

SHIRE OF TAMMIN

Minutes of the Ordinary Council Meeting held at the Tammin
Council Chambers, 1 Donnan Street, Tammin on Wednesday, 3 September 2003

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 1:15pm.

RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present

Cr. B. Leslie	Shire President
Cr. L. Caffell	Deputy President
Cr. M. Wheeldon	Member
Cr. D. Thomson	Member
Cr. R Stokes	Member
Cr. R Brooks	Member (to 2:50pm)

Mr F. Peczka	Chief Executive Officer
Miss G Stewart	Personal Assistant (Minutes)

Apologies

Cr Brooks submitted his apologies for not being able to complete Councils meeting Agenda.

Leave of Absence

Nil

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE- Nil.

PUBLIC QUESTION TIME - Nil.

APPLICATIONS FOR LEAVE OF ABSENCE –Nil

FINANCIAL INTEREST

Cr Stokes declared an impartiality interest in Item 11.1.10

PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

1. Anne Kohler and Jodie Duddington from Plumb Construction and Design entered Council Chambers at 1:15pm and made a presentation on the Hydrology Model.

Anne Kohler and Jodie Duddington left Council Chambers at 2:15pm.

2. Geoff Hocking entered Council Chambers to discuss his rates for properties at Bungulla at 2:20pm.

Geoff Hocking left Council Chambers at 2:40pm.

Cr Brooks left Council Chambers at 2:50pm.

CONFIRMATION OF MINUTES PREVIOUS MEETING

Minutes of Ordinary Council Meeting held on Wednesday, 6 August 2003

MIN 0509/03 MOTION – Moved Cr. Thomson 2nd Cr. Stokes

That the minutes of the Ordinary Meeting of the Shire of Tammin held on 6 August 2003 in the Council Chambers be confirmed as a true and correct record.

CARRIED 5/0

ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

President Barry Leslie discussed the opening of the Hydrology Model and suggested the 4th February 2004 as the opening function date.

This to be discussed at Council's October Meeting.

REPORTS OF COMMITTEES - Nil

REPORTS OF OFFICERS

Agenda Reference:	11.1.1
Subject:	Back Rating
Location:	Lot 160 Booth Street, Tammin
Applicant:	Shire of Tammin
File Ref:	ASS 1159
Disclosure of Interest:	N/A
Date:	11 August 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Following a review of the Shire of Tammin's Rate book by Michelle McDonnell, the following discrepancy was found;

Assessment 1019 & 1159 – Lot 160 Booth Street, Tammin. These two assessments have the Valuer General reference number but differing property details, values and ownership. Assessment 1019 had the owner as Crown (therefore non rateable) and Ass 1159 was created in February 2000 with owner being GEHA but no rates have been raised on this property. After conferring with the Valuer General and the Titles Office, the correct details are that Lot 160 Booth Street was transferred to GEHA on 14th February, 2000.

COMMENT

Under Section 6.39 (2) (b) of the Local Government Act 1995, Council is able to recover the rates on the property for the last preceding five years. As the property only became rateable in February 2000, we can only go back till then. The Valuer General has provided values for the property since 2000. Instalment options on the back rates can be offered.

FINANCIAL IMPLICATIONS

The rates to be levied would be as follows;

1999/2000 Rating Year (136 days)	Valuation of \$45 (min rate)	\$ 39.86
2000/2001 Rating Year	Valuation of \$45 (min rate)	\$110.00
2001/2002 Rating Year	Valuation of \$45 (min rate)	\$114.00
2002/2003 Rating Year	Valuation of \$115 (min rate)	\$119.00

Total rates to be recovered \$382.86.

POLICY IMPLICATIONS

STATUTORY IMPLICATIONS

Local Government Act 1995 Section 6.39 (2) (b) – A Local Government may amend the rate record for the 5 years preceding the current financial year.

Financial Regulations 61 – Additional circumstances when payments may be made by instalments.

RECOMMENDATION

That Council take action to recover the rates on Assessment 1159, Lot 160 Booth Street, Tammin, owned by GEHA, for rates since 14th February, 2000.

STAFF / COUNCIL RECOMMENDATION

MOTION - Moved Cr Caffell 2nd Cr Wheeldon

That Council take action to recover the rates on Assessment 1159, Lot 160 Booth Street, Tammin, owned by GEHA, for rates since 14th February, 2000.

AMENDMENT TO MOTION

MOTION - Moved Cr Wheeldon 2nd Cr Thomson

That Council take action to recover the rates on Assessment 1159, Lot 160 Booth Street, Tammin, owned by GEHA, for rates since 1st July, 2003.

NEW MOTION

MIN 0510/03 MOTION - Moved Cr Stokes 2nd Cr Caffell

That Council take action to recover the rates on Assessment 1159, Lot 160 Booth Street, Tammin, owned by GEHA, for rates since 1st July, 2003.

CARRIED 5/0

REASON

Council only wished to recover rates for current period.

Agenda Reference:	11.1.2
Subject:	Back Rating
Location:	Lots 46 & 48 Teed Street, Bungulla
Applicant:	Shire of Tammin
File Ref:	ASS 1016 & 1017
Disclosure of Interest:	N/A
Date:	11 th August 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Following a review of the Shire of Tammin’s Rate book by Michelle McDonnell, the following discrepancy was found;

Bungulla Lots 47 & 48 Teed Street were listed on Assessment 91 under the name of GA & JD Hocking, but are not listed on the Valuer General’s records dated 1st July, 2002 under this assessment. According to the Valuer General, Lots 47 & 48 appear under the VGO reference that corresponds with Assess 1016 & 1017 which is listed as Crown Land, therefore non rateable. A title search was carried out and Lots 47 & 48 are listed as being owned by GA & JD Hocking as at 9th October, 1998, previously owned by GA Hocking as at 23rd July, 1998 and before that AS Hocking. On the Title it has never been reverted to Crown Land.

COMMENT

Under Section 6.39 (2) (b) of the Local Government Act 1995, Council is able to recover the rates on the property for the last preceding five years. The Valuer General has provided values for the property since 1998. Instalment options on the back rates can be offered.

FINANCIAL IMPLICATIONS

The rates to be levied would be as follows;

Assessment 1017

1998/1999 Rating Year	Valuation of \$30 (min rate)	\$100.00
1999/2000 Rating Year	Valuation of \$30 (min rate)	\$107.00
2000/2001 Rating Year	Valuation of \$30 (min rate)	\$110.00
2001/2002 Rating Year	Valuation of \$30 (min rate)	\$114.00
2002/2003 Rating Year	Valuation of \$60 (min rate)	\$119.00

Total rates to be recovered \$550.00.

Assessment 1016

1998/1999 Rating Year	Valuation of \$45 (min rate)	\$100.00
1999/2000 Rating Year	Valuation of \$45 (min rate)	\$107.00
2000/2001 Rating Year	Valuation of \$45 (min rate)	\$110.00
2001/2002 Rating Year	Valuation of \$45 (min rate)	\$114.00
2002/2003 Rating Year	Valuation of \$90 (min rate)	\$119.00

Total rates to be recovered \$550.00.

POLICY IMPLICATIONS

STATUTORY IMPLICATIONS

Local Government Act 1995 Section 6.39 (2) (b) – A Local Government may amend the rate record for the 5 years preceding the current financial year.

