patch the joints in the widening on Goldfields Rd and also the surface damage.</p> <p><b>Item 10.7.14 – 19 April 2007</b>  That the overgrowth on Harris Rd be cleared when time permits.</p> <p><b>Item 10.7.15 – 19 April 2007</b>  That the Roads To Recovery sign at the western end of the Wyola South Road be re-erected.</p> <p><b>Item 10.7.17 – 19 April 2007</b>  That Staff would clear the existing prunings and carry out further clearing to allow Mr Ralston to replace the section of fence. Note to keep the culvert clear and avoid the water pipe running through the culvert.</p> <p><b>Item 10.7.22 – 19 April 2007</b>  That a crossover be installed into the School vehicle gate off Booth Street and a footpath crossover in Ridley St across Redmond St (both sides) to allow gopher on the footpath.</p>	<p>Team Leader</p>	<p>Suckers only have been removed.</p> <p>Work partially done.</p> <p>Barry Leslie requested.</p>
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	<p><b>Properties Inspection</b> <b>Item 10.3 – 17 May 2007</b></p> <ul style="list-style-type: none"> <li>• Re-nail timber slat in lesser hall ceiling and also in kitchen.</li> <li>• Replace missing tiles in Donnan Park umpires room.</li> <li>• Replace broken floodlight (250W/500W) in Donnan Park carpark (protect with mesh).</li> <li>• Track down wording for Heritage Park plaque never installed (Joan Button).</li> <li>• Install saddles on reticulation wiring in TALEC west accommodation wing.</li> <li>• Install gutter and fascia plate on TALEC Quarters veranda.</li> <li>• Lock Hunts Well gate.</li> </ul>	CEO	<p>Work completed.</p> <p>Waiting on Joan Button / Glenys Batchelor</p>
	<p><b>House Inspections</b> <b>Item 10.3 – 17 May 2007</b></p> <ul style="list-style-type: none"> <li>• 4 Old Yorkrakine Rd - Toilet cistern inlet leaking.</li> <li>• 4 Old Yorkrakine Rd - Timber skirting fallen off eaves.</li> <li>• 11 Nottage Way - Smoke alarm required.</li> <li>• 9 Nottage Way - Smoke alarm required.</li> <li>• 22 Ridley Street - Paving of path to clothes to be installed.</li> <li>• Unit 3 Tamma Village - TV reception very poor.</li> <li>• 45 Draper Street – complete fencing/gates.</li> </ul>	CEO	

**IB 2 WALGA – Issues Update No 37.07 (OLGOV-11)**

- Circular providing an update in issues including:
- Ministerial Waste Summit: Partnering for Success
- State Budget Submission
- A Guide to the Exemption for Clearing Native Vegetation for Maintenance in Existing Transport Corridors
- LGSIS Members Experience Account Rebates
- Western Power's Distribution Headworks Scheme
- Local Government Industry Training Group
- Para-Professional Training – Planning, Building and Development Approvals

**IB 3 WALGA – Issues Update No 38.07 (OLGOV-11)**

- Meetings with Minister Ravlich
- Urban Drainage Summit
- Training Update
- International Road Safety Conference – Local Government Road Safety Award
- Recreational Boating Facilities Scheme Round 13
- White Ribbons for Road Safety – Call for Surplus Ribbons
- Stormwater Management Manual for Western Australia
- Lotterywest Research Grants For Local Government

**IB 4 WALGA – Issues Update No 39.07 (OLGOV-11)**

- Meetings with Martin Ferguson MP
- Used Motor Oil Collection Fees
- Policy Statement Review – WALGA Landfill Levy and Strategic Waste Funding Policy Statement out for Comment
- Training Update
- Computer Hardware Tender
- Enviroplan Review
- National General Assembly
- SMRC wins Major National Greenhouse Award
- Department of Sport & Recreation Information Session

**IB 5 WALGA – Issues Update No 40.07 (OLGOV-11)**

- Vacancies on Boards and Committees
- Training Update
- Aquatic Facilities Regulations
- Corporate Social Responsibility Event
- Green Waste Tree Lopper Menace
- National Standard for Licensing Persons Performing High Risk Work
- 2007 FACET Regional Tourism Conference
- Minimising Midge and Mosquito Production in Constructed Water Bodies

**IB 6 Lord Mayor’s Distress Relief Fund (ADM-00)**

Appreciation extended by the Lord Mayor’s Distress Relief Fund for the \$500 donation.

**IB 7 WALGA – Structure of Local Government in 2027 (OLGOV-00)**

Cr Bill Mitchell on behalf of WALGA has made a strong statement of disappointment and frustration at the ‘discussion paper’ that was prepared for the LGMA Symposium on the Future (September 2007). From the outset Cr Mitchell assures all in local government that WALGA in ‘NO WAY’ supports the report’s recommendation that 142 local governments be reduced to 30 (17 in the country and 13 in the metropolitan area).

**IB 8 MRWA – Customer Service Charter (ENG-13)**

Main Roads WA has launched a new Customer Service Charter.

**IB 9 Agriculture Protection Board – 2007 Zone Central Authority Appointments (ORG-06)**

The APB advises the process for appointment and re-appointment of members to the ZCA for 2007 is now complete. A list of current members of the Northam ZCA has been supplied.

**IB 10 FESA – Cessation of Property Searches (BUSH-00)**

FESA have confirmed effective from 1 October 2007 they are no longer undertaking fee for service Property or Due Diligence Searches of its files.

**IB 11 Hon. Brian Ellis MLC (ADM-41)**

The Hon. Brian Ellis MLC has written to introduce himself as the newly elected member for the Agricultural Region.

**IB 12 Municipal Waste Advisory Council – Information Bulletin (ENVH-48)**

The September 2007 Municipal Waste Advisory Council bulletin has been received.

**IB 13 Department of Environment & Conservation – Cleaning of Native Vegetation (AGR-10)**

The Department of Environment & Conservation advise a series of recently published guidelines are relevant to local governments proposing to undertake cleaning for road upgrades and other activities for which they may require a cleaning permit.

**IB 14 WALGA – Current Vacancies (OLGOV-10)**

WALGA have forwarded notification of a number of vacancies on various committees (closing 16 November 2007) they are:

- Local Health Authorities Analytical Committee is seeking nominations from Metropolitan and Non-Metropolitan elected Members and Serving Officers.
- WA Child Care Industry Liaison Forum Nominations are sought from Elected Members and Serving Officers for a position in the recently expanded WA Child Care Industry Liaison Forum which aims to provide a participative environment for high level discussion and facilitate the exchange of information between the sector, FACSIA and other key stakeholders.
- Healthway Board Nominations are sought from Elected Members and Serving Officers for the position of Non-Metropolitan Member.
- Keep Australia Beautiful Council Nominations are being sought from Elected Members and Serving Officers for the positions of Metropolitan Member and Deputy Non-Metropolitan Member on the Keep Australia Beautiful Council.
- Australia's Golden Outback Board Nominations are sought from Elected Members and Serving Officers from the Wheatbelt/Gascoyne – Murchison Regions for the position of Member on the Australia's Golden Outback Board.

**IB 15 WA Local Government Grants Commission – Commission Visit (FIN-09)**

The western Australian Local Government Grants Commission will visit the Shire on 14 November 2007. The hearing is scheduled between 1pm and 3pm.

**IB 16 Tammin landcare Education Centre – Appreciation (EDU-04)**

A letter of appreciation and thanks has been received from Paula Benson (ALCOA Australia) in regard to those who hosted her and the rest of the corporate affairs on their recent visit to Tammin.