

Minutes of the Shire of Tammin Ordinary Council meeting held at Council Chambers, 1 Donnan Street, Tammin, on Thursday, 20 August 2009.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr R Stokes declared the meeting open at 2.00pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present

Cr R.J. Stokes	President (Presiding Person)
Cr K.L. Caffell	Deputy President
Cr M.D. Greenwood	Member
Cr S.J. Jefferies JP	Member
Cr B.F. Stokes	Member
Cr M.K. Wheeldon	Member

Mr M.G. Oliver Chief Executive Officer

Visitors

Glen & Lynne Carpenter (from 2.06 pm)

Matt Carpenter (from 2.06 pm)

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 Cr R Stokes

Declared an interest in Items 11.2 and 11.5

6.2 Cr B Stokes

Declared an interest in Items 11.5 and 11.10

6.3 Cr S Jefferies

Declared an interest in Item 11.5.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Ordinary Council Meeting Minutes – 15 July 2009

STATUTORY ENVIRONMENT

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.

STAFF RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 15 July 2009 be confirmed as a true and correct record.

Simple Majority Required

MIN 133 /09 MOTION – Moved Cr Jefferies 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 6/0

8. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

8.1 Barracks Lease (ASS-1545)

Messrs Glen and Lynne Carpenter have been invited to address Council at 2.15pm on their Expression of Interest for the lease of the Barracks (Item 11.2).

Glen & Lynne Carpenter and Matt Carpenter entered the Chamber at 2.06 pm.
Cr R Stokes declared an interest and left the Chamber at 2.06 pm and Cr Caffell assumed the Chair.

Glen Carpenter outlined their plans for the Barracks in conjunction with his business venture at Wyola.

Glen & Lynne Carpenter and Matt Carpenter left the Chamber at 2.30 pm.
Cr R Stokes entered the Chamber at 2.30 pm and assumed the Chair.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 Shire of Quairading – Project Team (PROP-00)

Meeting held in Quairading on 13 July 2009 and attended by Crs R Stokes, B Stokes Jefferies together with the CEO.

10.2 Great Eastern Country Zone of WALGA Meeting

Meeting held in Tammin on 14 July 2009 and attended by Crs R Stokes, Caffell, Jefferies and Wheeldon together with the CEO.

10.3 Minister for Local Government

Public meeting held in Kellerberrin on 14 July 2009 and attended by Crs Caffell and Wheeldon together with the CEO.

10.4 DLGRD – Structural Reform Workshop (PROP-00)

Workshop held in Quairading on 17 July 2009 and attended by Crs R Stokes, B Stokes, Caffell together with the CEO.

The Workshop allowed participants to share ideas, concerns and strategies in the development of structural reform proposals and the preparation of reform submissions for the Minister.

10.5 Structural Reform Workshop (PROP-00)

Workshop held in Tammin on 12 July 2009 and attended by Crs R Stokes, Caffell, Jefferies, B Stokes and Wheeldon together with the CEO and Mr Tony Cooke. The purpose of the workshop was to provide Mr Cooke with direction in relation to the final submission addressing the Local Government Advisory Board's recommended criteria.

10.6 Project Team (PROP-00)

Meeting held in Tammin on 23 July 2009 and attended by Crs R Stokes, B Stokes Jefferies together with the CEO.

Arising from the meeting was the first preferred option of amalgamation with Cunderdin and Quairading with the second preferred option additionally including York.

10.7 Rabbit Proof Fence Memorial Project (PUB-08)

Meeting held in Cunderdin on 24 July 2009 and attended by the CEO.

The meeting (inaugural) formed a Steering Committee to progress the proposal of a memorial structure either side of the Great Eastern Hwy in Cunderdin and also the proposal for a drive trail linking similar memorials across the State for each of the No 1, No 2 and No 3 Rabbit Proof Fences. The design for the memorial has been prepared by Smith Sculptors – who prepared the Needle at Donnan Park.

A position on the Steering Committee has been preserved for a representative from Tammin and interest has been sought via the Tammin Tabloid.

10.8 WE-ROC Executive (PUB-08)

Meeting held in Bruce Rock on 29 July 2009 and attended by the CEO.

Issues discussed of relevance to the Shire of Tammin included:

- Grant funding for the collection and re-use of storm water. WE-ROC is to make a submission as a region for a variety of individual projects, to take the project above the \$4m threshold. It is understood that some retrospective spending on projects can be included as matching funds. For Tammin, past spending might include:

- the two dams
- the drain
- the oval reticulation.

New projects might include:

- the pump from the catchment dam to transfer water to the storage dam.
- sealing and kerbing of town streets to gather storm water.
- the covering of the storage dam or the use of the synthetic film on the water to reduce evaporation.
- reticulation of the water to parks and green areas around the townsite.
- the additional dam on the south side of the railway, together with a pump to transfer the water to the storage dam.

The submission is required by December 2009.

- 2010-11 State Budget submission. Consideration to be given to in-fill sewerage and the upgrading of the Merredin Regional Hospital.
- Video teleconferencing. A trial WEB based video conference is to be undertaken for the next Executive meeting using the company Redback Conferencing.
- Digital Services for Regions. Funding opportunities to be explored for upgrading of telecommunications (mobile coverage).
- Public housing approvals – concern to be expressed regarding the Department of Housing declaring public housing public works and avoiding the requirement to comply with Town Planning Schemes.
- Royalties for Regions spending rules – request to be made to allow for project management, playground equipment and alternate environmental and power projects.

The next WE-ROC Council meeting is to be held in Kellerberrin on 26 August 2009 and the next Executive meeting (video conference) is to be held on 23 September 2009.

10.9 Grain Freight Meeting

Meeting held in Merredin on 30 July 2009 and attended by the regions technical officers.

The purpose of the meeting was to endeavour to establish agreement on bin-to-rail freight routes. The meeting agreed that there were too many variables at the moment to allow control and agreed to promote a couple of points to reduce those variables. Further, for the RRG Sub-Groups to meet and agree on the freight routes in the same process as used to establish the Regional Roads Hierarchy a couple of years ago.

10.10 WALGA Roads Forum

Held in Perth on 7 August 2009 and attended by the CEO. The Forum focused on strategic investment, covering topical issues network planning; heavy haulage and the network; asset management; integrated transport planning solutions; and the integration of road safety into core business.

A particularly enlightening address was provided by Jeff Roorda titled Strategic Investment in Infrastructure – Are we providing value for money? Good discussions were also held during the Concurrent Session – Heavy Haulage on Local Road Networks and also the Workshop titled State Road Funds to Local Government Agreement.

10.11 Great Eastern Country Zone of WALGA Meeting

Meeting held in Perth on 7 August 2009 and attended by Crs R Stokes, Caffell and Wheeldon together with the CEO. The meeting considered State Council items relating to:

- Review and Reform of Planning and Development Assessment Systems (05-036-03-0020)
- WA Grain Freight Network
- Bush Fire Act Amendments
- Citizenship Ceremonies
- Telecentre Support Models
- Swan Canning Rivers Local Government Policy Forum
- State/Local Government Framework Agreement for the Provision of Public Library Services

10.12 WALGA Local Government Convention

Held in Perth on 8-10 August 2009 and attended by all Councillors together with the CEO.

10.13 Shire of Kellerberrin Structural Reform Public Meeting

Meeting held in Kellerberrin on 10 August 2009 and attended by the CEO.

The meeting was attended by 23 residents plus Councillors and Staff. Overall, there was strong opposition from those who attended to participate in structural reform with the Shire of Tammin being suggested as a suitable partner a number of times.

11. AGENDA ITEMS

11.1 DLGRD – Country Local Government Fund (FIN-25)

Author – MG Oliver, CEO, 20 July 2009 Interest – Nil

PREVIOUS REFERENCE

Items 11.4 – 19 February 2009 and 11.9 – 16 July 2009 refer.

BACKGROUND

The Department has drawn attention to the allocation for Year 2 which will see 35% of the funding allocated through regional groups of local governments and seeking confirmation of the Shire of Tammin's preferred grouping by 1 September 2009.

Council resolved in July that the issue lay on the table and that the CEO ascertain whether future year's groupings will be able to be changed.