Financial Regulations 61 – Additional circumstances when payments may be made by instalments.

RECOMMENDATION

That Council take action to recover the rates on Assessments 1016 & 1017, Lots 47 & 48 Bungulla, owned by GA & JD Hocking for rates for the preceding 5 years.

STAFF / COUNCIL RECOMMENDATION

MOTION - Moved Cr Caffell 2nd Cr Stokes

That Council take action to recover the rates on Assessments 1016 & 1017, Lots 47 & 48 Bungulla, owned by GA & JD Hocking for rates for the preceding 5 years.

AMENDMENT TO MOTION

MOTION - Moved Cr Thomson 2nd Cr Wheeldon

That Council take action to recover the rates on Assessments 1016 & 1017, Lots 47 & 48 Bungulla, owned by GA & JD Hocking for rates for the current year.

NEW MOTION

MIN 0511/03 MOTION - Moved Cr Thomson 2nd Cr Wheeldon

That Council take action to recover the rates on Assessments 1016 & 1017, Lots 47 & 48 Bungulla, owned by GA & JD Hocking for rates for the current year.

CARRIED 5/0

Agenda Reference:	11.1.3
Subject:	Sale of Lot 35 Dreyer Street (cnr Jameson)
Location:	Shire of Tammin
Applicant:	Carmel Applegate
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	27 July 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

We have received written correspondence from Ms Carmel Applegate of 4 Yorkrakine Road offering \$500 remuneration and settlement fees associated with the purchase of 35 Dreyer

Street (cnr Jameson) Tammin for construction of a colourbond shed and possibility of a house in the future.

COMMENT

Council recently sold lot 60 number 1 Dreyer Street, Tammin to Mr Steven Clinch for \$250, with the condition that they must erect a class 1 dwelling to Council Local Laws and in accordance with the Building Code of Australia and substantially completed within 2 years. If after two years this condition has not been completed Council will have the right to purchase the land for the current selling price of \$250.00. This sale will be subject to the requirements of the Local Government Act 1995.

Council should also take into consideration that Lot 35 Dreyer Street is a double block being 15 – 17 Dreyer Street Tammin.

To prevent the occasion where the land is left vacant for a period of time with no development nor improvements Council should put a clause on the sale where development of the land must be completed or substantially completed within 2 years.

FINANCIAL IMPLICATIONS

Council would also need to consider the valuation costs, transfer fees and stamp duty fees otherwise agreed upon within the sale of land to Carmel Applegate.

POLICY IMPLICATIONS – Nil

STATUTORY IMPLICATION

Section 3.58 (3) – A Local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –

- (a) it gives Statewide 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 is made.

Section 3.58 (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.

RECOMMENDATION

1. That Council offer lot 35 Dreyer Street Tammin to Carmel Applegate for \$500 in addition to all settlement fees and stamp duty associated with purchase of lot 35 Dreyer Street, with the condition that the purchaser erect a class 1 dwelling to Council Local Laws and in accordance with the Building Code of Australia and subsequently completed within 2 years. If after the two years this condition has not been completed Council will have the right to purchase the land for the current selling price of \$500.00. This sale will be subject to the requirements of the Local Government Act 1995 (3), (4).

STAFF / COUNCIL RECOMMENDATION

MIN 0512/03 MOTION - Moved Cr Thomson 2nd Cr Stokes

1. *That Council offer lot 35 Dreyer Street Tammin to Carmel Applegate for \$500 in addition to all settlement fees and stamp duty associated with purchase of lot 35 Dreyer Street, with the condition that the purchaser erect a class 1 dwelling to Council Local Laws and in accordance with the Building Code of Australia and subsequently completed within 2 years. If after the two years this condition has not been completed Council will have the right to purchase the land for the current selling price of \$500.00. This sale will be subject to the requirements of the Local Government Act 1995 (3), (4).*

CARRIED 5/0
BY ABSOLUTE MAJORITY

Agenda Reference:	11.1.4
Subject:	Shire of Mundaring Horse & Bicycle Trek to Kalgoorlie
Location:	Shire of Tammin – Donnan Park
Applicant:	Shire of Mundaring
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	28 August 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

The Shire of Mundaring is conducting a horse and bicycle trek from Mundaring to Kalgoorlie over 18 (eighteen) days from Sunday the 21st September 2003. There will be approximately 30 horse riders and 30 cyclists taking part.

On day four of the trek horse riders and bicycle riders will be making their way from Meckering to Tammin. Upon arrival in Tammin they are proposing to camp at the Tammin Oval with the provision for use of Donnan Park facilities (showers and toilets), also water for the horses from the ablution blocks.

Meals are all catered for and feed for the horses is being made available from DKT (Wesfarmers) Kellerberrin and James Scott from Kellerberrin.

COMMENT

Council has previously allowed camping on the oval and have also had general discussion with respect to the above proposal.

With Council allowing the participants to camp at Donnan Park a consideration will need to be made with respect to where the horses will be housed and who is to clean up the area when the horses leave the next day.

With "Post Cards" agreeing to run a segment on the trek and the possibility for a film production company filming the entire event this could be a perfect opportunity for Council to use this as advertising for the Shire of Tammin and promotion of the hydrology model.

STATUTORY IMPLICATIONS

The provisions of Council's Health Local Laws are applicable and the applicants should be requested to collect and place all manure waste into a receptacle at the oval. It is likely that the gardeners can use the by-product elsewhere.

A condition of use should be to remove all waste from the site to approved receptacles and that the animals may not be tethered or have access to the oval proper.

The main reasons for this are the use by sports groups and the school children.

POLICY IMPLICATIONS - Nil

FINANCIAL IMPLICATIONS

The Shire of Tammin has a fee set in the fees and charges for camping at Donnan Park. Should Council wish enforce the fee it would be a \$200.00 Camping Bond and \$50.00 Camping Fee plus \$5 per person.

The Shire of Tammin has no fees and charges set for change room's facilities hire for 2003 / 2004.

RECOMMENDATION

1. That Council allow participants to camp at Donnan Park Tammin with the following provisions:
 - a) Horses are not to enter on the Sporting Oval proper but may graze on the edge outside the fenced area.
 - b) Horse Manure and all waste are to be removed to approved receptacles before departure
 - c) All Facilities are left in a clean and tidy manner (including change rooms and sporting oval)
2. That Council offer a reduced rate of camping fee for the Shire of Mundaring of \$1.00 per head as a nominal amount for camping. This is to include use of sanitary facilities. No bond to be charged though an officer is to inspect the facilities before departure.

STAFF / COUNCIL RECOMMENDATION

MIN 0513/03 MOTION - Moved Cr Caffell 2nd Cr Wheeldon

1. *That Council allow participants to camp at Donnan Park Tammin with the following provisions:*
 - a. *Horses are not to enter on the Sporting Oval proper but may graze on the edge outside the fenced area.*
 - b. *Horse Manure and all waste are to be removed to approved receptacles before departure*
 - c. *All Facilities are left in a clean and tidy manner (including change rooms and sporting oval)*
2. *That Council offer a reduced rate of camping fee for the Shire of Mundaring of \$1.00 per head as a nominal amount for camping. This is to include use of sanitary facilities. No bond to be charged though an officer is to inspect the facilities before departure.*

CARRIED 5/0

Agenda Reference:	11.1.5
Subject:	Speed Limit on Underwood/Walston Road (west section)
Location:	Tammin Townsite
Applicant:	Cunderdin Police Station
File Ref:	ENG-27
Disclosure of Interest:	N/A
Date:	26 August 2003
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Senior Constable, Stephen Sloane of the Cunderdin Police Station is seeking Council clarification and advice on the preferred speed limit when travelling west on Underwood Street/Walston Road, Tammin Townsite. The road/street is currently signed for a speed limit of 60km/hr and the question has been raised with him as to whether the speed limit should be 50km/hr in line with standard speed limits for residential areas. This will assist to clear up the speed limit zone from an enforcement point of view.

