

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

Shire President Cr Uppill declared the meeting open at 5.00pm.

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

**Attendance**

Cr S.A Uppill	President
Cr Carol Crane	Deputy President
Cr M.D. Greenwood	Member (Arrived 5:25pm)
Cr C.D.M. McCreery	Member
Cr D. Thomson	Member
Cr P. Bell	Member
Ian Bodill	Chief Executive Officer

Carissa Lawrence	Minute Taker
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**Apologies**

Nil

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

Nil

**4. PUBLIC QUESTION TIME**

Nil

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Councillors Thompson and Greenwood announced that they would not be present for the July Meeting.

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

<u>Councillor</u>	<u>Item Number</u>	<u>Nature of Interest</u>
Cr McCreery	11.6	Proximity Interest - 22 Walston Street Financial Interest - 22 Walston Street

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

**7.1 Ordinary Council Meeting Minutes - Thursday 16 May 2013**

**STAFF RECOMMENDATION**

That the minutes of the Ordinary Council meeting held on Thursday 16 May 2013 be confirmed as a true and correct record.

Simple Majority Required

**MIN 088/13 Motion - Moved Cr McCreery seconded Cr Thomson**

That the minutes of the Ordinary Council meeting held on Thursday 16 May 2013 be confirmed as a true and correct record.

CARRIED 5/0

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

Nil

**9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**10. REPORTS OF COMMITTEES / COUNCILLORS**

President Uppill

**22nd May -**

Attended RTG Board meeting with Ian and Cr Crane at York.  
Mark Glasson and Caroline Tuthill from the Department Of LG in attendance  
Discussion on the Pre Amalgamation release of funds.

**28th May -**

Attended the Cunderdin Hospital Open Day, Cr Bell, Cr Crane and Mc McCreery in attendance.

**29th May -**

Depot Committee meeting, discussion on the completion of stage one and starting on stage two.

**7th June -**

WALGA Breakfast at the Hyatt with the new LG Minister Tony Simpson, worthwhile going to the breakfast.

A wide range of questions were asked from the floor.

**16th to 18th June -**

Attended Alga Convention in Canberra with Ian and Cr Crane, a worthwhile trip with great networking opportunities and meetings at Parliament House.

There was a big push from Alga for the Yes vote in the upcoming Federal Election referendum on the recognition of Federal funding for Local Government.

Attended the Draft Budget meeting during the past Month.

**Cr Crane**

- Cunderdin Health Open Day
- Regional Development Day in Canberra
- Streetscape meeting
- Thinks council should get on board with Ausplow and York abattoir and look at things from a regional perspective as there is a lot that can be done.

**Cr Bell**

- Attended Cunderdin Health Open Day

## **11. AGENDA ITEMS**

- 11.1 List of Payments - May 2013 (FIN-05)
- 11.2 Financial Report to 31/05/2013 (FIN-05)
- 11.3 Proposed Extractive Industry & Class I Inert Landfill (Tyre Disposal) at Avon Location 12967 (LOT 12967) Yorkrakine Rd, Tammin
- 11.4 Shire of Quairading - Realignment CLGF - Regional 2013-2013
- 11.5 Shire Depot Design and Construction Committee
- 11.6 Houses with orders on them
- 11.7 Sale of Barracks Building
- 11.8 Caravan Park & Streetscape Committee Meeting
- 11.9 Tammin Refuse Site (Reserve 13163) - Provision of Landfill Management Services
- 11.10 Affixing Common Seal to Easement (ASS - 1559, ASS - 1508)
- 11.11 Workforce Planning

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

Nil

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

Nil

## **14. CLOSURE OF MEEETING**

Shire President closed the meeting at 7:02pm

## 11. AGENDA ITEMS

### **MIN 089/13 Motion - Moved Cr McCreery seconded Cr Thomson**

That item 11.3 be discussed first due to Planner Jacky Jurmann (Shire of York) and applicants from Tambo Nominees being present in the chambers and that Council suspends standing orders to allow open discussion to occur.

CARRIED 5/0

### **11.3 Proposed Extractive Industry & Class I Inert Landfill (Tyre Disposal) at Avon**

**Location 12967 (LOT 12967) Yorkrakine Rd, Tammin. File NO:**

**Author - J Jurmann (MPS Shire of York) 6 June 2013**

**LOCATION/ADDRESS:** Avon Location 12967, Lot 12967 of Plan 132424  
Yorkrakine Rd, Tammin

**APPLICANT:** Tambo Nominees

**DISCLOSURE OF INTEREST:**

Nil

**APPENDICES:** A – Schedule of Submissions

B – Location Plan

C – Site Plan

D – DEC works Approval

#### **Discussion:**

Jacky Jurmann - (Manager of Planning Services Shire of York), gave a brief summary on all of the Submissions.