The Department has responded indicating that given the structural reform agenda, should a local government wish to change groups from year to year for the ROCs component of CLGF, this will be acceptable. However please be aware that the reporting for Year 2 will need to be in order (as per the Guidelines - to be issued in the near future) before you can receive your money for Year 3 – whether you are in the same group or different groups.

SEAVROC has also advised of a Notice of Motion from the Shire of York *that SEAVROC consider an option for Tammin to be aligned with SEAVROC for the regional component of the Local Government Funding for Royalties for Regions, if it is to theirs and SEAVROC's advantage.* SEAVROC has been asked how Tammin would be part of the decision making process for the funding if it doesn't have a seat at the table however a response has not been received.

COMMENT

Previous advice has included the Shire of Tammin with WE-ROC and indicated the following anticipated allocations:

	<u>2008/09</u>	<u>2009/10</u>	<u>2010/11</u>	<u>2011/12</u>
Tammin	\$565,828	\$367,788	\$282,914	\$282,914
Regional		\$198,040	\$282,914	\$282,914
WE-ROC		\$1,323,274	\$1,843,131	\$1,843,131

Council resolved in February 2009 that the Shire of Tammin's priorities for regional funding be:

- *common operating platform (SEA-ROC).*
- *housing (community or government officers).*
- *weather radar (WE-ROC).*
- *light industrial area.*
- *asset management.*
- *effluent disposal*

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Department of Local Government and Regional Development be advised that the Shire of Tammin seeks to be grouped with WE-ROC.

Simple Majority Required

MIN 134/09 MOTION – Moved Cr Greenwood 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 6/0

Cr R Stokes declared an interest and left the Chamber at 2.47 pm and Cr Caffell assumed the Chair.

Cr Jefferies declared an interest and left the Chamber at 2.55 pm.

11.2 Barracks Lease (ASS-1545)

Author – MG Oliver, CEO, 24 July 2009 Interest – Nil

PREVIOUS REFERENCE

Items 11.3 – 16 April 2009 and 11.9 – 15 July 2009 refer.

BACKGROUND

The Expressions of Interest for the lease of the old TALEC property has been extensively advertised (West Australian, the Weekend Australian and Internet) together with direct marketing.

The advertisements have resulted in numerous contacts with one Expression of Interest being rejected by Council.

In March 2009 Council resolved the Barrack's caretaker accommodation be rented for 6 months with an ongoing monthly tenancy (subject to a tenant for the Barracks being found).

Council was advised in July 2009 that a new *Expression of Interest* had been received. Council resolved that an invitation be extended for the submitter to address Council (see Item 8.1).

Cr Wheeldon has given Notice of her intention to move:

That before the Barracks buildings are leased, a valuation be obtained showing both the sale value and rental value of the property, including furniture and fixtures.

COMMENT

The quarters at the Barracks have not been rented.

Issues to be considered include:

- Rates (minimum) and rubbish charges
- Inventory and condition report of equipment including kitchen, common room and bedding
- Gas and gas bullet
- Power and water

FINANCIAL IMPLICATIONS

Significant, depending on Council's direction.

Approximately \$4,300 has been expended to date advertising the lease.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 3.58 of the Local Government Act provides:

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

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction in relation to the *Expression of Interest* received.

Simple Majority Required

MIN 135 /09 MOTION – Moved Cr Greenwood 2nd Cr B Stokes

That the Expression of Interest for the lease of the Barracks from Glen & Lynn Carpenter for an initial period of 3 years with the intention to seek a 5 year lease at the conclusion, be accepted except for the amount of rent – which is to be set at \$200 per week with a review after 2 years.

CARRIED 3/1

Crs R Stokes and Jefferies entered the Chamber at 3.24 pm.

11.3 Skateboard Track (ASS-1065)

Author – MG Oliver, CEO, 31 July 2009 Interest – Nil

PREVIOUS REFERENCE

Items 3.2 – 15 April 2009 and 11.5 – 21 May 2009 refer.

BACKGROUND

Arising from the Property Inspection on 15 April 2009 was the request that an estimate be obtained to construct a skateboard track.

COMMENT

Rampage Design has provided a variety of designs and prices as follows:

Option 1	Tabletop + 2 Planter Ramps Launch Wedge or Jump Ramp 3m Double Slide Slab 3m Double Slide & Grind	\$15,000
Option 2	Tabletop + 2 Planter Ramps Jump Wedge Launch Wedge 3m Jump + Slide Wedge or 750 ¼ pipe 3m Double Slide Slab 3m Double Slide & Grind	\$20,000
Option 3	Tabletop + 2 Planter Ramps 1200 Quarter Pipe or 1500 Flat Blank + 1m platform Launch Wedge Jump Ramp 3m Jump + Slide Wedge or 3m Double Slide Slab & 3m Double Slide & Grind	\$25,000
Option 4	Tabletop + 2 Planter Ramps 1200 Quarter Pipe + 1m platform 1500 Flat Blank + 1m platform Launch Wedge 3m Double Slide & Grind	\$30,000

The prices do not include transport and installation.

The designs visited have been located on a double tennis court size concrete pad – estimated to cost \$62,500.

No provision has been made for lighting.

An inspection of existing facilities in other locations might provide some clarity in relation to requirements.

FINANCIAL IMPLICATIONS

Provision of \$86,640 has been made in the draft 2009/10 Budget (Account E1684**) for the construction of a skateboard track, funded from Royalties for Regions Year 2.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Section 1(c) of the Sport, Recreation & Culture section of the Plan provides for the investigation of the need for a skate park in 2009/10.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide further direction in relation to the skateboard track requirements.

Simple Majority Required

MIN 136 /09 MOTION – Moved Cr Greenwood 2nd Cr Jefferies

That the item lay on the table to allow further research on the alternative option of one new tennis court and a community survey.

CARRIED 6/0

11.4 Kadjiny Kep (ASS-1063)

Author – MG Oliver, CEO, 31 July 2009 Interest – Nil

PREVIOUS REFERENCE

Item 11.5 – 21 May 2009 refers.

BACKGROUND

Arising from the Property Inspection on 15 April 2009 was the resolution that an amended plan for Kadjiny Kep be developed, changing the fencing alignment around the changerooms/toilets.

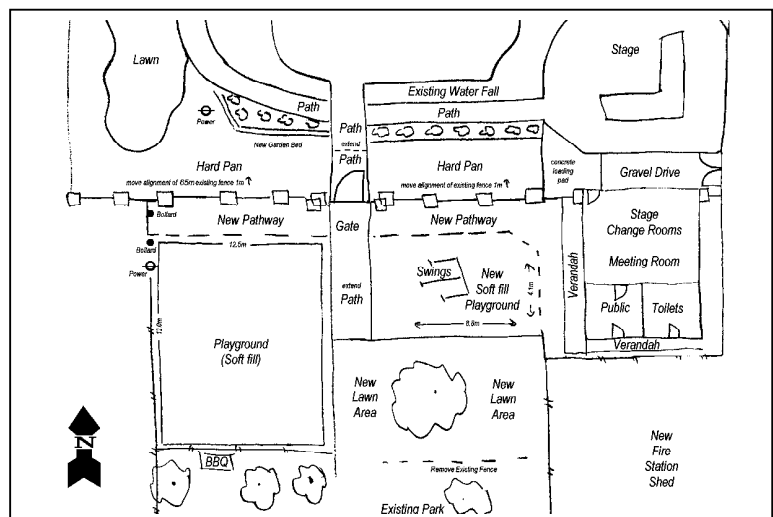
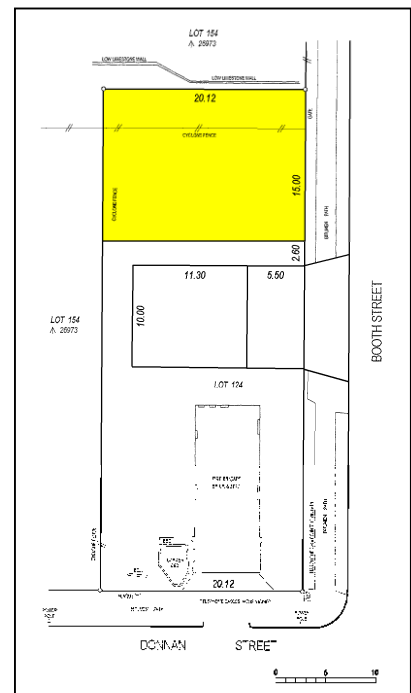
Advice has been received that the boundary of the Reserve with that of the FESA Reserve has been amended providing an additional 15m (with a 2m setback from the new FESA shed).