COMMENT

Council would be aware of the recently introduced standard of 50km/hr speed limit within residential areas of a Townsite unless it is signed accordingly. The section of road referred to goes past the CBH Complex at the eastern end of town and the CBH Complex is within the townsite boundaries proper and has no residential density in terms of buildings and people. It is unsure how much traffic uses (in terms of high volume) Underwood Street/Walston Road to warrant consideration of a standard speed limit of 50km/hr or given the scenario of low volume of residential density and irregular traffic density (other than at harvest time) over a twelve month period over the said section of road, community perception needs to be considered of extra policing in that area for traffic infringements, Council consideration and direction is required.

FINANCIAL IMPLICATIONS

No allocation in Councils 2003/2004 Budget – cost is incurred for purchase and changeover of signage and re-erection of new signage if Council proceeds.

The legal responsibility for speed signs within gazetted townsite areas is with Main Roads WA – A recommended change to speed limits would be the responsibility of Main Roads WA in accordance with the assessment criteria adopted for consideration of such requests.

POLICY IMPLICATIONS Nil

STATUTORY IMPLICATIONS

Road Traffic Act and Main Roads Act

RECOMMENDATION

That Council requests Main Roads WA to assess the requirement for installation of the State Standard Speed Limits of 50km/hr in a gazetted residential areas of a Townsite, specifically, the western section of Underwood Street/Walston Road, Tammin.

STAFF / COUNCIL RECOMMENDATION

MOTION - Moved Cr Stokes 2nd Cr Thomson

That Council requests Main Roads WA to assess the requirement for installation of the State Standard Speed Limits of 50km/hr in a gazetted residential areas of a Townsite, specifically, the western section of Underwood Street/Walston Road, Tammin.

AMENDMENT TO THE MOTION

MOTION - Moved Cr Wheeldon 2nd Cr Caffell

That Council requests Main Roads WA to assess the requirement for installation of the State Standard Speed Limits of 50km/hr in a gazetted residential areas of a Townsite, specifically, where Packham Street intersects with Underwood Street and Walston Road, Tammin.

NEW MOTION

MIN 0414/03 MOTION - Moved Cr Wheeldon 2nd Cr Caffell

That Council requests Main Roads WA to assess the requirement for installation of the State Standard Speed Limits of 50km/hr in a gazetted residential areas of a Townsite, specifically, where Packham Street intersects with Underwood Street and Walston Road, Tammin.

CARRIED 5/0

REASON

To define desired speed limits within the townsite proper.

Agenda Reference:	11.1.6
Subject:	Notice of Intent to Drain – Lot 17 on Deposited Plan 224511
Location:	4 kms Northwest of Tammin Townsite
Applicant:	Department of Agriculture on behalf of M Packham, Tammin
File Ref:	OSGOV
Disclosure of Interest:	N/A
Date:	26 August 2003
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

The Office of the Commissioner of Soil and Land Conservation has submitted a Notice of Intent to Drain on behalf of M Packham owner of Lot 17 on Deposited Plan 224511, approximately 4 kms Northwest of Tammin. The Commissioner is inviting Council to submit comments prior to making a decision on the proposal before 11th September 2003.

COMMENT

The proposal and seeking Council comment for a Notice of Intent to Drain application, is in accordance with the Soil and Land Conservation Act 1945. The proposal gives notice of intent to pump water from about 1,800 hectares of land within the vicinity of Location CG 17 and to discharge water to the Warrengidging Brook. Pumping will commence during 2004 and will continue indefinitely.

The only concern to the Council is the amount of water being pumped and discharged into Warrengidging Creek and ultimately onto Golf Links Road or more particularly Doongin Peak Road, that may require culvert installation and/or upgrade. If drainage improvements are required on Doongin Peak Road or Golf Links Road, then contributions from the landowner must be mentioned as a condition of approval. It should be noted that the said roads do have existing culvert structures and any affect on these roads as a result of increased drainage flows may need to be considered over time. It is however, anticipated that the existing culvert drainage systems can cope with the extra drainage flows proposed by the pumping action of the landowner on this occasion.

FINANCIAL IMPLICATIONS

Culvert/Drainage Budget Allocation for 2003/2004 – no expenditure is planned for upgrading of drainage on Golf Links Road or Doongin Peak Road.

POLICY IMPLICATIONS

Councils Policy requires landowners proposing major alterations to existing water courses should consult with Council for comment on proposed plans. Where no previous problem existed, then either culvert installation or alternative roadway alterations be carried out at the landowners expense,

STATUTORY IMPLICATIONS

Soil and Land Conservation Act 1945

Soil and Land Conservation Regulations 1992 – regulation 5 ; Notice of Intention to Drain or Pump Water from Land.

RECOMMENDATION

That the Commissioner of Soil and Land Conservation be advised that Council approval is granted subject to an adequate drainage plan being agreed to for discharged water flowing from Location CG 17, over Doongin Peak Road or Golf Links Road, Tammin.

STAFF / COUNCIL RECOMMENDATION

MIN 0515/03 MOTION - Moved Cr Stokes 2nd Cr Thomson

That the Commissioner of Soil and Land Conservation be advised that Council approval is granted subject to an adequate drainage plan being agreed to for discharged water flowing from Location CG 17, over Doongin Peak Road or Golf Links Road, Tammin.

CARRIED 5/0

Agenda Reference:	11.1.7
Subject:	Change of October Council Meeting Venue – Yorkrakine Hall
Location:	Yorkrakine Hall
Applicant:	Chief Executive Officer/Shire of Tammin
File Ref:	
Disclosure of Interest:	N/A
Date:	27 August 2003
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

The suggestion of Council taking its Ordinary Council Meetings to the Community has been presented to Councillors over the past short while. It is recommended that Council give consideration to holding its October Ordinary Meeting within the locality of Yorkrakine at the Yorkrakine Community Hall.

COMMENT

I am a firm believer in giving the Council an opportunity to communicate and promote itself within the Community and suggest Council to convene its Ordinary Meeting at an alternative location away from its normal meeting venue at the Council Chambers. The innovation of this proposal presents Council with meeting the Community of Yorkrakine, once a year, on a social basis and get to know its Community right across the Shire and to improve its standing even further as we strive to improve the delivery of services within the Shire.

FINANCIAL IMPLICATIONS

- 2003/2004 Budget Allocations for Council Meetings – estimated minimal costs other than increase in refreshments over and above the normal requirements for a social gathering with representatives of the Yorkrakine Community and Hall Hire.
- Cost of local advertising for change of Meeting Venue.

