

Minutes of the Shire of Tammin Ordinary Council meeting held at Council Chambers, 1 Donnan Street, Tammin, on Wednesday, 8 February 2006, commencing at 1:00pm

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

Cr Leslie declared the meeting open at 2.15pm.

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

**Present**

Cr B. Leslie	President (Presiding Person)
Cr L. Caffell	Deputy President
Cr M. Greenwood	Member
Cr S. Jefferies	Member

Mr M. Oliver	Chief Executive Officer
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**Visitors**

Peter King & Abun	Dept of Agriculture
Dave Dyer	
Bill Dixon	
Geoff Hocking	
Cathy Forsythe (from 2.52pm)	
Haydn Dixon (from 3.35pm)	Chief Bush Fire Control Officer

**Apologies**

Cr R. Stokes	Member
Cr M. Wheeldon	Member

**Leave of Absence**

Nil

**11.1.26 Vineyard Application Town Planning Refusal**

Mr Peter King addressed Council and Visitors on the issue of chemicals and vineyards, making reference to the document *Environmental Management Guidelines For Vineyards 2002* and the *Agriculture and Related Resources Protection (Spraying Restrictions) Regulations 1979*.

Messrs King, Abun, Dyer, Dixon, Hocking and Forsythe left the Chamber at 3.15pm.

Mr Haydn Dixon entered the Chamber at 3.35pm.

**11.1.9 Harvest Ban Policy**

Mr Dixon, Chief Bush Fire Control Officer, addressed Council on the appropriate wording for Harvest / Vehicle Movement Bans, recommending the existing wording *Ban Until Further Notice* continue to be used – as opposed to *Ban Be Reviewed At* or *Ban Lifted At XX.XX*. Further, that Tammin was using Index 32 as the trigger for bans.

Mr Dixon also spoke on the replacement of the FESA tender, proposed new tender shed, St Johns Ambulance lease agreement for the new tender shed and out of hours access to the Shire Office for activating bans. The future of the Shire of Tammin's old bush fire tender was also discussed.

Mr Dixon left the Chamber at 4.34pm.

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

Nil

**4. PUBLIC QUESTION TIME**

Nil

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6. FINANCIAL INTEREST**

Crs Leslie, Caffell and Greenwood declared an interest in Item 11.1.26 – Vineyard Application.

Cr Leslie declared an interest in Item 11.1.17 – Financial Report.

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

7.1 Ordinary Council meeting minutes – 7 December 2005

**MIN 1/06 MOTION - Moved Cr Caffell 2nd Cr Jefferies**

*That the minutes of the Ordinary Council meeting held on 7 December 2005 be confirmed as a true and correct record.*

CARRIED 4/0

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

8.1 An invitation has been extended to Mr Terry Little, FESA Regional Manager to attend and address Council in relation to Item 11.1.9.

8.2 An invitation has been extended to the Department of Agriculture to attend and address Council in relation to Item 11.1.26.

The CEO reported that Mr Glen Tunstead, FESA, who was to address Council on Item 11.1.9, had indicated he would not be attending.

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

Nil

**10. REPORTS OF COMMITTEES/COUNCILLORS**

**11. AGENDA ITEMS**

**11.1 CORPORATE SERVICES**

<b>Agenda Reference:</b>	11.1.1
<b>Subject:</b>	Central Wheatbelt Health Scheme
<b>Location:</b>	Tammin
<b>Applicant:</b>	Shire of Bruce Rock
<b>File Ref:</b>	ENVH-00
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	17 November 2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

**BACKGROUND**

Correspondence from the Shire of Bruce Rock noting that the current Scheme is not formalised nor approved by the Executive Director, Public Health and forwarding a draft agreement for consideration.

**COMMENT**

Noted in the Council minutes of the Shire of Kellerberrin is MIN 327/05 That the CEO liaise with the Shire of Bruce Rock to establish an employment agreement for a shared Manager Development Services with that Shire and that any services outside these two Shires be on a fee for service basis subject to the employing Shires' assessments of available time.