COMMENT

Direction is now sought from Council as to it's requirements for the change rooms to allow plans to be drawn and the project tendered.

At different times there has been the indication that:

- the building should be able to be used as a meeting room;
- the building should include public toilets;
- the toilets should be able to be restricted to the change rooms use or be accessed from the change rooms;
- verandas were / were not required.



Issues to be considered include:

- using the building and fencing to stop the east west through use of the site;
- security such that the Kadjiny Kep site is able to be contained during events;
- not shown in the sketch will be the requirement for disabled facilities (either separate, shared or combined).

Direction is also sought in relation to the beatification of western area of Kadjiny Kep. The current plan includes hard surface (washed gravel on bitumen) and lawn areas.

FINANCIAL IMPLICATIONS

2009/10 Budget funded from Royalties for Regions.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Item 1 of Our Economy provides for the completion of Kadjiny Kep:

- change rooms / toilets.
 - investigate beatification of western area of Kadjiny Kep.
- with both projects listed for completion in 2009/10.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That Council provide direction in relation to the requirements for the change rooms and the beautification of the western area of Kadjiny Kep.

Simple Majority Required

MIN 137 /09 MOTION – Moved Cr Wheeldon 2nd Cr Jefferies

That the change rooms be orientated with the toilet entrance off the west side, the change rooms entrance off the north side and a dedicated ablution facility for the change rooms. Further, the fence proceed in limestone blocks and pool rail fencing and more research be undertaken on the beautification of the western area including removal of the lawn area and a permanent bar/food structure.

CARRIED 6/0

Council considered Item 11.12 out of order at this point – to allow full Council consideration prior to Cr Jefferies leaving early.

Crs R Stokes and B Stokes declared an interest and left the Chamber at 4.44 pm and Cr Caffell assumed the Chair.

11.5 2009/10 Community Grants (FIN-04)

Author – MG Oliver, CEO, 29 June 2009 Interest – Nil.

PREVIOUS REFERENCE

Items 11.1 – 16 July 2008, 11.7 – 16 April 2009 and 11.8 – 15 July 2009 refer.

BACKGROUND

Council resolved in April 2009 that community groups be invited to make submissions for financial support for consideration with the draft 2009/10 Budget.

In recent previous years Council has resolved to advertise for budget submissions from sporting, community or welfare groups/organisations requiring financial assistance from the Shire of Tammin in the following year. Applications were to include audited financial statements and most recent Bank Statement.

Funding applications for 2009/10 have been received as follows:

• Tammin Bowling Club – to subsidize employment of a greenkeeper	\$20,000Inc
• Tammin Golf Club – second hand tractor (ex Shire of Tammin)	\$3,000-\$7,000
• Tammin Golf Club – second hand slasher (ex Shire of Bruce Rock)	\$1,000
• Tammin Seniors Committee – perimeter fencing from Unit 5 to Unit 1	\$4,000
• Tammin Tabloid – computer replacement (nominal)	\$1,500
• Tammin Economy Shop (Cooinda) – towards wages for the co-ordinator and assistant	\$5,000
• Tammin Primary School – community bus for swimming lessons	\$600
• Tammin Primary School – subsidize bus hire for swimming lessons	\$830
• CWA – WA Week luncheon	\$350
• Tammin Playgroup – replace vinyl floor covering in Uniting Church property	\$1,350
• Tammin Art Prize – Tammin Art Show (plus in-kind hall hire, photocopying etc)	\$1,000
• Tammin Community Christmas Tree – Band and Santa suit hire (plus oval hire, extra bins)	\$725
• Wheatbelt Agcare	\$990Inc

Additionally, the Eastern Districts Display Committee seeks a donation towards the Royal Show display. \$350 was provided for in 2008/09.

With the exception of the Tammin Primary School, Council resolved the requests at it's July 2009 meeting, rejecting only the submission from the Tammin Golf Club in relation to the second hand tractor. A quorum did not exist to consider the Tammin Primary School.

COMMENT

Nil

FINANCIAL IMPLICATIONS

For consideration with the draft 2009/10 Budget.

POLICY IMPLICATIONS

Council's Policy provides that all sporting, community or welfare groups/organisations that are seeking major grants from Council must make a submission to Council prior to the 15 June in each financial year. Applications are to be accompanied by the groups/organisations most recent audited finance statement.

STATUTORY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

In the Strategic Plan the Our Community Item 6(b) provides

Enhance community development:

- work with community groups to promote the annual art prize and associated exhibition.
- work with the seniors group to explore opportunities for education for seniors.
- work with community to promote an active and healthy lifestyle.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the submission from the Tammin Primary School for the use of the community bus be included in the draft 2009/10 Budget and the request to subsidize a second bus be declined.

Simple Majority Required

MIN 138 /09 MOTION – Moved Cr Wheeldon 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 3/0

Crs R Stokes and B Stokes entered the Chamber at 4.48 pm and Cr R Stokes assumed the Chair.

11.6 Donnan Park Shade Shelter (ASS-1158)

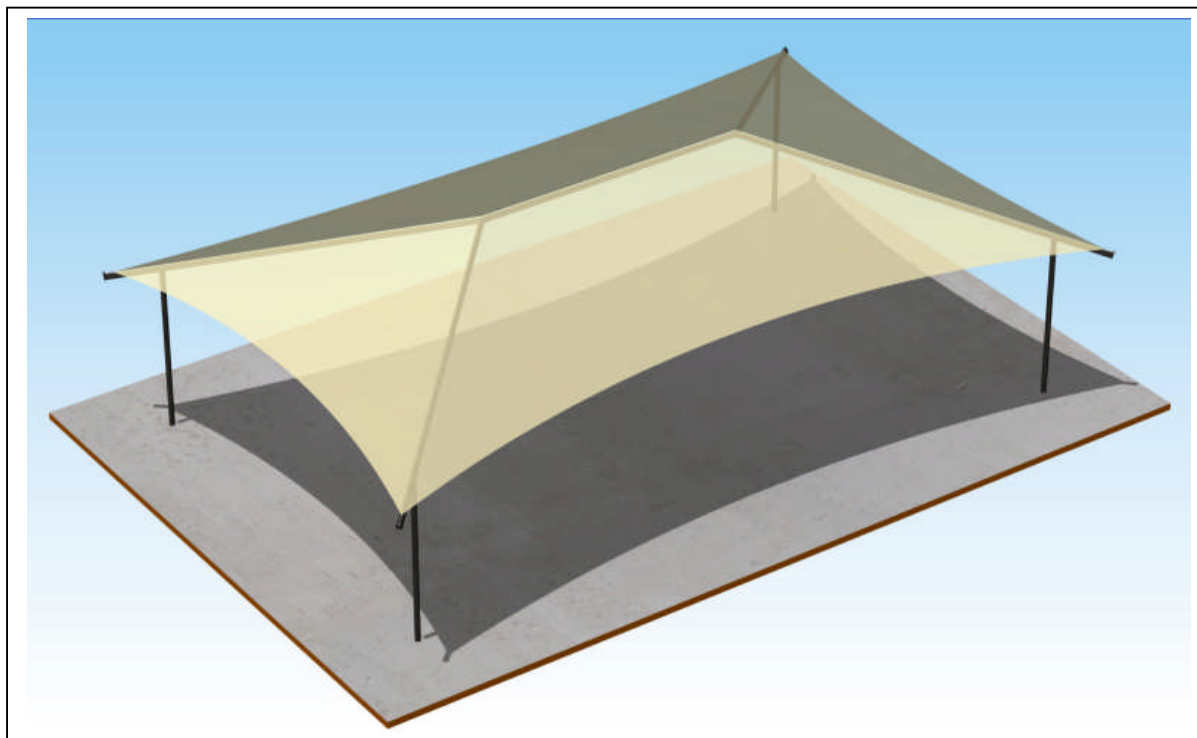
Author – MG Oliver, CEO, 3 August 2009 Interest – Nil

BACKGROUND

A part project for year 1 of the Royalty for Regions funding is to construct a shade shelter over the playground equipment on the north side of the grandstand at Donnan Park.