POLICY IMPLICATIONS Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 – section 5.25(g) “the giving of public notice of the date and agenda for council or committee meetings”. Local Government (Administration) Amendment Regulations 1996 – regulation 12 (2) “a local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1)”.

RECOMMENDATION

That Council;

1. convenes its Ordinary October 1, 2003 Meeting date, at a changed location at the Yorkrakine Community Hall and that local advertising be completed to notify residents of the changed venue.
2. hosts a social gathering for residents of the Yorkrakine Community at the completion of the Ordinary Meeting at the Yorkrakine Community Hall.

STAFF / COUNCIL RECOMMENDATION

MIN 0516/03 MOTION - Moved Cr Caffell 2nd Cr Wheeldon

That Council;

1. convenes its Ordinary October 1, 2003 Meeting date, at a changed location at the Yorkrakine Community Hall and that local advertising be completed to notify residents of the changed venue.
2. hosts a social gathering for residents of the Yorkrakine Community at the completion of the Ordinary Meeting at the Yorkrakine Community Hall.

CARRIED 5/0

Agenda Reference:	11.1.8
Subject:	Adoption of Annual Firebreak Order – 2003/2004
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	
Disclosure of Interest:	N/A
Date:	27 August 2003
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Council is required to review its Firebreak Order on an annual basis to ensure that it is current and relevant for the protection of the District.

COMMENT

Council direction is requested on dates in particular in terms of when firebreaks are to be installed, to what standard, variations to the order and penalties involved if the order is not

complied with. A copy of the previous years Firebreak Order is enclosed with this Agenda Item for Council to review its compliance and application.

It is recommended that Council adopt dates for Prohibited and Restricted Burning Periods.

FINANCIAL IMPLICATIONS

Local advertising costs of the Firebreak Order – 2003/2004 Budget allocation for advertising under Law and Order – Bushfire General Ledger.

POLICY IMPLICATIONS

Council's Policy relates to the requirements of the Bush Fires Act 1954 and includes the stipulation of Harvest Ban Days in the Firebreak Order.

STATUTORY IMPLICATIONS

Bush Fires Act 1954 – section 33 construction of firebreaks for protection of property

RECOMMENDATION

That:

1. the draft Firebreak Order for 2003/2004 as per attached be adopted by the Council for the 2003/2004 season in accordance with the Bush Fires Act 1954.
2. no harvesting or movement or operation of machinery shall occur on declared Christmas Day and New Years Day for the 2003/2004 Season, in accordance with the Bush Fires Act 1954.

STAFF / COUNCIL RECOMMENDATION

MOTION - Moved Cr Thomson 2nd Cr Caffell

That:

1. *the draft Firebreak Order for 2003/2004 as per attached be adopted by the Council for the 2003/2004 season in accordance with the Bush Fires Act 1954.*
2. *no harvesting or movement or operation of machinery shall occur on declared Christmas Day and New Years Day for the 2003/2004 Season, in accordance with the Bush Fires Act 1954.*

AMENDMENT TO MOTION

MOTION - Moved Cr Caffell 2nd Cr Wheeldon

That:

1. *the draft Firebreak Order for 2003/2004 as per attached be adopted by the Council for the 2003/2004 season in accordance with the Bush Fires Act 1954.*
2. *no harvesting or movement or operation of machinery except for the feeding and watering of livestock shall occur on declared Christmas Day, Boxing Day and New Years Day for the 2003/2004 Season, in accordance with the Bush Fires Act 1954.*

NEW MOTION

MIN 0517/03 MOTION - Moved Cr Wheeldon 2nd Cr Stokes

That:

1. *the draft Firebreak Order for 2003/2004 as per attached be adopted by the Council for the 2003/2004 season in accordance with the Bush Fires Act 1954.*
2. *no harvesting or movement or operation of machinery except for the feeding and watering of livestock shall occur on declared Christmas Day, Boxing Day and New Years Day for the 2003/2004 Season, in accordance with the Bush Fires Act 1954.*

CARRIED 5/0

REASON

That operation of machinery is to be allowed for the feeding and watering of livestock and that no harvesting or movement on declared days to also include Boxing Day

Agenda Reference:	11.1.9
Subject:	Introduction of Extra Mass Vehicle Permits
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	
Disclosure of Interest:	N/A
Date:	28 August 2003
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Council at the last Joint Works & Services Committee Meeting held on Wednesday 30th July 2003, resolved to recommend that Council introduce an Extra Mass Vehicle Permit system within the Shire.

COMMENT

Currently, Council has no control and/or knowledge of the type and size of Extra Mass Vehicles operating within the Shire at any one time. In addition, with reduced road funding allocations to the Shire, Council must attempt to ease the increasing burden of maintaining all roads to a suitable standard and cater for school bus routes as well as local residents. There are no designated roads for extra mass vehicle use, other than all roads are "deemed" to be suitable

FINANCIAL IMPLICATIONS

Administration Cost – increase in processing time of applications and development of the required Form to allow defined use of nominated roads within the Shire offset by a proposed nominal increase in revenue from a nominal fee.

POLICY IMPLICATIONS Nil

STATUTORY IMPLICATIONS

- Road Traffic and Main Roads WA Acts
- Local Government Act 1995-section 3.50 (1) “ a local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles”

-section 3.50 (2) “the order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions”.

- Joint Works & Services Committee Meeting (Shire of Tammin and Shire of Kellerberrin) held on Wednesday, 30 July 2003

RECOMMENDATION

That Council introduce an Extra Mass Vehicle Permit system within the Shire of Tammin subject to the following conditions;

1. An Administration Fee of \$20.00 be introduced, GST inclusive
2. Maximum speed of vehicle travelling on minor roads within the local road network is 80km/hr
3. General Compliance with the requirements of the Road Traffic Act when operating extra mass vehicles on a permit system within the Shire of Tammin
4. Driver Courtesy be extended to designated school bus routes at all times
5. All Extra Mass Vehicle Users are to use the total width of the defined carriageway and not the center of the road when travelling on all local roads under the permit system
6. All or any road may be closed at the discretion of the Chief Executive Officer being dependant upon local weather conditions, amount of rainfall and standard of road surface to sustain extra mass vehicles at the time. And;

That the following roads be classified as major local arterial extra mass routes:

- a) Yorkrakine Road
- b) Tammin-Wyalkatchem Road (Station Road)
- c) Bungulla Road
- d) South Tammin Road
- e) Quairading Road
- f) Goldfields Road

All of the abovementioned roads require a twelve (12) month permit approval to operate on defined local extra mass vehicle routes.

All other roads classified as minor roads, require a short term permit approval for a period of three (3) months.

STAFF / COUNCIL RECOMMENDATION

MIN 0518/03 MOTION - Moved Cr Stokes 2nd Cr Thomson

That Council introduce an Extra Mass Vehicle Permit system within the Shire of Tammin on roads not covered by Main Roads WA Extra Mass Vehicle permits subject to the following conditions.

1. An Administration Fee of \$20.00 be introduced, GST inclusive
2. Maximum speed of vehicle travelling on local roads within the Shire of Tammin is 80km/hr
3. General Compliance with the requirements of the Road Traffic Act when operating extra mass vehicles on a permit system within the Shire of Tammin
4. Driver Courtesy be extended to designated school bus routes at all times
5. All Extra Mass Vehicle Users are to use the total width of the defined carriageway and not the center of the road when travelling on all local roads under the permit system
6. All or any road may be closed at the discretion of the Chief Executive Officer being dependant upon local weather conditions, amount of rainfall and standard of road surface to sustain extra mass vehicles at the time.
7. That the permit be for a twelve (12) month period per operator, renewable.