Tony Gooch (Applicant from Tambo Nominees) answered councillor's questions in regards to the third Submission from Michael Shaw:

*'Mosquito habitat exists inside tyres that are transferred from regions reporting high levels of mosquito borne disease'*

Tony Gooch responded that tyres would be covered with sand immediately to stop mosquitoes, and if mosquitoes did become present then the pit would be covered again to smother them.

The tyres are stacked in cells that are 1.5 metres deep and covered with 1/2 a metre of sand.

CEO Ian Bodill mentioned to Tony Gooch that he did not want Council to become responsible for DEC compliance orders and believed that any costs borne from this responsibility would be billed to Tambo Nominees.

Tony Gooch agreed with this suggestion and that it should become a condition in Councils decision.

Cr Greenwood entered at 5:25pm and was given a brief summary on the submissions and questions both asked and answered by Councillors and applicant.

Council also asked if an amendment could be added to the school bus route:

That the road not be used by trucks to landfill between the hours of:

7:00am-9:00am and 3:00pm - 5:00pm Monday, Wednesday, Thursday and Friday

7:00am - 9:00am and 2:30pm - 5:00pm Tuesdays.

#### **MIN 090/13 Motion - Moved Cr Bell seconded Cr Thomson**

That council moves back into committee

CARRIED 6/0

## **MIN 091/13 Motion Moved Cr Crane seconded CR McCreery**

### ***“That Council:***

*APPROVES the planning application to use Lot 12967 of Plan 132424 Yorkrakine Road, Tammin, known as Avon Location 12967, as an extractive and noxious industry for the purposes of commercial gravel extraction and landfilling of tyres and rubber product, subject to the following conditions:*

- 1. Development must substantially commence within two (2) years from the date of determination.*
- 2. Development must take place in accordance with the stamped approved plans.*
- 3. This approval is time limited and will expire five (5) years from the date of determination. The Applicant may apply for an extension of the approval for further periods.*
- 4. A Traffic Management Plan shall be submitted for approval to the Shire prior to the commencement of any works indicating the exact route to be utilised with the preferred option being Tammin – Wyalkatchem – Hocking – Yorkrakine. Use of identified school bus routes is prohibited on school days between 7.00 - 9.00 am and 3.00 - 5.00 pm regular school days or 2.30 - 4.20 pm early finish school days. These times may be subject to change depending on local school requirements.*
- 5. Hours of operation on site are restricted to 6.00 am to 6.00 pm Monday to Saturday and all deliveries must be by appointment only.*
- 6. The tyres shall be handled and buried in accordance with the provisions of the Environmental Protection Regulations 1987 Part 6 Tyres.*
- 7. The maximum area being worked at any one time shall be one (1) module (cell).*
- 8. The location of the tyre modules (cells) must be GPS logged. These records must be available on site at all times and a copy of the records shall be sent to the local government within one month of filling each module.*
- 9. On-site storage of fuel shall be in a bounded and secure area in accordance with the requirements of the Dangerous Goods Safety (Storage and Handling of Non-Explosives) Regulations 2007.*
- 10. Fire-fighting services must be installed and available prior to the commencement of works and at all times during operations. The mobile fire unit must be kept on site and be available at all times.*
- 11. A Rehabilitation Bond of \$1500 per hectare shall be paid to the Shire prior to the commencement of works. The bond will be refunded upon completion of all rehabilitation works to the satisfaction of the Shire.*
- 12. Prior to the commencement of works, the Applicant shall submit to the Shire evidence of currency of public liability insurance for the excavation works. The issue of the approval shall not, in any way, render the Shire of Tammin liable for damage or injury of any kind to any member of the public; such liability shall be the sole responsibility of the Applicant. The Applicant shall ensure that he/she and/or the excavating contractor and/or transportation contractor hold sufficient public liability insurance cover for any claim against them.*