Quotes have been sourced from A-Shade of Northam for several different designs. The designs incorporate powder coated steel with an extra heavy duty commercial shade mesh cover. The steel is pre-galvanised. The shade mesh provides up to 98% UV block and has a 10 year UV warranty/15 year warranty.

With dimensions of approximately 10.9m x 9m x 3.2m eave height, the 4 post design is quoted at \$12,260 (excluding GST and including erection).



COMMENT

This design (AE Series) has a build in eve – which would assist in the prevention of the roof being used as a trampoline.

Colour samples of the shade mesh and powder coating are on hand for selection.

FINANCIAL IMPLICATIONS

Provision of \$15,000 has been included in the draft 2009/10 Budget – Account E16800*.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the quote from A-Shade for the AE Series design (\$12,260 ex GST) be accepted and a preferred colour be selected.

Simple Majority Required

MIN 139 /09 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 5/0

11.7 Donnan Park – Seating (ASS-1076)

Author – MG Oliver, CEO, 10 August 2009 Interest – Nil

PREVIOUS REFERENCE

Items 11.4 – 19 February 2009, 11.5 – 21 May 2009, 11.8 – 18 June 2009 and 11.5 – 15 July 2009 refer.

BACKGROUND

Council resolved in February 2009 that as part of the priorities for the first year's Royalties for Regions funding be Donnan Park (refurbish grandstand, extend concrete path the full length at the same level, home change room carpet, repaint all change rooms, shade over playground) (\$70,000).

Following the Property Inspection on 15 April 2009, Council resolved that Staff be requested to provide an estimate to replace all the seating in front of the changerooms and pavilion and in the grandstand.

In June 2009 Council was advised that 112m of seating is involved (79m in the grandstand and 33m in front of the pavilion and changerooms) and of a proposal to replace the woodwork on the seats with C section steel (2 piece to create a slight curve). Along with various other works, an estimate of \$7,100 was provided. Council expressed concern regarding temperature issues of steel and resolved that the item lay on the table to allow a separate costing using wood and also re-cycled plastic for the seating.

In July 2009 Council resolved that the timber on the existing seats in the grandstand be refurbished and further information be provided on options for seating in front of the pavilion and changerooms.

Mr Alcock has indicated that to supply and install new seating in front of the Pavilion and change rooms, with new galvanised frames and recycled plastic slats, would cost \$5,500.

This compared with \$8,800 to use pre-constructed seating (where there was concern regarding the height).

COMMENT

There is some 33m along the front of the pavilion and changerooms with currently 22.3m of seating in various configurations.

FINANCIAL IMPLICATIONS

Royalty for Regions funding.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Our Community Item 1(a) provided for the refurbishment of the grandstand.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the existing seats in front of the Pavilion and changerooms be replaced with new galvanised frame and recycled plastic slats seating at an estimated cost of \$5,500 (plus GST) from Royalties for Regions funding.

Simple Majority Required

MIN 140 /09 MOTION – Moved Cr B Stokes 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 5/0

11.8 Donnan Park – Grandstand (ASS-1076)

Author – MG Oliver, CEO, 10 August 2009 Interest – Nil

PREVIOUS REFERENCE

Item 11.5 – 15 July 2009 refers.

BACKGROUND

Council resolved in February 2009 that as part of the priorities for the first year's Royalties for Regions funding be Donnan Park (refurbish grandstand, extend concrete path the full length at the same level, home change room carpet, repaint all change rooms, shade over playground) (\$70,000).

Following the Property Inspection on 15 April 2009, Council resolved that Staff be requested to replace the rusted out lower sections of the sheeting on the back of the grandstand.

Mr Alcock has indicated has attempted to carry out this work, cutting out a small section of rusted iron, and found the process will not leave any anchor point for the replacement sheets and that the replacement sheets will not tie into the old sheeting.

An estimate of \$5,650 has been provided to replace (reclad) the iron on the side walls and back wall of the grandstand, including new galvanised purloins to the bottom.

COMMENT

Work has been stopped whilst Council considers this change in direction.

FINANCIAL IMPLICATIONS

Provision has been included in the draft 2009/10 Budget using the Royalty for Regions funding (Account E11301*).

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC PLAN IMPLICATIONS

Our Community Item 1(a) provided for the refurbishment of the grandstand.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the pavilion be reclad at an estimated cost of \$5,650 (plus GST) from Royalties for Regions funding.

Simple Majority Required

MIN 141 /09 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

11.9 2009/10 Budget Rating Parameters (FIN-04)

Author – MG Oliver, CEO, 3 August 2009 Interest – Nil

BACKGROUND

Council can offer to their ratepayers the option to pay their rates by 4 equal, or nearly equal, instalments a minimum of 2 months apart or such other method of payment by instalments as is set in Council's Budget. The first instalment of any instalment plan becomes due and payable on the same date those rates paid by a single payment become due and payable. Council is still able to offer incentives and discounts to ratepayers who pay their rates in full early (by the first instalment date). One payment (with discount) or 4 instalments were the options for 2006/07, 2007/08 and 2008/09.

Council is able to charge an interest and administration charge to offset the loss of investment opportunity and the cost of new administrative requirements. This is not to be confused with penalty interest, which can be applied to any instalment not paid by the due date. The maximum rate of interest is 6.5% - which was the percentage for 2006/07, 2007/08 and 2008/09.

Interest on late payments will accrue 3 months after the date of issue of the rate notice if no election is made to pay by instalments. Where an election has been made to pay by instalments, interest will accrue from the day after an instalment is due and payable until the day before the instalment is paid but will apply only to the amount of the overdue instalment. The maximum rate of interest is 11% – which was the percentage for 2006/07, 2007/08 and 2008/09. \$10 administrative charge per instalment and 5.5% interest were set in 2006/07, 2007/08 and 2008/09.

Council is able to charge the full or partial cost of the administration related to instalment plans without intent to profit from the administration charges adopted.

Payment by instalments is not available if, at the date for payment of the first instalment, there are arrears. Payment by instalments is not available if the total current rate amount is less than \$200.

Council is able to grant a discount or other incentive for the early payment of rates. 5% was allowed in 2006/07, 2007/08 and 2008/09.

COMMENT

FESA has set the 2009/10 Emergency Services Levy charges and parameters as follows:

Category 4	\$0.0043 cents in the dollar (GRV properties) with minimum charge of \$43 and maximum charge of \$45,000.
Category 5	\$43.00 flat charge (UV properties)
Penalty interest	11% pa

Two accommodation package prizes for the Early Payment of Rates competition have been provided – by the Esplanade Hotel Fremantle and Seasons, Pier St, Perth.

FINANCIAL IMPLICATIONS

2009/2010 Budget.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Section 6.45 of the *Local Government Act* provides that:

- (1) a rate or service charge ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by –
 - (a) 4 equal or nearly equal instalments; or
 - (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a re-assessment of rates under section 6.40 the person to whom the notice is give may pay the rate or service charge –
 - (a) By a single payment; or
 - (b) By such instalments as are remaining under subsection (1) (a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) Regulations may –
 - (a) Provide for the manner of making an election to pay by instalments under subsection (1) or (2);
 - (b) Prescribe circumstances in which payments may or may not be by instalments;
 - (c) Prohibit or regulate any matters relating to payments by instalments;
 - (d) Provide for the time when, and manner in which, instalments are to be paid;
 - (e) Prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and
 - (f) Provide for any other matter relating to the payment of rates or service charges.

Section 6.46 provides that subject to the *Rates and Charges (Rebates and Deferments) Act*, a local government may, when imposing a rate or service charge, resolve (by absolute majority) to grant a discount or other incentive for the early payment of any rate or service charge.

Section 6.50 provides that:

- (1) Subject to —
 - (a) subsections (2) and (3);
 - (b) any concession granted under section 6.47; and
 - (c) the Rates and Charges (Rebates and Deferments) Act 1992,a rate or service charge becomes due and payable on such date as is determined by the local government.
- (2) The date determined by a local government under subsection (1) is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued.
- (3) Where a person elects to pay a rate or service charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.