CARRIED 5/0

Cr Stokes declared an impartiality interest in item 11.1.10.

Agenda Reference:	11.1.10
Subject:	Proposal to Purchase Lot 93 Walston Street, Tammin
Location:	Tammin Townsite
Applicant:	Bernard and Carolyn Stokes, Tammin
File Ref:	ASS:1060
Disclosure of Interest:	N/A
Date:	29 August 2003
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Bernard and Carolyn Stokes have enquired previously about the purchasing of lot 93 Walston Street, Tammin. Council responded by seeking an offer to the Council of an appropriate purchase price proposal.

B & C Stokes advise that the offer of \$3,000.00 is fair and reasonable given the condition of the building that requires new timber in several areas, guttering needs replacing and roofing sheets needs replacing. Bernard and Carolyn Stokes are of the opinion that the offer is a realistic offer and seek a favorable outcome.

COMMENT

The described parcel of land is the ex "Ambulance Building" and currently the adjoining landowner utilizes the adjacent facilities under agreement to park a vehicle onsite. The proposed purchase price can be broken up to \$500.00 for vacant land purchase and \$2,500.00 for building value. At this date, it is suggested that the views of St Ambulance Association – Tammin Sub Branch have not been obtained. Any suggested sale be on the basis that agreement from the Sub Branch be obtained so as they are not inconvenienced until a new facility has been purchased.

FINANCIAL IMPLICATIONS

2003/2004 Budget – sale of assets, land and buildings

recommend that the sale proceeds are deposited into Councils reserve/trust fund account, for the purpose of Councils contribution towards the proposed Co-Location of Emergency Services Project in Booth Street Tammin.

POLICY IMPLICATIONS Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 (As Amended) –

section 3.58 Disposing of Property

Section 3.58 (3) – a local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property;

- a) it gives statewide public notice of the proposed disposition –
 - i) describing the property concerned ;
 - ii) giving the 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.

-section 3.58 (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.

RECOMMENDATION

That;

1. Council dispose of Lot 93 Walston Street Tammin to Bernard and Carolyn Stokes of Tammin for the sum of \$3,000.00 GST inclusive, costs for title transfer be the responsibility of the purchaser.
2. Notice of Disposal be advertised in accordance with the Local Government Act 1995 (as amended)
3. The proposed sale is contingent upon the Tammin Sub Branch of the St John Ambulance Association agreement to the proposed sale and maintaining garaging rights at the said lot until the new co-location facility has been developed.

STAFF / COUNCIL RECOMMENDATION

MIN 0519/03 MOTION - Moved Cr Caffell^{2nd} Cr Wheeldon

That;

1. Council dispose of Lot 93 Walston Street Tammin to Bernard and Carolyn Stokes of Tammin for the sum of \$3,000.00 GST inclusive, costs for title transfer be the responsibility of the purchaser.
2. Notice of Disposal be advertised in accordance with the Local Government Act 1995 (as amended)
3. The proposed sale is contingent upon the Tammin Sub Branch of the St John Ambulance Association agreement to the proposed sale and maintaining garaging rights at the said lot until the new co-location facility has been developed.

CARRIED 5/0
BY ABSOLUTE MAJORITY

Agenda Reference:	11.1.11
Subject:	July Cheque List
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	28 August 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Accounts for Payment from 1st July 2003 – 31st July 2003

Municipal Fund

10626 – 10632	\$ 23,157.35	
13688	Test Run	
13689 - 13717	\$ 31,057.45	
13718 - 13719	Test Run	
13720 - 13746	\$ 87,431.68	
		\$102,143.41

Trust Fund

Nil	\$ 0.00	
		\$ 0.00

COMMENT

During the month of July 2003 the Shire of Tammin made the following significant purchases:

Municipal Property Scheme - \$9,418.75 – Shire of Tammin Property Insurance

Municipal Insurance Broking Service - \$22,309.95 – Shire of Tammin Insurance Policies for the 03/04 year.

Country Housing Authority - \$6,479.93 – Repayment of Principal and Interest Loan 75

Deputy Commissioner of Taxation - \$9,774.00 – June Business Activity Statement.

FINANCIAL IMPLICATIONS

Local Government (Financial Management) Regulations 1996 Reg 13 – List of Accounts

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

1 That the accounts submitted from 1st July 2003 to 30th July 2003 be accepted.

VOTING REQUIREMENT – ABSOLUTE MAJORITY

STAFF / COUNCIL RECOMMENDATION

MIN 0520/03 MOTION - Moved Cr Thomson 2nd Cr Stokes

1 That the accounts submitted from 1st July 2003 to 30th July 2003 be accepted with the following amendment:

That the total Trust fund figure \$102,143.41 be totaled correctly to \$141,646.48.

CARRIED 5/0

Agenda Reference:	11.1.12
Subject:	July Financials
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	27 July 2003
Author:	Raymond Griffiths, Senior Finance Officer

BACKGROUND

Enclosed is the monthly reports for the month of July 2003

Direct Debit list for the month of July 2003

Municipal Fund

01 st July 2003	National On-Line Fee	\$	53.98
02 nd July 2003	Net Pay for F/E 02.07.2003	\$	8,651.26
16 th July 2003	Net Pay for F/E 16.07.2003	\$	9,143.98

25 th July 2003	Lease – 120H Grader	\$	5,641.53
30 th July 2003	Net Pay for F/E 30.07.2003	\$	9,128.27
30 th July 2003	Reserve Bank Fees	\$	20.00
30 th July 2003	Trust Fund Bank Fees	\$	50.60
30 th July 2003	Municipal Bank Fees	\$	111.80

Trust Fund

30 th July 2003	Police Licencing for July	\$	19,314.40
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COMMENT

During a recent public tender, Marketforce Productions have been re-appointed as the contracted service provider for all State Government agencies and for the WALGA facility for member local governments. Under the new contract, effective from 1 August 2003, Councils have access to a reduced rates of 30c per column centimeter for production of display advertisements when placed through Marketforce's new ADSPlus online facility.

Through the advertising that was processed through the financial year 2002 / 2003 the Shire of Tammin received a cheque for \$52.04 Inclusive of GST as an Advertising Rebate.

During the month of July we the following Capital Purchases were undertaken.

Outright purchase of a new TALEC Bus for \$28,000.00

FINANCIAL IMPLICATIONS

- Financial Management of 2003/2004 budget
- Statutory Audit requirements for prudent financial reporting.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

- 1 That Council approve the Monthly Financial Statements for the period ending 31st July 2003
- 2 That the Direct Debit List be accepted for the month of July 2003.

STAFF / COUNCIL RECOMMENDATION

MIN 0521/03 MOTION - Moved Cr Caffell 2nd Cr Stokes

- 1 That Council approve the Monthly Financial Statements for the period ending 31st July 2003
- 2 That the Direct Debit List be accepted for the month of July 2003.