This follows on from the Manager, Development Services report:

The Shire's of Merredin and Cunderdin have offered to buy a day a week of the Manager's time.

The Shire of Tammin currently utilizes the services on Fridays and consistently they demand, at no cost, additional time. I believe with the appointment of the new CEO that several challenges will occur for the position of Manager. These are: -

- Time reduction. I have been advised by other CEO's that the new incumbent has made it clear at various meetings that the cost is high and that the service is only required once per month. This anecdotal evidence at best, however there are options available to Council in the short term;
- The need to commit the officer only for the required time at the Shire of Tammin i.e. Fridays only. If additional time is required then the Shire must pay;
- Duties of Kellerberrin Council such as the management of the landfill site will impact on the Shire

The Shire of Tammin is not supportive of staff and during December 2005 the President again complained that staff were useless and had sabotaged the Hydrology Model. This resulted in the Manager defending staff to the President in no uncertain terms.

My work at the Shire of Tammin is affecting my personal life. I have no desire to service a community that does not respect the officers of Council. I do however seek to continue to service Kellerberrin and Bruce Rock.

The two outlying Council's can be considered as potential replacements to the Shire of Tammin. The Shire of Merredin service could result in a payback service during periods of annual leave.

Both Council's are keen to secure the services of the Manager.

The CEO has written to the Shire of Kellerberrin seeking it's Council to acknowledge the existing agreement in it's December 2005 decision.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Nil

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That a meeting be arranged between the 3 local governments to resolve any issues to allow the agreement to be formalised. Further, that the Shire of Tammin be represented by a Councillor and the CEO.

Simple Majority Required

#### **MIN 2/06 MOTION - Moved Cr Caffell 2nd Cr Greenwood**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

**Agenda Reference:** 11.1.2  
**Subject:** Great Eastern Hwy  
**Location:** Bungulla  
**Applicant:** Main Roads WA  
**File Ref:** ENG-03  
**Disclosure of Interest:** Nil  
**Date:** 4 August 2005  
**Author:** Mick Oliver, Chief Executive Officer

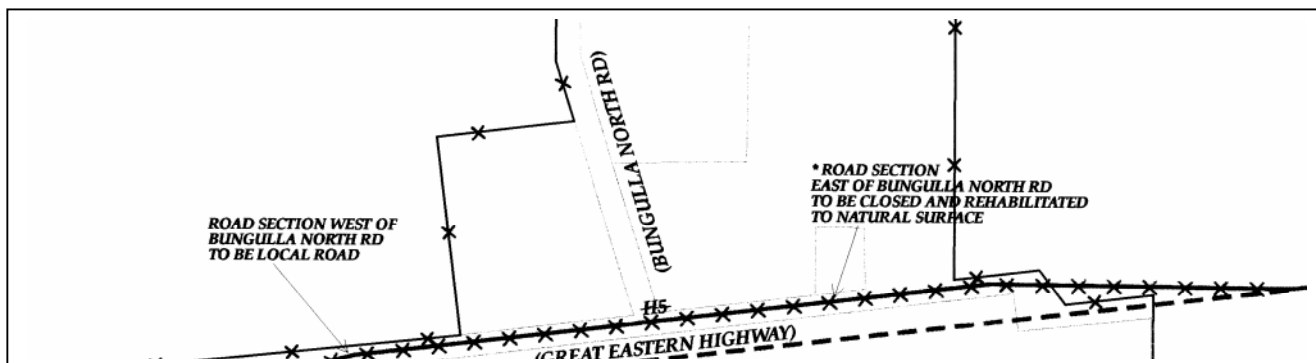
## BACKGROUND

Correspondence seeking Council's endorsement of the proclamation drawings (0493-234) before making a recommendation to the Minister for Planning and Infrastructure to proclaim the new alignment as a highway and to have the old alignment deproclaimed in accordance with Section 13A of the Main Roads Act.

## COMMENT

The Shire of Tammin has previously accepted responsibility for the western portion of the old alignment of Great Eastern Highway at Bungulla, subject to the Geographic Names Committee's approval to name the old highway alignment Perich Close.