13. *Internal access roads shall be constructed to a standard that minimises dust emission from machinery and traffic, to the satisfaction of the Chief Executive Officer.*
14. *The operations shall comply with the requirements of the Environmental Protection (Noise) Regulations 1997 in respect to noise but, notwithstanding, the operations to have due regard to the health and amenity of any person in the vicinity.*
15. *All vehicle loads leaving the site shall be covered to prevent the spread of material if so required by state traffic laws or other legislation.*
16. *A Rehabilitation or Land Management Plan (also referred to as a Close - Out Plan) shall be submitted and approved by the Shire prior to the cessation of excavation works on each pit, incorporating:*
  - *statement of end use*
  - *final contouring plan, rehabilitation and land management;*
  - *demarkation of surface water catchments; excavation pit hydrology and water balance;*
  - *re-vegetation and landscaping; and*
  - *ongoing monitoring requirements.*
17. *Upon decommissioning of each pit, rehabilitation shall take place in accordance with the approved plan using the stockpiled topsoil and replanting of appropriate local native species as approved by the Shire if the area is to be re-vegetated.*
18. *Rehabilitation of each pit shall include surface water control measures on all pit faces to prevent gully erosion, and final batters to be graded to provide safe entry and exit slopes should access to any standing water within the pit be required or accidentally occur.*
19. *Any amendments or variations to the rehabilitation or land management plan associated with the excavation shall be approved in writing by the Shire.*
20. *No trucks are to be parked on nearby public roads after hours.*
21. *An annual report shall be submitted to the Shire that includes:*
  - *the progress of excavation;*
  - *depth to groundwater from each pit floor;*
  - *monitoring program results and findings;*
  - *progress of rehabilitation;*
  - *contingency actions and outcomes; and*
  - *Community complaints and responses.*
22. *The applicant's responsibility for providing gravel at no cost to the Shire for the purposes of maintaining the roads utilised by trucks travelling to their site, on an annual basis. Negotiating a continuous supply of gravel for other Shire use at a rate that would suit both the Applicant/s and the Shire.*
23. *That any costs associated with monitoring and compliance of the activity be borne by the applicant.*

CARRIED 5/1

**ADVICE NOTES:**

**Note 1:** *If the development the subject of this approval is not substantially commenced within a period of two (2) years, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.*

**Note 2:** *Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.*

**Note 3:** *If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination*



**11.1 List of Payments – April 2013 (FIN-05)**

**Author** – Myra Henry, SFAO, Interest – Nil

**MIN 0092/13 Motion - Moved Cr Bell seconded Cr McCreery**

That the list of payments made May 2013 be endorsed as follows:

Accounts paid for May 2013 is listed totalling:

Cheque numbers	6133 - 6176 *	\$43,111.63
Direct debit payments	01/05/2013 - 31/05/2013	\$0,00
Licensing transfers	01/05/2013 - 31/05/2013	\$15,465.55
Bank fees	01/05/2013 - 31/05/2013	\$423.85
VISA payments	01/05/2013 - 31/05/2013	\$357.40
EFT payments	EFT001 - EFT032	\$167,252.82
Salaries and Wages	01/05/2013 - 31/05/2013	\$53,595.37
Total payments		\$280,206.62

\* Cheque 6140 was included in April's payments list

CARRIED 6/0

**11.2 Financial Report to 31/05/2013 (FIN-05)**

**Author** – Myra Henry , SFAO, Interest – Nil

**MIN 0093/13 Motion - Moved Cr Thomson seconded Cr Greenwood**

That the Financial Report for 31 May 2013 be received.

**11.4 Shire of Quairading – Realignment CLGF – Regional 2012-2013**

**Author** – Ian Bodill, CEO 1<sup>st</sup> June 2013

**MIN 094/1 Motion - Moved Cr Crane seconded Cr Bell**

***'That Council'***

Approves the decision to provide support to the Shire of Quairading for its realignment of CLGF funding from the Upgrade of the Quairading Town Power Supply to the Caravan Park Redevelopment Programme.

CARRIED 6/0

## **11.5 Shire Depot Design and Construction Committee**

**Author – CEO, Ian Bodill 1<sup>st</sup> June 2013**

### **MIN 095/13 Motion - Moved Cr McCreery, seconded Cr Bell**

That the following motions resolve by the Committee are noted by Council:

Carried 6-0

### **MIN 081/13 Motion - Moved Cr Uppill, seconded Cr McCreery**

That:

1. The following quotes from Gearing Concrete be accepted:
  - Supply and place office slab, footings and Reo.\$22,440 GST INC.
  - Supply and place new workshop slab as specified.\$44,550 GST INC.
  - Supply and place slab in remaining bays (internal parking area) as specified.\$78 000
2. That the shortfall from the original budget of \$71,280 for just three bays be included in the 13/14 budget as this price is too good an opportunity not to accept.

Carried 4-0

### **MIN 082/13 Motion - Moved Cr McCreery, seconded Mr Greenwood**

That the quote received for two rainwater tanks of \$7600 be accepted and that they be ordered and installed.