CARRIED 5/0

Agenda Reference:	11.1.13
Subject:	Financial Reports - Miscellaneous
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	27 August 2003
Author:	Raymond Griffiths, Senior Finance Officer

BACKGROUND

Regular reporting on status of Miscellaneous Reports for consideration/information of the Council.

COMMENT

For Council's financial management and awareness information.

FINANCIAL IMPLICATIONS

- General Financial Management of Council
- General Reporting Procedure of Council

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

1 That the following Reports for the period ending 31st July 2003 be approved.

- Capital Status Report
- Bank Reconciliation
- Outstanding Sundry Debtors
- Loan Register Report

STAFF / COUNCIL RECOMMENDATION

MIN 0522/03 MOTION - Moved Cr Thomson 2nd Cr Stokes

1 *That the following Reports for the period ending 31st July 2003 be approved.*

- *Capital Status Report*
- *Bank Reconciliation*
- *Outstanding Sundry Debtors*
- *Loan Register Report*

CARRIED 5/0

Agenda Reference:	11.2.1
Subject:	Building Returns August 2003
Location:	N/A
Applicant:	N/A
File Ref:	BUILD06
Disclosure of Interest:	Nil
Date:	25 August 2003
Author:	John Mitchell, Manager Development Services

BACKGROUND

Council has provided delegated authority to the Administration to process building applications.

COMMENT

No building licences were issued for the month of August 2003.

FINANCIAL IMPLICATIONS - Nil.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS - Nil.

RECOMMENDATION

“That Council note that no licences were issued for the month of August 2003.”

STAFF / COUNCIL RECOMMENDATION

MIN 0523/03 MOTION - Moved Cr Stokes 2nd Cr Thomson

“That Council note that no licences were issued for the month of August 2003.”

CARRIED 5/0

Agenda Reference:	11.2.2
Subject:	Hydrology Model
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	ENG19
Disclosure of Interest:	Nil
Date:	25 August 2003
Author:	John Mitchell, Manager Development Services

BACKGROUND

Amendments have been made to the adopted plan of the hydrology model/outdoor centre, which require Council endorsement.

On 11th August 2003 the President, Chief Executive Officer and the Manager, Development Services met with Mr. Mark Harper and Mr. Grant Barbera of Aqua Vinyl Pool Construction to review the plans and seek potential cost savings.

COMMENT

The following amendments have been suggested and Council endorsement is sought

1. The rear steps from the amphitheatre area have been removed and the site will be contoured to suit the required levels for viewing at a later stage.
2. The rear pond has been reshaped to better suit the site and the northern rear pond bottleneck has been removed by enlargement of that section. A sketch will be provided to the meeting.
3. The proposed paving area at the rear of the amphitheatre has been removed and replaced with shaped lawns.
4. The site has been raised 100mm taking the finished height of the walls to the stageto 650mm above the footpath. The reasons for this are
 - a) The rear pond level was at road level and although water could not enter the feature flooding of the footpaths and foundations could occur.
 - b) Surrounding levels towards the Donnan Street are much higher than the model and much of the feature would not have been prominent.
 - c) The compaction for the rear pond cannot be achieved on fill of 200mm or less.
 - d) Raises the area for the adjoining carpark and rear street.
 - e) Permits contouring of the rear street drainage.
 - f) AVP Contractors also raised concerns of prominence and backfill for the rear pond area although this must be seen as experienced offered comments only.

Council endorsement of the actions is requested.

FINANCIAL IMPLICATIONS

Savings of up to \$30,000.00

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS - Nil.

RECOMMENDATION

“That Council endorse the following amendments to the proposed Hydrology Model/Outdoor Centre: -

- 1) The rear steps from the amphitheatre area have been removed and the site will be contoured to suit the required levels for viewing at a later stage.
- 2) The rear pond has been reshaped to better suit the site and the northern rear pond bottleneck has been removed by enlargement of that section. A sketch will be provided to the meeting.
- 3) The proposed paving area at the rear of the amphitheatre has been removed and replaced with shaped lawns.

- 4) The site has been raised 100mm taking the finished height of the walls to the stage to 650mm above the footpath.

STAFF / COUNCIL RECOMMENDATION

MIN 0524/03 MOTION - Moved Cr Caffell 2nd Cr Wheeldon

“That Council endorse the following amendments to the proposed Hydrology Model/Outdoor Centre: -

- 1) The rear steps from the amphitheatre area have been removed and the site will be contoured to suit the required levels for viewing at a later stage.
- 2) The rear pond has been reshaped to better suit the site and the northern rear pond bottleneck has been removed by enlargement of that section. A sketch will be provided to the meeting.
- 3) The proposed paving area at the rear of the amphitheatre has been removed and replaced with shaped lawns.

CARRIED 5/0

REASON

The site has not actually been raised and is at required engineering levels already.

Agenda Reference:	11.2.3
Subject:	Shire of Tammin - Activities in Thoroughfares and Public Places and Trading Local Law
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	
Disclosure of Interest:	Nil
Date:	25 August 2003
Author:	John Mitchell, Manager Development Services

BACKGROUND

Recently the Manager, Development Services received an enquiry into the local laws relating to vending fruit and vegetables within the Tammin townsite. A review of the Shire of Tammin Health Local Laws determined that no local laws exist relating to Itinerant Vendors and accordingly the provisions of the Food Hygiene Regulations apply. If the vendors vehicle complies permission must be granted. There are no fees applicable to the issue of a licence.

There are no other local laws adopted by Council which can permit Council to decline or issue a licence with conditions and charge an appropriate fee.

The following information is provided to assist Council resolve a local law which will permit control of vendors or the use of Council streets. For example the local law would permit the establishment of chairs and tables on footpaths.

Section 3.16 of the Local Government Act 1995 requires that a local government review all local laws within eight years of gazettal to determine whether or not it considers that the law should be repealed or amended.

Council, in 2000, joined the Local Laws Committee formed under the leadership of the Western Australian Municipal Association.

Previous Bylaws adopted by The Shire of Tammin were: -

- 1) Hawkers– 16/10/53, amend and adopt 7/9/71
- 2) Prevention of damage to Streets – 6/10/70
- 3) Some aspects of bylaws relating to dogs, parking, house numbering and signage.

The proposed local law – Activities in Thoroughfares and Public Places and Trading Local Law will provide for the control and management of all activities in thoroughfares and public places and trading.

COMMENT

The majority of local government within Western Australia has adopted and modified the draft local law Local Government Property, prepared by the Western Australian Municipal Association.

The attached draft local law – Activities in Thoroughfares and Public Places and Trading Local Law, is a suggested format by the local laws committee and has been widely adopted by local government. The process of adoption is to consider the local law and it's purpose within the region, amend the local law where required and adopt by reference to an existing gazetted local law.

This process will save in excess of \$3,000 in printing and gazettal fees. In this example I have used the Shire of Dalwallinu Local Law – Local Government Property as a base.

There have been no amendments other than changing the shire name and adoption procedures. Adoption would be on the basis of – adoption of Shire of Dalwallinu local law with the amendments. One page of the gazette would be sufficient for gazettal.