The following plan, provided by Main Roads WA, depicts the situation.



## FINANCIAL IMPLICATIONS

Ultimate responsibility for additional road maintenance.

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Unknown

## STAFF RECOMMENDATION

That Main Roads WA be advised that the proclamation drawings are endorsed.

Simple Majority Required

## MIN 3/06 MOTION - Moved Cr Greenwood 2nd Cr Caffell

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.3
<b>Subject:</b>	2005 Compliance Audit Return
<b>Location:</b>	Tammin
<b>Applicant:</b>	Dept. of Local Government & Regional Development
<b>File Ref:</b>	OSGOV-26
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence forwarding the 2005 return for completion

## COMMENT

Each Local Government is to carry out a compliance audit (following the end of each calendar year) against the requirements included in the Compliance Audit Return.

The Compliance Audit Return is to be presented to Council for adoption. In cases of non-compliance, additional information explaining or qualifying the issues together with remedial action taken or proposed is to be included in the Agenda. Each Councillor is to be provided the opportunity to review the completed Return and make comment.

The adoption of the Return is to be recorded in minutes of the meeting.

The Return must be submitted to the Director General of the Department of Local Government and Regional Development by 31st March 2006.

Mr Frank Peczka has undertaken to prepare the return from his knowledge of historical events.

## FINANCIAL IMPLICATIONS

Nil

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Local Government Act

Clause 14 of the Local Government (Audit) Regulations 1996.

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATION

That:

- it be noted that each Councillor has had the opportunity to review the 2005 Compliance Audit Return and make comment to the Council;
- the 2005 Compliance Audit Return be adopted; and
- a copy of the 2005 Compliance Audit Return be forwarded to the Department of Local Government and Regional Development.

Simple Majority Required

The CEO tabled the return completed by Mr Peczka and noted the following deficiencies:

- Page 23 (4) and page 24 (14) - Special Council meetings relating the CEO appointment process – CEO not given required notice, purpose, date and time as required by Regulation. This matter has now been resolved satisfactorily in accordance with Regulations.
- Page 28 (37) Code of Conduct review. To be completed in near future by Council.
- Page 45 (49) Auditor's Report delayed upon advice of the Auditor, however received within Regulatory time.

## MIN 4/06 MOTION - Moved Cr Caffell 2nd Cr Jefferies

*That the Staff Recommendation be adopted.*

CARRIED 4/0

Noted that Item 11.1.4 was omitted.

<b>Agenda Reference:</b>	11.1.5
<b>Subject:</b>	Emergency Services Levy
<b>Location:</b>	Tammin
<b>Applicant:</b>	FESA
<b>File Ref:</b>	ORGE08
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	5 January 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence forwarding a vehicle replacement program for 2006/07 together with a draft program for the following 4 years and seeking confirmation of the 2006/07 program with the grant funding application.

The 2006/07 program provides the replacement of the 1989 Isuzu dual cab tender (TN.267).

## COMMENT

It is understood that there has been some discussion regarding the earlier replacement of this vehicle.

## FINANCIAL IMPLICATIONS

Nil

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Unknown

## STAFF RECOMMENDATION

That the FESA Vehicle Replacement Program for 2006/07 be accepted.

Simple Majority Required

## MIN 5/06 MOTION - Moved Cr Caffell 2nd Cr Greenwood

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.6
<b>Subject:</b>	Regional Road Funding
<b>Location:</b>	Wheatbelt North Regional Road Group
<b>Applicant:</b>	Shire of Northam
<b>File Ref:</b>	ENG-40
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	11 August 2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence seeking a commitment to contribute \$3,000 towards the employment of a consultant to prepare a submission on road funding to preserve the road asset in the Wheatbelt.

## COMMENT

The State Road Funds to Local Government Agreement provides for a split of 75:25 (Asset Preservation Model: Population) for 2 years at which time the split is to be reviewed. The Minister for Transport has indicated her support for a 70:30 split.