Carried 4-0

### **MIN 083/13 Motion - Moved Cr Uppill, seconded Cr McCreery**

That:

1. The quote for plumbing including the “pre-lay” be accepted but not including the hot water system which has been budgeted for in the electrical component.
2. That the quote for supplying and installation of the septic tanks (\$9800) be accepted.

Carried 4-0

### **MIN 084/13 Motion - Moved Cr McCreery, seconded Cr Uppill**

That quotes for the supply and erection of the perimeter fence and two gates (to be erected on the western boundary) be received and that they be erected as a priority.

Carried 4-0

### **MIN 085/13 Motion - Moved Cr Uppill, seconded Cr McCreery**

That quotes for the construction of the offices be received from interested licensed companies.

Carried 4-0

## **11.6 Houses with orders on them**

**Author** - CEO, Ian Bodill 1<sup>st</sup> June 2013.

### **DECLARATION OF INTEREST**

<u>Councillor</u>	<u>Item Number</u>	<u>Nature of Interest</u>
Cr McCreery	11.6	Proximity Interest - 22 Walston Street Financial Interest - 22 Walston Street

### **MIN 096/13 Motion - Moved Cr Uppill, seconded Cr Thomson**

#### ***'That Council'***

1. In the case of Unoccupied House at Lot 50 (HN 8) WALSTON Street, Council waits for the owner to receive a response from the Ombudsman. Council writes to the owner and requests an update of the submission to the Ombudsman.
2. In the case of 31 Donnan Street, Council is satisfied that the owner has acted on the orders provided and advises the owner of this position.
3. In the case of LOT 5 (3) NOTTAGE WAY, TAMMIN and as there has been no response forthcoming from the property owner, Council issues the building order as attached.
4. In the case of the unoccupied House at Lot 65 (HN18) Ridley Street, and as there has been no response forthcoming from the property owner, Council issues the building order as attached.
5. That in the case of the unoccupied House at Lot 92 (HN1), Strang Street, the agent be requested to provide the settlement date to Council and that a 12 month date be diarised for follow up from then.
6. That in the case of Lot 37 (23) Dreyer Street and as there has been no response from the owner as yet, a formal Stop Work Order be issued to the property under Section 191 of the Building Act 2011.
7. That in the case of 7 Nottage Way Tammin WA 6409, Council notes that the Administrator of the property has complied with Council's request.
8. In the case of 22 Walston, the CEO discusses this with the Shire of York Manager of Health and advises Council of possible methods to approach this matter.

Carried 6-0

**11.7 Sale of Barracks building.**

**Author - Ian Bodill, CEO, 13<sup>th</sup> June 2013**

**MIN 097/13 Motion - Moved Cr Bell seconded Cr McCreery**

***'That Council'***

1. Adopts the Business Plan as presented in April and notes that no comments have been received during the advertising period.
2. Council disposes of the property through public tender.

CARRIED 6/0

**11.8 Caravan Park and Streetscape Committee Meeting**

**Author** – Jenny Gemund, CDO, 13<sup>th</sup> June 2013

**MIN 098/13 Motion - Moved Cr Bell seconded Cr Greenwood**

***'That Council'***

Accepts and endorses the recommendation from the committee.

Carried 6-0

**11.9 Tammin Refuse Site (Reserve 13163) – Provision of Landfill Management Services**

**Author** – Ian Bodill, CEO 13<sup>TH</sup> June 2013

**MIN 098/13 Motion - Moved Cr McCreery seconded Cr Thomson**

***'That Council'***

1. Requests WALGA to amend the tender specifications to reflect the status quo with the emphasis on Tammin receiving zero costs for individual and domestic collection use.
2. That the Shire receives 20% of all tip site collections and that there be no payment to contractors for the service
3. CEO investigates the maximum annual tonnage permitted by the DEC licence.

Carried 6-0



**11.10 Affixing Common Seal to Easement (ASS - 1559, ASS - 1508)**

**Author** – Ian Bodill, CEO 13<sup>TH</sup> June 2013

**MIN 098/13 Motion - Moved Cr Greenwood seconded Cr Thomson**

***'That Council'***

Authorises the affixing of the Common Seal to the Easement.

Carried 6-0

**11.11 Workforce Planning**

**Author** – Ian Bodill, *CEO*, 20th June 2013

**MIN 0100/13 Motion - Moved Cr McCreery seconded Cr Thomson**

That the document entitled “SHIRE OF TAMMIN Integrated Workforce Plan 2013-2017” be endorsed

Carried 6-0

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

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

**14. CLOSURE OF MEETING**

There being no further business the President closed the meeting at 7.02pm

Tabled before the Ordinary Council Meeting on 18 July 2013.

Cr S Uppill, President