Section 6.51 provides:

- (1) A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on —
 - (a) a rate or service charge (or any instalment of a rate or service charge); and
 - (b) any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.* Absolute majority required.
- (2) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.
- (3) Accrued interest is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) If a person is entitled under the Rates and Charges (Rebates and Deferments) Act 1992 or under this Act (if the local government in a particular case so resolves) to a rebate or deferment in respect of a rate or service charge —
 - (a) no interest is to accrue in respect of that rate or service charge payable by that person; and
 - (b) no additional charge is to be imposed under section 6.45(3) on that person.
- (5) Regulations may provide for the method of calculation of interest.

Regulation 59 of the *Local Government (Financial Management) Regulations* provides that payment may not be made by instalments if the total amount shown in the rate notice as being payable to the local government for rates, service charges or minimum payments, other than amounts remaining unpaid from a previous financial year, is less than \$200.

Regulation 64 of the *Local Government (Financial Management) Regulations* provides that:

- (1) The due date for payment of the first instalment is to be the date a rate or service charge is due and payable if the payment is to be by a single payment.
- (2) When adopting its annual budget the local government is to determine, in accordance with the Act, the due date for payment of instalments after the first instalment.
- (3) In respect of the 4 instalment option referred to in section 6.45(1)(a), if the local government does not determine the due date for payment of instalments after the first instalment in accordance with subregulation (2) the due date of each of those instalments is at intervals of 3 months from the due date of the first instalment.

Regulation 68 of the *Local Government (Financial Management) Regulations* provides that the maximum rate of interest to be imposed for instalments under section 6.45(3) is prescribed as 5.5%.

Regulation 70 of the *Local Government (Financial Management) Regulations* provides that the maximum rate of interest on overdue rates and service charges under 6.51(1) is prescribed as 11%.

STAFF RECOMMENDATIONS

That for the 2009/2010 rate notices, rate payment options be:

- Option A One Payment due 35 days from issue of the rate notice with 5% discount; or
Option B If the sum of the rate levy, service charges or minimum payments is greater than \$200, four equal instalments due 35 days (29 September 2009), 94 days (27 November 2009), 155 days (27 January 2010) and 216 days (29 March 2010) from the issue of the rate notice (25 August 2009) with interest of 5.5% (not fore entitled pensioners) and a \$10 administration charge for instalments 2, 3 and 4. Further, any rubbish charge be included in the instalment without interest or penalty interest.

and that late payment penalty interest be levied at 11%.

Absolute majority required

MIN 142/09 MOTION – Moved Cr Caffell 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

That entry into the Early Payment of Rates competition be offered to ratepayers for the full payment of rates and charges within 35 days of issue (25 August 2009) and that the draw be conducted at the October Ordinary Council meeting following the close of the competition (29 September 2009).

Simple majority required

MIN 143/09 MOTION – Moved Cr Caffell 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

Cr Wheeldon declared an interest in Item 11.10 (Bowling Club and CWA) and left the Chamber at 5.15 pm

Cr B Stokes declared an interest in Item 11.10 (Bowling Club) resulting in the lack of a quorum for consideration of the Bowling Club. The issue of the Bowling Club was extracted from the recommendations (for consideration in September 2009) to allow the Budget to be resolved.

11.10 2009/10 Budget (FIN-04)

Author – MG Oliver, CEO, 3 August 2009 Interest – Nil

BACKGROUND

Council is to adopt a Budget each financial year prior to 31 August (unless the Minister provides otherwise).

COMMENT

A draft Budget for 2009/10 has been provided to Councillors for consideration. The draft Budget document includes:

- Budget Notes – a text description of the allocations – on light blue paper
- Programs/Schedules – values of allocations in traditional format – on buff paper
- Royalties for Regions & RLCIP grant funds summary – on pink paper
- Roadworks Program – on pink paper
- Reserve Funds – on pink paper
- Rates Modelling – on yellow paper

The significant Cash opening balance is \$746,917 (shown on page 1 of the Programs/Schedules) is distorted by unusual grants:

- | | |
|---|-----------|
| • Year 1 Royalties for Regions funding unspent | \$271,714 |
| • RLCIP funding unspent | \$49,598 |
| • 2009/10 Financial Assistance Grants paid in advance | \$187,300 |

The balance of funds has resulted from a multitude of variances.

It is noted that following the revaluations this year:

- UVs (revalued annually) increased 76.1% from \$34,866,300 to \$61,390,607; and
- GRVs (revalued in 2007/08 – 5 yearly) increased 0.5% from \$414,246 to \$416,115.

As a result, a zero change in rate levies would require a rate in the dollar of:

- UVs – 0.9168 cents (down from 1.5173 cents); and
- GRVs – 13.3558 cents (up from 12.6 cents).

The calculation of these base figures is shown in the rates modelling.

For the purpose of the draft Budget – a nominal 3% rate increase with the minimum set at \$350 has been included (shown on yellow) and also on page 14 of the Budget Notes (light blue).

Reference is also made to WALGA's *Local Government Cost Index* (effectively a CPI or rate of inflation for changes in costs to Councils) which to 30 June 2009 was 1.3%.

A Roadworks Program has been developed essentially based on the items referred from the roads inspection of 21 April 2009.

Provision has been included for all of the relevant items deleted from the 2008/09 Budget.

The draft Budget does not provide for:

- any transfer to Reserves (other than Reserve Funds investment interest).
- any sealing of town streets.
- Year 2 Royalties for Regions regional component grant or project expenditure (\$198,040).
- Year 2 RLCIP grant or expenditure – reported to be \$30,000.

The Plant Replacement Program from the Plan for the Future provides for the replacement of the Mitsubishi FV458 truck and the Holden Rodeo Crew Cab in 2009/10. The Holden Rodeo Crew Cab was replaced in late 2008/09 (after being written off). If all is in balance an amount equal to the Asset Register depreciation for plant & equipment (estimated \$81,240) which should equal Allocations depreciation (estimated \$52,156) should be transferred to the Plant Replacement Reserve. The draft Budget provides for the purchase of the 6 wheeler truck (\$210,000 – net \$195,000) from Operating funds – see page 3 of the Budget Notes.

Whilst Council has previously resolved (11 February 2004) to transfer \$8,400 per year to the Aged Pensioner Units Reserve, the Tamma Village expenditure exceeds income - including \$12,500 of non-recurrent expenditure.

The draft Budget, as presented, has a projected cash surplus as at 30 June 2010 of \$207,462. It is desirable that this figure be reduced to around \$80,000 – to provide operating funds between 30 June 2010 and the 2010/11 rate income stream. Effectively, this requires additional projects of approximately \$127,500 to be found.

FINANCIAL IMPLICATIONS

2009/2010 Budget.

POLICY IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 6.2 of the *Local Government Act* provides that:

- (1) Not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for principal activities accepted by a local government under section 5.58 and to prepare a detailed estimate for the current year of –
 - a. the expenditure by the local government;
 - b. the revenue and income, independent of general rates, of the local government; and
 - c. the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2) (a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate –
 - a. Particulars of the estimated expenditure proposed to be incurred by the local government
 - b. Detailed information relating to the rates and service charges which will apply to land within the district including –
 - i the amount it is estimated will be yielded by the general rate; and
 - ii the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
 - c. the fees and charges proposed to be imposed by the local government;
 - d. the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - e. details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
 - f. particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
 - g. such other matters as are prescribed
- (5) Regulations may provide for –
 - a. The form of the annual budget;
 - b. The contents of the annual budget; and
 - c. The information to be contained in or to accompany the annual budget.

Section 6.11 provides:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government –
 - (a) changes the purpose of a reserve account; or
 - (b) uses the money in a reserve account for another purpose,it must give one month's local public notice of the proposed change of purpose or proposed use.
- (3) A local government is not required to give local public notice under subsection (2) –
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Section 6.34 provides that unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

Regulation 32 of the *Local Government (Financial Management) Regulations* provides that a local government may exclude from the calculation of the budget deficiency (6.2(3)) —

- (a) money borrowed or to be borrowed, to the extent that it is proposed in the annual budget to remain unspent at the end of the financial year;
- (b) reserves, to the extent that they are proposed in the annual budget to remain unspent at the end of the financial year;
- (c) in relation to a land transaction or trading undertaking, assets and liabilities, to the extent to which they are proposed in the annual budget to remain restricted to the purposes of the land transaction or trading undertaking at the end of the financial year;
- (d) any proposed amounts of depreciation of non-current assets;
- (e) assets from grants or gifts or non-cash revenue or expenditure;
- (f) current liabilities which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain uncleared at the end of the financial year; and
- (g) any other current assets which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain unused at the end of the financial year.