Population is not a positive figure for the Wheatbelt.

To endeavour to change the Minister's mind (and retain the status quo) it has been proposed to prepare a submission from the Wheatbelt (Wheatbelt North and Wheatbelt South).

It is understood that Council has discussed giving approval in principal to supporting this proposal – but has not resolved in that direction. A meeting of representatives from both the Wheatbelt North and Wheatbelt South RRGs was held in Northam on 1 February 2006 to prepare the brief on what issues are to be researched and reported by the consultant. Whilst an invitation was extended to the President and CEO to attend, apologies were submitted.

## FINANCIAL IMPLICATIONS

No provision in the 2005/2006 Budget exists.

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Any change in funding will affect the level of roadworks able to be completed.

## FUTURE PLAN IMPLICATIONS

Any change in funding will affect the level of roadworks able to be completed.

## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATION

That Wheatbelt North Regional Road Group be advised that the Shire of Tammin is willing to commit to contribute up to \$3,000 towards the employment of a consultant to prepare a submission on road funding to preserve the road asset in the Wheatbelt.

Absolute Majority Required

## MIN 6/06 MOTION - Moved Cr Greenwood 2nd Cr Jefferies

*That the Staff Recommendation be adopted.*

CARRIED BY AN ABSOLUTE MAJORITY 4/0

<b>Agenda Reference:</b>	11.1.7
<b>Subject:</b>	Audit Report
<b>Location:</b>	Tammin
<b>Applicant:</b>	Horwath Audit (WA) P/L
<b>File Ref:</b>	FIN-02
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	7/12/2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

### BACKGROUND

Correspondence forwarding the Independent Audit Report and Management Report for the year ended 30 June 2005.

### COMMENT

A draft of the Annual Report has been prepared and copies provided to Councillors.

The Management Report is qualified:

- the Municipal funds bank reconciliation for 30 June contains numerous items that had not been cleared at the time of the final audit visit in October. A number of these items were in existence at 30 June 2004. We recommend that the Manager of Community Services investigate and adjust where necessary and ensure that items listed on the bank reconciliation are actioned (cleared) in a timely manner.
- during our testing we noted that the asset register did not reconcile to the general ledger control accounts by an amount of \$42,682.01. The general ledger balances have been substantiated over a number of years and are believed to be sound, thus it is believed that the imbalance lies within the Asset Register. To ensure that adequate control over the Shire's assets exists we recommend that the difference between the two systems be investigated and cleared and that the systems be reconciled on a monthly basis.
- from reviewing the current and prior year financial statements we have noticed that Council's policy is to revalue roads annually to ensure the carrying amount of each road asset is fairly stated at reporting date. The last time Council performed a revaluation on its roads was in 2002. From discussions with senior staff it is recommended that the policy on revaluation of roads be changed to a more practical policy of once every 3 years. It is also recommended that Council have its roads revalued in the 2005/06 financial year.

It is noted that the Annual Report is required to be adopted by Council by 31 December – or within 2 months of the Auditor's Report being received (16 December 2005). It is also noted that the annual financial report is required to be prepared by 30 September (7 December 2005).

It is also noted that Council has previously (MIN 12/5/2004) directed that the advertising for the Electors meeting be by householder newsletter 2 weeks in advance of the meeting.

Whilst only indirectly related to the Audit Report, it might be appropriate for Council to provide some direction in relation to a meeting of the Audit Committee. Members of the Committee are Crs Leslie, Stokes and Greenwood.

Mr Peczka reported in December 2005 (Item 4 of his Report) that the Audit Committee will need to consider convening a meeting to consider the Audit and Management Reports and may also consider the method of "meeting with the Auditor" by a number of options including by teleconference, in person or by mail, in order to finalise the parameters set for the Audit Committee.

The role of the Audit Committee is to provide an independent oversight of the financial systems of a local government on behalf of Council. The Council (unless delegated to the Audit Committee) is required to meet a minimum of once per year with the Auditor (which may be by video or



telephone). The Committee is required to examine audit reports / management letters and advice received from the Auditor and to ensure appropriate action and response is provided.