The following procedures are contained within section 31.12(2) of the Local Government Act 1995: -

- 1) Council resolves to consider a local law;
- 2) Council advertises statewide proposing to make a local law and call for submissions with a minimum closing period of 42 days. A copy of all notices is to be provided to the Department of Local Government and Regional Development.
- 3) Council considers submissions received and amends, revokes or adopts the proposed local law without significant differences.
- 4) The local law is published in the Government Gazette, and the summary, purpose and intent of the law is summarized in advertisements in local and Statewide newspapers.
- 5) Copies of the local law, explanatory memorandums and advertisements are provided to the Joint Standing Committee on Delegated Legislation for review.

The local laws become effective fourteen days after they have been published in the Government Gazette or such later date as determined within the local law.

The President, in accordance with section 3.12(2) of the Local Government Act 1995 shall cause to be read aloud the following: -

Summary of Local Law – Shire of Tammin - Activities in Thoroughfares and Public Places and Trading Local Law

The proposed local law – Activities in Thoroughfares and Public Places and Trading Local Law will provide for the control and management of all activities in thoroughfares and public places and trading.

Effect:

Some activities are prohibited, some activities are permitted only under permit in thoroughfares and public places. Also, the local law enables a local government to require house numbering and the erection of fences in certain situations.

FINANCIAL IMPLICATIONS

Financial costs of \$50.00 per page in the Government Gazette.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS - Nil.

Ensures compliance with Section 3.12 of the Local Government Act 1995, relating to the review and adoption of modern and relevant local laws.

RECOMMENDATION

- 1) "That Council resolve to make a local law – Shire of Tammin Activities in Thoroughfares and Public Places and Trading Local Law."
- 2) "That the draft Shire of Tammin Activities in Thoroughfares and Public Places and Trading Local Law be advertised in accordance with Section 3.12 of the Local Government Act 1995 for a minimum period of 50 days."
- 3) "That the Shire of Tammin Local Law – Activities in Thoroughfares and Public Places and Trading Local Law be considered by Council once the public submission period closes."

STAFF / COUNCIL RECOMMENDATION

MIN 0525/03 MOTION - Moved Cr Stokes 2nd Cr Wheeldon

- 1) *"That Council resolve to make a local law – Shire of Tammin Activities in Thoroughfares and Public Places and Trading Local Law."*
- 2) *"That the draft Shire of Tammin Activities in Thoroughfares and Public Places and Trading Local Law be advertised in accordance with Section 3.12 of the Local Government Act 1995 for a minimum period of 50 days."*
- 3) *"That the Shire of Tammin Local Law – Activities in Thoroughfares and Public Places and Trading Local Law be considered by Council once the public submission period closes."*

CARRIED 5/0
BY ABSOLUTE MAJORITY

Chief Executive Officer's Report For the period August/September 2003

1. Industry Relocation Scheme – Department of Local Government and Regional Development

Preliminary discussions and enquiries has been made to the Department to ascertain possibilities for the soon to be Abattoir at Tammin. Initial advice indicates that the possibility are slim as it is considered that such a business may be in competition with other like businesses within the Region. Set criteria seemingly allows for such a business start up but supporting abattoirs has been very sensitive in the past as some business plans have failed and Government money lost in the process. Final advice will be received around mid week this week.

2. Tammin Abattoir Operations

A follow up enquiry was made to Abattoir owners, Value Added Meat Wholesalers to see where the opening of the Tammin Abattoirs were at. Preliminary advice received was that the District Court were handing down a decision on or around Wednesday, 27 August 2003. The Company proposing the opening of the abattoirs advised that the legal ruling over the "offer and acceptance price" should be sorted and are more than hopeful that it will enable the business opening to proceed. All being well, the Company has already purchased material and equipment for the Abattoirs and are holding them in Perth at a Warehouse site. The current planning is for a maintenance operation to go into full swing for the month of September with a view to commence operations in October 2003. Fingers crossed on this one and when more information comes to hand, Council will be advised at the time. Contact has been made with Mike Burrows of Tammin Roadhouse Developments (ie proposed Caravan Park/Cabin Accommodation proposal) to pass on the latest information received and I have left a message left to keep him informed of what is happening with the latest information received, albeit verbal.

3. Allocation of Council Housing stock to Tammin School P&C for Principal Residence

Contact has been made with Tammin School P&C President, Tony York to discuss the possibility of Council offering suitable standard of accommodation to the position of Tammin School Principal. The offer was made on the basis that if it means securing the position with quality staff and housing standards is an issue in terms of having the Principal reside in Tammin, then the offer would be committed to by the Council under lease agreement with the Ministry of Education and/or the Department of Housing and Works. Tony is appreciative of Council's offer and will present the proposal to the School P&C Group for consideration. It is anticipated that over the next month an indication will come back to the Council.

4. Kellerberrin Regional Road Sub-Group Meeting

A meeting of the Group was convened on Monday, 25 August to discuss 2004/2005 Road Projects and deadlines to meet for the process to be complete for planning within the Region via the Regional Road Group and Main Roads WA. Blackspot Funding (both State and Federal Government) was raised and presented to the Group for consideration and an opportunity to "peg back some lost project/regional funding" allocations. Discussion commenced on as to best present the Groups Minutes to the Regional Road Group and to continue supporting the Campaign for re-instatement of lost funds to Local Government throughout WA. The other relevant matter raised by the

Group was to ascertain and obtain a statewide list of outstanding/carryover projects by local government with particular emphasis on the metropolitan local governments that appear to be the major contributors to the carryover total. A sideline benefit is to have the re-allocated to rural local governments where in the main, there is a shortage of road funding to catch up with maintaining our rural road network. It is acknowledged that Cr Thomson, Cr Brooks and Cr Stokes were apologies for the meeting.

5. Rural Towns Program

An application has now been forwarded to Rural towns Program for assistance with monitoring bores to be installed for groundwater movement. With this application Council is able to secure a \$2,200.00 (with GST) grant to assist with the installation of monitoring bores on the basis of a two year monitoring period without fail. At the conclusion of this period, it will then be determined whether an application and acceptance can be given under the Rural Towns Salinity Program to combat salinity and rising damp to Townsite structures and associated funding. It is acknowledged that Council received a presentation by the Rural Towns Program Manager during March of 2001, however no formal application was made to commence the process.

6. Community Opening Committee for Hydrology Model/Outdoor Function Centre

I have approached the Tammin Arts Committee, via Lexie Carter, as a vehicle for registration of Interest to assist Council with the opening ceremony of the Hydrology Model/Outdoor Function Centre. Lexie offered to raise this amongst Committee Members and will assist herself up and until harvest commences. I have also approached Glenice Batchelor and received a positive response and some other names have been mentioned and will be approached over the next week or so. Hopefully, in the next short while we will have a group willing to set the program and assist Council with the opening of a major project for Tammin. More information will come to hand as more names, are gathered in due course.

7. Commencement of Construction of Tammin Hydrology Model/Outdoor Function Centre

Councillors are aware that the construction phase of the Hydrology Model is underway, there has been some delay early due to rain (and we can all put up with that, one would imagine!). The timelines and schedule set for the construction of this project is very tight to ensure that quality and uniqueness is to the forefront. As major phases of the project is achieved, Council will receive ongoing reports regarding its progress. At weeks end of last, the pad and site layout will have been completed in association with AVP Constructions.