Section 6.35 provides:

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
 - (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

Section 6.47 provides that subject to the *Rates and Charges (Rebates and Deferments) Act*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

STAFF RECOMMENDATIONS

That a rubbish removal service charge of \$125 be adopted for 2009/10 with:

- 50% discount to entitled pensioners and the Tammin CWA; and
- no charge being raised against Shire of Tammin properties, the Tammin Bowling Club (3 services) and the Tammin Golf Club (1 service).

Absolute Majority Required

MIN 144/09 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That a rubbish removal service charge of \$125 be adopted for 2009/10 with:

- 50% discount to entitled pensioners and the Tammin CWA; and
- no charge being raised against Shire of Tammin properties (the Tammin Golf Club - 1 service).

CARRIED BY AN ABSOLUTE MAJORITY 4/0

That pursuant to section 6.47 of the *Local Government Act*, and in keeping with past years, the 2009/10 rates on the following properties be waived to encourage these community organisations:

- Assessment 347 – Lots 33 & 34 Walston Street – Tammin CWA
- Assessment 1064 – Lot 153 Station Rd – Tammin Bowling Club
- Assessment 1164 – Reserve 21156 Yorkrakine Rd – Tammin Golf Club

Absolute Majority Required

MIN 145/09 MOTION – Moved Cr B Stokes 2nd Cr Caffell

That pursuant to section 6.47 of the Local Government Act, and in keeping with past years, the 2009/10 rates on the following properties be waived to encourage these community organisations:

- Assessment 347 – Lots 33 & 34 Walston Street – Tammin CWA
- Assessment 1164 – Reserve 21156 Yorkrakine Rd – Tammin Golf Club

CARRIED BY AN ABSOLUTE MAJORITY 4/0

Cr Wheeldon entered the Chamber at 5.18 pm.

That the Gross Rental Valuations of \$416,115 and Unimproved Valuations of \$61,390,607 be adopted for the 2009/10 Budget.

Simple Majority Required

MIN 146/09 MOTION – Moved Cr B Stokes 2nd Cr Caffell

That the Staff Recommendation be adopted.

CARRIED 5/0

That pursuant regulation 23 of the *Local Government (Financial Management) Regulations*, for the 2009/10 Budget, the:

- UV rate in the dollar be set at ___ cents; and
- GRV rate in the dollar be set at ___ cents;
- minimum rate per assessment be set at \$___ for both UV and GRV assessments.

Absolute Majority Required

MIN 147/09 MOTION – Moved Cr Greenwood 2nd Cr B Stokes

That pursuant regulation 23 of the Local Government (Financial Management) Regulations, for the 2009/10 Budget, the:

- UV rate in the dollar be set at 0.9443 cents; and
- GRV rate in the dollar be set at 13.7565 cents;
- minimum rate per assessment be set at \$350 for both UV and GRV assessments.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

That the draft 2009/2010 Budget be adopted.

Simple Majority Required

MIN 148 /09 MOTION – Moved Cr B Stokes 2nd Cr Caffell

That the draft 2009/2010 Budget, with the inclusion of additional roadworks provision of \$127,500 (with further information to be provided to the September 2009 Ordinary Council meeting) be adopted.

CARRIED 5/0

That in accordance with section 34(5) of the *Local Government (Financial Management) Regulations* a variance percentage of 10% and \$5,000 be adopted for reporting material variances in 2009/10.

Simple Majority Required

MIN 149 /09 MOTION – Moved Cr Wheeldon 2nd Cr Greenwood

That the Staff Recommendation be adopted.

CARRIED 5/0

11.11 Gravel Royalty (ENG-32)

Author – MG Oliver, CEO, 3 August 2009 Interest – Nil

PREVIOUS REFERENCE

Items 11.3 – 23 August 2007 and 11.2 – 20 September 2007 refer.

BACKGROUND

The Shire of Tammin currently pays a gravel royalty of 75 cents per cubic meter (inc GST).

This royalty rate was set in August 2008 following a review in line with the movement in rate levies.

COMMENT

The supply of gravel is essential for roadworks.

FINANCIAL IMPLICATIONS

2009/10 Budget.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the gravel royalty rate be increased to by the rate increase percentage (rounded) effective 1 September 2009.

Simple Majority Required

MIN 150 /09 MOTION – Moved Cr Greenwood 2nd Cr Caffell

That the gravel royalty rate be increased to 80 cents (inc GST) effective 1 September 2009.

CARRIED 5/0

Item 11.12 was considered after Item 11.4

11.12 Local Government Amalgamations (PROP-00)

Author – MG Oliver, CEO, 19 June 2009 Interest – Nil

PREVIOUS REFERENCE

Items 5.1 – 11 February 2009, 12.1 – 19 February 2009, 11.1 – 19 March 2009, 10.5 – 30 March 2009, 11.4 – 21 May 2009, 11.5 – 18 June 2009 and 11.4 – 15 July 2009 refer.

BACKGROUND

On 5 February, 2009 Mr Castrilli, the Minister for Local Government and Regional Development, publicly announced strategies for local government reform based on a voluntary reduction in the number of individual councils. Specifically, the Minister invited each of the 139 WA Councils to embrace this opportunity to voluntarily amalgamate and to voluntarily reduce the total number of elected members for each council. Also, to advise him of its clear intentions for amalgamations and reductions in the total number of elected members and to form appropriate regional groupings of councils to assist with the efficient delivery of their services in line with proposed grants to local government, under the recently announced Country Local Government Fund.

Mr Castrilli made specific reference that there were 85 local councils in WA serving populations of less than 2,000 people and more than 50 councils had representation ratios of one councillor to less than 100 electors and this ratio fell as low as one to 20.

The Local Government Reform Steering Committee has issued Bulletins which request local governments to assess their position through a recommended decision making process along with key criteria to be considered and provide a response to the Minister by 31 August 2009.

The timeframe has been set out as (**with Tammin's current position**):

Stage 1	*	Complete the reform checklist.	Complete
March/April 2009	*	Initial exploratory meeting to confirm local government amalgamation grouping is appropriate.	Complete
	*	Determine suitable partners for amalgamation.	Decision required
	*	Consideration of the reduction in the number of elected members.	None required
	*	Consideration of skill sets for the establishment of a project team to coordinate local government's reform process.	Team established
	*	Forward completed checklist to the Local Government Reform Steering Committee by 30 April 2009.	Forwarded
Stage 2	*	Project team established.	Team Established
April/May 2009	*	Project team meets as required to determine preferred amalgamation structure.	Required
	*	Project team to determine appropriate elected member representation and methods for ensuring appropriate community representation.	No change required
	*	Project team to consider local government regional grouping.	Required
	*	Seek State Government funding assistance as necessary for preparing Reform Submissions.	SEAVROC
	*	If required, consultant/facilitator engaged.	Tony Cooke

	* Community consultation undertaken within each affected local government and comments recorded.	Required
Stage 3	* Project team develops Reform Submission to include:	
May/June 2009	* preferred amalgamation structure or other types of boundary adjustments;	Required
	* number of elected members and / or regional grouping; and	Required
	* transition timeline, including timeframe and estimated additional transition costs.	Required
Stage 4		
June/July 2009	* Project team finalises Reform Submission and circulates to affected local governments.	Required
	* Each council passes a resolution to proceed based on the findings of the submission.	Required
	* Each council agrees to identify a date the amalgamation is to take effect.	Required
	* Each council is to agree to a date at which elected member numbers will be reduced.	Required
Stage 5		
August 2009	* Local governments forward the Reform Submission to the Minister for Local Government by 31 August 2009.	Required
Stage 6	* Minister provides Reform Submission to Local Government Reform Steering Committee for assessment.	
	* Steering Committee assesses Reform Submissions and seeks further information if needed.	
	* Steering Committee provides advice to Minister on preferred option for reform.	
Stage 7	* Finalised proposals referred to the Local Government Advisory Board for consideration and recommendation.	

Any resultant local government will need to have a demonstrated capacity in the following areas:

- long term strategic planning;
- detailed asset and infrastructure management planning;
- future financial viability and planning;
- equitable governance and community representation;
- proficient organisational capacity;
- effective political and community advocacy for service delivery;
- understanding of and planning for demographic change;
- effective management of natural resources;
- optimal community of interest; and
- optimal service delivery to community.