It is understood that the first two issues raised in the Management Report are still to be addressed whilst the third issue will be the subject of a report to Council at a later date.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

The Local Government Act (s.5.53) requires a local government to prepare an annual financial report in the manner and form prescribed and submit it to the auditor by 30 September or such extended time as the Minister allows.

The Local Government Act (s.5.53) requires a local government to prepare an annual report containing:

- (a) a report from the mayor or president;
- (b) a report from the CEO;
- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- (f) the financial report for the financial year;
- (g) such information as may be prescribed in relation to the payments made to employees;
- (h) the auditor's report for the financial year;
- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
- (i) such other information as may be prescribed.

The Local Government Act (s.5.54) requires the annual report to be accepted by the local government no later than 31 December after that financial year subject to that if the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

The Local Government Act (s.5.55) requires the CEO to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

The Local Government Act (s.5.27(2)) requires the General Electors meeting to be held within 56 days of Council considering auditor's report and (s.5.29) requires public notice of 14 days.

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That:

- the Audit Report and Management Report be received;
- That pursuant to section 5.54 of the Local Government Act, the draft Annual Report be accepted;

Absolute Majority Required

**MIN /06 MOTION - Moved Cr Caffell 2nd Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

That:

- the General Electors meeting be held in the XXXX on XXX, XXX February / March, 2006 commencing at 8pm; and
- Council determine any issues for consideration at the General Electors meeting.

Simple Majority Required

**MIN 7/06 MOTION - Moved Cr Jefferies 2nd Cr Caffell**

*That:*

- *the General Electors meeting be held in the Lesser Hall on Wednesday, 1 March 2006 commencing at 8pm; and*
- *Council determine any issues for consideration at the General Electors meeting.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.8
<b>Subject:</b>	Dangerous Goods Storage License
<b>Location:</b>	Lot 82 Redmond St
<b>Applicant:</b>	Department of Consumer and Employment Protection
<b>File Ref:</b>	ENG-09
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	19 October 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

**BACKGROUND**

A Dangerous Goods Storage License exists for the storage of fuels associated with the disused fuel facilities at the Shire Depot.

**COMMENT**

Somewhere in history, Staff changed from using storage facilities in the Depot to purchasing fuel from the roadhouse.

It is suggested that the underground petrol tank has more water than fuel in it whilst the overhead diesel tank is empty.

The License continues to be renewed annually at a cost of \$32. The License is current to October 2006.

If the License was allowed to lapse and subsequently circumstances changed and a new license was required, it may be difficult.

**FINANCIAL IMPLICATIONS**

Annual cost of License

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

## STAFF RECOMMENDATION

That the Dangerous Goods Storage License for the storage of fuels at Lot 82 Redmond Street be retained.

Simple Majority Required

## MIN 8/06 MOTION - Moved Cr Greenwood 2nd Cr Jefferies

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.9
<b>Subject:</b>	Harvest Ban Policy
<b>Location:</b>	Shire of Tammin – Policy Document
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	BUSH-00
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	28 November 2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Council resolved in December 2006, in response to a Staff recommendation to change the wording of Council's Harvest and Vehicle Movement Policy, that the recommendation lay on the table and that FESA be invited to this meeting, assumably to clarify the proposed wording.

## COMMENT

Council resolved in October 2005 (Min 203/05):

*That Council adopt the following and that it be implemented for the coming 2005/2006 Harvest Season:*

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

Since adopting the policy it has been very evident that with stating a time for the Harvest Ban to be reviewed instead of using the working "to be reviewed at" it is very hard in the circumstance of a Harvest Ban due to a fire within the Shire.