8. Recreation Oval Top Dressing – Donnan Park

Administration have been successful with gaining community support from within the Football, Hockey and Cricket Club Groups to assist with top dressing of the oval. This will be completed as soon as the oval is free after the hockey finals are over so that the oval can get a kick start with “mother nature”. Also the Works crew are supplying sand to the oval for jump pits on Sports Day.

9. Prospector Passenger Services – Tammin Station – Transwa

General Manager, J.A. Powell has formally responded to Council’s enquiry regarding its concern for retention of Prospector Passenger Service to the Tammin Community. Transwa is currently constructing a high level platform designed for use by all sections of the Community of Tammin for boarding and alighting from the Prospector Train. By

constructing these high level platforms, Transwa confirms their commitment to long term service to the Tammin Community of the Prospector Train. Transwa intends to review its timetable and provide Council and the Community an opportunity to make comment on the new timetable during the "consultation" period.

10. Freehold Purchase of Key Gravel Reserve Sites

I raise this as an "insurance" for the Council over the short term planning strategy, Council may consider for road making materials requirements for the next ten or more years period. Council is encouraged to purchase freehold land identified with suitable quantities and quality for gravel base road making materials. This proposal is presented to Council under the interpretation of extreme land use and associated environmental pressures being placed upon the Council and the Community ultimately to source key gravel materials sites around the Shire specifically for Shire use only. This can be undertaken in a number of ways including budget provision, loan raising for land purchase or landowner payment negotiations split over period of time or create a specific reserve account for such purpose. We currently appreciate the kind support of landowners and will endeavour to maintain this relationship at all costs within fair and reasonable cost parameters for roadmaking. Council consideration is encouraged.

Community Development Officer Report

Website Development

The graphics and information for the Tammin Shire Website are now nearing completion and we should be online soon. I have received the details for the Tammin Primary School and for the Tammin Arts Prize, these have been forwarded to the web developers. I have a few more photographs to take for inclusion to the site once we get some sunny days.

Grant Submissions

I will be looking to source some funding for the opening of the Hydrology Model. Both as a 'Community celebration and also combined with a volunteers event. Suggestions as to what format the opening will be would be appreciated bearing in mind that I need to submit this application four months before the event.

West Australian Newspapers Wheatbelt Supplement

I submitted items for inclusion into the Wheatbelt Supplement unfortunately we did not get a mention.

Library Computer System

I have updated the Library Computer system to the latest version. I have also initiated data backup for this system to CD-ROM, thus if the Hard Drive fails we will have a daily copy of the data.

TALEC Computer

This system failed previously and was taken to Cougar Computers and repaired. Within two weeks it failed again. Reformatting the Hard Drive corrected the problem and it appeared to be working OK. However further enquiries as to why it had failed a second time led to the conclusion that the HDD was intermittently faulty and could in fact take out the mother board if it failed again. I replaced this drive with a new 40Gb HDD and formatted and reloaded software. This computer has now been re-installed at TALEC and appears to be working satisfactorily.

Tammin Bowling Club

Investigating possibility of combining two projects of lights and reticulation and applying for one CSRFF grant to cover both.

Manager, Development Services Report

Hydrology Model

Works on the project have commenced with earthworks for the front pond and stage area. The proposed approach will be to erect the front pool stage waterfall feature and backwall to permit the stage area and canopy footings to be installed.

Contractors were asked to review the proposal and suggest alternatives, which although not detrimental to the end point of the project, may reduce the capital cost. No real savings could be achieved although the meeting did resolve to suggest to Council several options.

Access to the site is restricted and Councilors are requested to

1. Convey all requests through the Chief Executive Officer, who will advise the Manager, Development Services of that request. It is imperative that firm lines of communication are maintained to ensure the successful completion of the project.
2. Should the request be for access ensure that safety vests and hats are worn on the site and you are accompanied by a staff member.

Lot 26 Walston Street

Little refuse and waste has been removed from the property. The Manager and CEO have visited the site on several occasions and agreed with Mr. E. Houghton to extend the order till the 15th August 2003 to permit him to remove the disused materials. It is likely that the matter will be referred to Council's Solicitors for a further action.

A further proposal is to inspect the property and consider whether a report should be prepared to Council seeking a resolution declaring the residence unfit for human habitation pursuant to section 135 of the Health Act and an order for its repair or demolition be issued.

Council's comments are sought to the Chief Executive Officer.

Manager, Works & Services Report

1 MAJOR WORKS

- 1.1 Hydrology Model
- 1.2 Goldfields Road (Gravel)

2 MAINTENANCE GRADING

- 2.1 Nelson Road
- 2.2 Lowels Road (Also Gravel)
- 2.3 Doodgin Peak Road (Also Gravel)
- 2.4 Wheeldon Road (also gravel)
- 2.5 Barracks Road (gravel)
- 2.6 Christison Road

3 PRIVATE WORKS

3.1 CBH

4 PLANT MAINTENANCE

4.1 TN2 Service

4.2 Drawn Roller (Tyres)

4.3 3380 Tractor Battery

4.4 Caterpillar Grader (Rear Axle) Under warranty

5 GENERAL WORK

5.1 Weed spraying

5.2 Clean up Shire house yards

5.3 Rubbish

5.4 Mow oval

5.5 Sand for Sports (School)

5.6 Weed spraying cemetery

5.7 Signs on Crabbin Road – Yorkrakine East – Water over roads.

Frank Peczka

Chief Executive Officer

STAFF / COUNCIL RECOMMENDATION

MIN 0530/03 MOTION - Moved Cr Wheeldon 2nd Cr Thomson

That Council accept the following reports:

1. TALEC Report
2. Chief Executive Officer Report incorporating:
 - a) Community Development Officer Report
 - b) Manager Development Services Report
 - c) Manager Works and Services Report

CARRIED 5/0

Agenda Reference:	Late Item 1
Subject:	Tammin Steel
Location:	Donnan Street, Tammin
Applicant:	
File Ref:	ASS
Disclosure of Interest:	Nil
Date:	3 September 2003
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Kordamentha are the appointed administrators of Tammin Steel Fabrication Business, at 35 Donnan Street, Tammin.

COMMENT

Council is desirous to attract a business to the vacant premises due to administration of Tammin Steel Fabrication.

It is preferred the Council, as an option, purchase land and buildings as a defacto "warehouse unit" in an attempt to have some control of a business that may be attracted to the described location.

FINANCIAL IMPLICATIONS

Council's 2003/2004 Budget amendment to expenditure/revenue programs required.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 – Delegation of Powers to Chief Executive Officer.

Section 5.43 – Limits on delegations to CEO's

Section 5.43 (d) A Local Government Cannot delegate to a CEO and of the following powers or duties:

Acquiring or disposing of any property valuer at any amount exceeding any amount determined by the Local Government for the purpose of this paragraph.

RECOMMENDATION

That the Chief Executive Officer commences negotiations to purchase land and buildings at Lots 1-10, Donnan Street, Tammin and report back to Council.

STAFF / COUNCIL RECOMMENDATION

MIN 0531/03 MOTION - Moved Cr Stokes 2nd Cr Caffell

That the Chief Executive Officer commences negotiations to purchase land and buildings at Lots 1-10, Donnan Street, Tammin and report back to Council.

CARRIED 5/0

GENERAL BUSINESS - Nil

CLOSURE OF MEETING

There being no further business to discuss the President thanked Members for their attendance and closed the meeting at 6:37pm.