The Committee recommends that consideration be given to the Local Government Advisory Board criteria for amalgamation, with particular emphasis on the first four.

1. Community of interest

Similarity in the characteristics of the residents of a community and economic activities

Key considerations:

- Mechanisms introduced to ensure local identity and community representation is maintained under the new structure created;
- Communities of shared interests and facilities;
- Location of commercial and social infrastructure to create sustainable centres; and
- Regional matters of interest.

2. Local government viability

Local governments to have adequate financial capacity

Key considerations:

- Capacity to efficiently and effectively exercise its proper functions and delegated powers to operate its facilities and services to an appropriate standard;
- Sufficient and diverse rate base to facilitate community and economic growth;
- Capacity to fund current and future service and infrastructure obligations;
- Ability to attract and retain appropriate professional expertise and skills to deliver local government services in a timely manner;
- Organisational capacity to undertake financial and strategic planning; and
- Appropriate community interest in providing breadth and diversity to the composition of a local government council.

3. Effective delivery of local government services

Capacity to meet community expectations

Key considerations:

- Capacity to fund existing and future service and infrastructure obligations;
- Governance and administrative mechanisms to review and refine service provision to ensure effective service delivery;
- Revenue generation to meet operating demands and provide funds to maintain community assets; and
- Financial planning to respond to impacts of cost shifting.

4. Financial assessment

Capacity to increase financial resources and derive long term cost efficiencies

Key considerations:

- Combined costs, asset evaluation and improved financial efficiencies;
- Revenue and expenditure of combined local governments; and
- Indicative savings expected from the proposal and ways the savings can be used to benefit the community.

5. Economic factors

Characteristics of economic factors and resources in the area

Key considerations:

- Industries within the local area;
- Distribution of community assets;
- Diversification of business mix; and
- Infrastructure and asset maintenance.

6. Demographic trends

Appropriate planning for current and projected population characteristics

Key considerations:

- Population forecasts, including assessment of immigration and interstate and intrastate migration and implications for local human capital;
- Demographic composition; and
- Classification of high growth and low growth areas.

7. Transport and communication

Identifiable transport linkages to support connectivity between regions

Key considerations:

- Neighbouring towns' road and rail infrastructure;
- Telecommunication infrastructure; and
- Port access.

8. History of the area

Historical Community ties

Key considerations:

- Historical links between neighbouring communities in adjacent local governments.

9. Physical and topographic features

Structures and boundaries to facilitate the integration of human activity and common land use

Key considerations:

- Catchment boundaries;
- Water features; and
- Coastal plain and foothills.

The Steering Committee has suggested that the following criteria for amalgamation, with emphasis on the first four:

1. Community of interest - Similarity in the characteristics of the residents of a community and economic activities.
2. Local government viability - Local governments to have adequate financial capacity.
3. Effective delivery of local government services - Capacity to meet community expectations.
4. Financial assessment - Capacity to increase financial resources and derive long term cost efficiencies.
5. Economic factors - Characteristics of economic factors and resources in the area.
6. Demographic trends - Appropriate planning for current and projected population characteristics.
7. Transport and communication - Identifiable transport linkages to support connectivity between regions.
8. History of the area - Historical Community ties.
9. Physical and topographic features - Structures and boundaries to facilitate the integration of human activity and common land use.

The Department of Local Government and Regional Development has assessed the Checklist submitted in April, indicating that the assessment places local governments into one of three categories:

Category One: evidence indicates that there is existing organisational and financial capacity to meet current and future community needs. Local governments may still consider reform opportunities which enhance service provision to local and regional communities.

Category Two: structural reform including amalgamation/boundary adjustments and formalisation of regional groupings should be considered to enhance organisational and financial capacity to meet current and future community needs.

Category Three: significant structural reform including amalgamation and formalisation of regional groupings is required to ensure long term community and organisational benefit in order that the needs of the current and future generations are met.

Further, that on the basis of the checklists assessment, the Shire of Tammin was placed in Category Two: "structural reform including amalgamation/boundary adjustments and formalisation of regional groupings should be considered to enhance organisational and financial capacity to meet current and future community needs." The assessment of the Shire of Tammin's checklist and associated documents identified some key strengths, in particular:

- detailed strategic planning;
- ability to meet building and development applications and statutory reporting requirements within the timeframe provided;
- planning for demographic change and environmental management; and opportunities have been identified for working regionally with neighbouring local governments.

Whilst the checklist and attached documents demonstrate the Shire's ability to respond to customer needs and partnership opportunities, areas where improvements are required were identified in relation to:

- limited long term financial management planning, which may potentially undermine the capacity to implement the strategic plan into the future;
- limited evidence that the Shire has commenced a structured asset and infrastructure planning management program such as the Western Australian Asset and Infrastructure program or the Institute of Public Works Engineering
- Australia;
- limited evidence of an attraction and retention strategy in place to build organisational capability, or a strategic approach for staff to undertake professional training and development opportunities;
- limited evidence provided of a formal consultation strategy in place to effectively engage with the community in the Shire's future planning processes;
- limited examples provided to demonstrated effective partnerships have been brokered with private industry and/or the State and Commonwealth Government to strengthen local investment and the provision of services; and
- limited evidence to substantiate that long term financial future planning is in place to provide for optimal service delivery should the needs and expectations of the community increase into the future.

The Minister for Local Government has advised that where amalgamations take place, local governments:

- will be able to establish a system of wards based on the boundaries of the former local governments; and
- can choose to allocate elected members so that each ward has at least one elected member, even if this does not comply with the one-vote one-value policy of the Local Government Advisory Board.

Further, that these arrangements may exist for a limited period.

Also, urging local governments to use their completed checklist to assess how capacity gaps may be able to be overcome through amalgamations and how the delivery of services to communities can best be enhanced through structural reform.

Further, pointing out that assessments need to be undertaken in an open and transparent manner to ensure the members of the community are provided with sufficient information to enable them to form an informed view on the advantages and disadvantages of reform.

On 6 July 2009 Mr Tony Brown from WALGA conducted the workshop for Councillors. Following that workshop, a funding application was made to the Department of Local Government and Regional Development for \$10,000 to employ a consultant to prepare the Shire of Tammin's submission to the Minister – due 31 August 2009 – should this be the direction Council wishes to pursue. At WALGA's recommendation, Mr Tony Cooke was the named consultant in the application. SEAVROC has been advised of this submission.

On the 14 July 2009 the Minister addressed the GECZ meeting in Tammin on structural reform followed by a public forum in Kellerberrin in the afternoon.

On 15 July 2009 Councillors considered that amalgamation should occur with two other local governments and noted the following points:

- Each existing local government should form a Ward in the new local government.
- The number of Councillors in the new local government should be 9 with 3 from each Ward.
- Repayment of existing loan debts should be quarantined to the respective Ward.
- Existing grants including Grants Commission, Royalties for Regions allocations, Roads to Recovery and Regional Road Group should be quarantined to the respective Ward.
- Existing Reserve funds should be quarantined to the respective Ward.
- Existing roads network condition (aging bitumen network) should be assessed.
- Existing road programs should be maintained.
- Community and sporting groups support should continue.
- Fees structure will need consideration.
- Specified area rating for specific Ward expenditure should be used.
- Existing assets e.g. ovals, halls, depots, Kadjininy Kep, Tamma Village, library etc should continue.
- Existing depots should continue as service depots for each Ward.
- Existing Offices should continue to provide an Office front and access to senior staff needs to be resolved.
- Existing number plates should be maintained.
- The cost of amalgamation, including new facilities – Offices, Depots, IT, financial systems, town planning schemes and local laws – should be borne by the State Government. Any shortfall should be borne equally by the 3 Wards.
- Regional grouping will need to be considered.
- Checklists of the 3 existing local governments need to be compare to identify how gaps can be filled through amalgamation.
- Existing workplace cultures and agreements will need to be considered.

On 17 July 2009 the Department conducted a structural reform workshop in Quairading.

On 22 July 2009 Council held a workshop with Tony Cooke on the issue of amalgamation and discussed optional sizes.

On 12 August 2009 WALGA advised that a request to the Minister to extend the submission time to the end of September had been successful.

On 13 August 2009 Council held a Public meeting to receive the views of the community.

The Shire of York's draft submission indicates a preference for SEAVROC plus Tammin becoming a corporate entity based on the SA Subsidiary Model as a precursor to future amalgamations of all or parts of the member local governments with an operational timeframe of up to 8 years and the same members being the Regional Grouping.

COMMENT

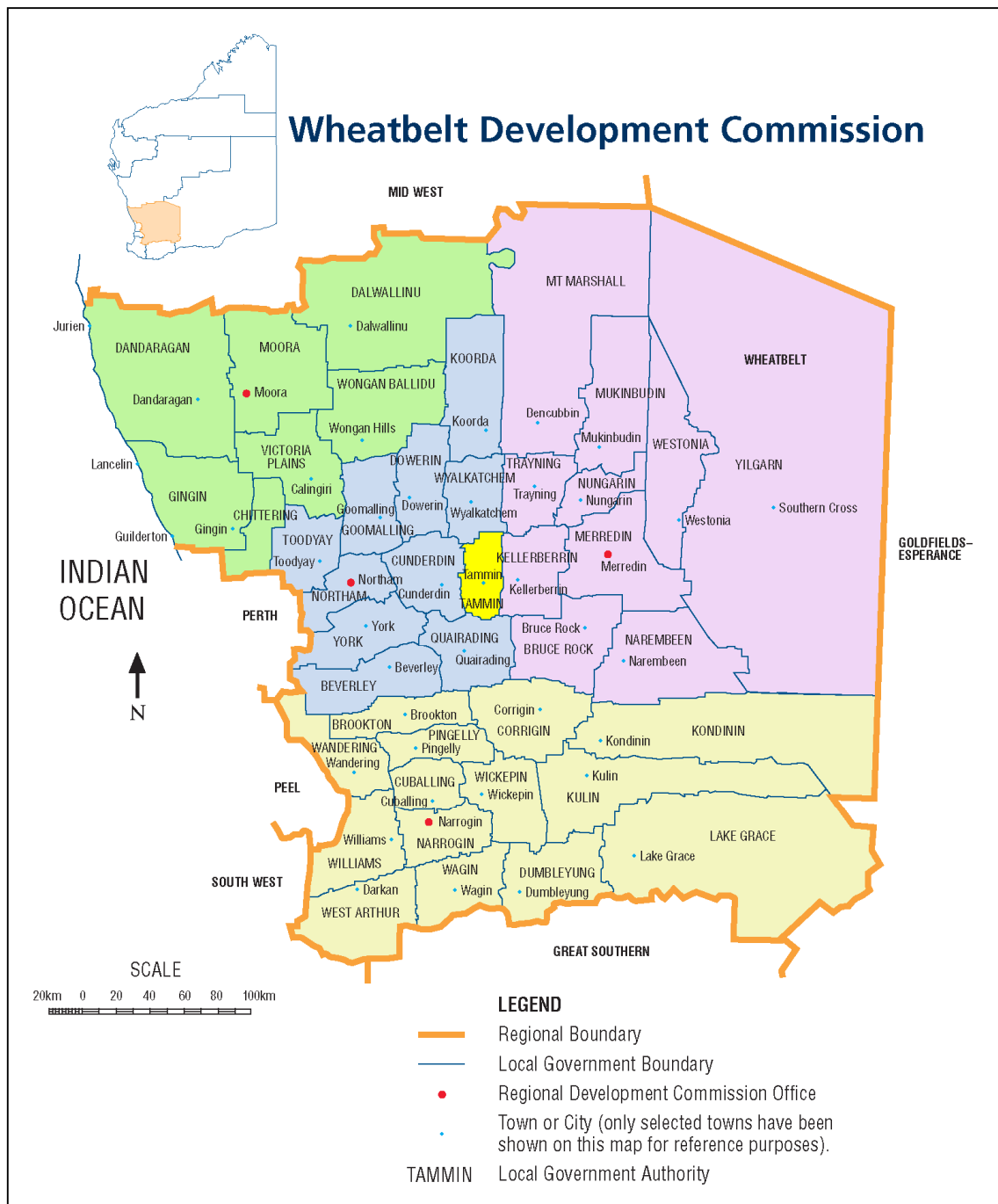
The process places the obligation to consult with the community, consult with amalgamation partners, make a decision on reform and if appropriate, to request amalgamation with other individual local governments. Being a voluntary process, the ultimate responsibility for the decision is Councils.

Whilst the Minister has referred to a population of 2,000, the Committee encourages local governments to consider the largest combination of councils in the first instance. Once identified, an initial exploratory meeting should be undertaken to confirm whether the proposed grouping of local governments is appropriate.

Statistics for the Shire of Tammin's regional neighbours:

	Tammin	Cunderdin	Quairading	York	Beverley	Kellerberrin
Population	450	1,490	1,022	3,662	1,625	1,165
Area	1,087	1,872	2,000	2,010	2,310	1,852
Sealed Roads	168	376	288	255	241	229
Unsealed	715	466	654	480	516	710
Electors	305	895	750	2,544	701	880
Dwellings	220	575	500	1,375	740	570
Rates	\$588,187	\$1,192,145	\$1,147,556	\$2,963,081	\$1,895,802	\$950,179
Revenue	\$2,224,848	\$3,314,122	\$2,316,653	\$6,213,694	\$3,953,158	\$3,305,080
Employees	13	21	26	37	25	25

Shown is the Wheatbelt Development Commission (State Government Agency) vision for Regions.



FINANCIAL IMPLICATIONS

Significant but unknown.

POLICY IMPLICATIONS

Significant but unknown.

STATUTORY ENVIRONMENT

The Local Government Act would need to be overridden (new legislation) for the Government to force amalgamations.

STRATEGIC PLAN IMPLICATIONS

Nil

FUTURE PLAN IMPLICATIONS

Significant but unknown.

COMMUNITY CONSULTATION

Shire Notes in the Tammin Tabloid have alerted the community.

STAFF RECOMMENDATION

That Council provide direction.

Simple Majority Required

MIN 151 /09 MOTION – Moved Cr B Stokes 2nd Cr Jefferies

That the Project Team and Tony Cooke meet with the Shire of Cunderdin and Quairading Project Teams when the Shire of Cunderdin and Quairading have explored their respective directions, to progress the required submission.

CARRIED 6/0

After Item 11.12 the Agenda was resumed at Item 11.5

11.13 Financial Report (FIN-05)

Author – JS Oliver, Senior Finance Officer, 11 August 2009 Interest – Nil

BACKGROUND

The Financial Report for 2009/10 to 31 July 2009 is attached.

COMMENT

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

FINANCIAL IMPLICATIONS

No significant implications.

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Regulation 34 of the *Local Government (Financial Management) Regulations* requires a Statement of Financial Activity to be prepared each month which is to contain the following details:

- (a) annual budget estimates;
- (b) budget estimates to the end of the month;
- (c) actual amount of expenditure and revenue;
- (d) material variances between comparable amounts in (b) and (c) above; and
- (e) the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).

The Statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;
- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the Financial Report for July 2009 be received.

Simple Majority Required

MIN 152/09 MOTION – Moved Cr Caffell 2nd Cr Wheeldon

That the Staff Recommendation be adopted.

CARRIED 5/0

11.14 List Of Payments (FIN-05)

Author – C Wilks, Administration Officer, 11 August 2009 Interest – Nil

BACKGROUND

Accounts paid and for payment for July 2009 are listed totalling:

Municipal Fund	Voucher numbers 2823 – 2900	\$467,060.77
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COMMENT

No abnormal expenditure has occurred.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Regulation 13 of the *Local Government (Financial Management) Regulations* provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;and
 - (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —
 - (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

FUTURE PLAN IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

STAFF RECOMMENDATION

That the list of accounts for July 2009 be endorsed.

Simple Majority Required

MIN 153 /09 MOTION – Moved Cr Caffell 2nd Cr B Stokes

That the Staff Recommendation be adopted.

CARRIED 5/0

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

Nil

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

Nil

14. CLOSURE OF MEETING

There being no further business the Chairman closed the meeting at 6.10 pm.

Tabled before the Ordinary Council meeting on 17 September 2009.

Cr R.J. Stokes, Chairman