To address this issue it is recommended that the current Policy be amended with the following:

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

Also, to clarify the wording to be used for the Message Bank Away facility (for farmers to call to see if a Harvest Ban is in place or not) it is recommended the following be used:

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

In adjusting the Policy Document with the above amendments Council will also need to amend the final point on the Policy which highlights that under no circumstance that the wording “to be reviewed at” are to be utilised. As this is difficult in the circumstances of a ban being in place due to a fire it is recommended that the Policy be amended by the addition of “due to weather conditions” so this then allows the wording of “until further notice” to be used in case of fires. The statement will then read:

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

Changing the wording for the media releases does not change the Policy on issuing harvest bans it is only for when they are initiated that when advertising the fact by phone and radio that the correcting wording be utilised to reflect the ban issued.

## **FINANCIAL IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Shire of Tammin Policy Document – Shire of Tammin Harvest and Vehicle Movement Policy as adopted at Councils November Ordinary Meeting of Council.

## **STATUTORY IMPLICATIONS**

Bush Fires Act 1954 - Section 27

- 1) Subject to the provisions of subsection (2) a person shall not operate, during the prohibited burning times or the restricted burning times –
  - a) A tractor or self propelled harvester unless –
    - i) Its exhaust system including pipes, is maintained in sound and efficient condition;
    - ii) Its exhaust pipe is fitted with a spark arrester as prescribed by regulation; and
    - iii) Its exhaust pipe terminates so as to discharges exhaust emissions vertically upwards or, in the case of a self-propelled harvester the exhaust pipe of which terminates at least 2 metres above the ground, so as to discharge exhaust emissions horizontally or in a direction upwards of the horizontal plane;
  - b) An internal combustion engine, steam engine or other prescribed machinery or vehicle contrary to the regulations or otherwise than in accordance with the regulations.

Penalty: \$500

- 2) A local government may at any time permit the use in orchards within its district of tractors the exhaust pipes of which are not vertical, and in any district where permission is so given, a person may operate in an orchard during the times mentioned in subsection (1) a tractor the exhaust pipe of which is not vertical, so long as the person while operating that tractor complies with the other requirements specified in respect of a tractor in paragraph (a) of that subsection and with the requirements of any notice under subsection (3) having effect in the district for the time being.
- 3) A local government may, by notice published in its district by –
  - a) Publication in a newspaper circulating in that district;
  - b) Broadcast from a radio broadcasting station that gives radio broadcasting coverage to that district; and
  - c) Display in prominent positions in that districtProhibit the operation in its district of any tractor or self-propelled harvester other than a tractor or self-propelled harvester that is equipped with a fire extinguisher.
- 4) A notice under subsection (3) –
  - a) Shall have effect for such period during the prohibited burning times or the restricted burning times, or both, as is specified in the notice;
  - b) May be varied or cancelled by the local government by a notice published in the manner set out in that subsection.

- 5) During any period for which a notice under subsection (3) has effect in a district a person shall not operate a tractor or self-propelled harvester in that district unless a fire extinguisher as prescribed by regulation is carried on that tractor or self-propelled harvester, or in the case of a tractor, on a trailer, semi-trailer or agricultural machine or appliance being drawn or propelled by that tractor.

Penalty: \$500

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **PRINCIPAL ACTIVITY PLAN IMPLICATIONS**

Nil

#### **STAFF RECOMMENDATION**

That Councils Harvest and Vehicle Movement Policy be amended by:

- including the wording “Currently there are no Harvest and Vehicle Movement Bans within the Shire of Tammin” when there are no Harvest Bans in the Shire of Tammin
- including the wording “A Harvest and Vehicle Movement Ban is in effect over the whole of the Shire of Tammin until further notice, due to a fire within the Shire of Tammin”.
- Adding “due to weather conditions” at the end of: “Under no circumstances will the words ‘to be reviewed at’ be utilised when issuing notice of Harvest and Vehicle Movement Ban due to weather conditions”

Simple Majority Required

#### **MIN 9/06 MOTION - Moved Cr Greenwood 2nd Cr Jefferies**

*That the existing wording for bans continue to be used.*

CARRIED 4/0

#### **REASON**

To accept the recommendation of the Chief Bush Fire Control Officer.

<b>Agenda Reference:</b>	11.1.10
<b>Subject:</b>	Proposed Regional Sheep Saleyards
<b>Location:</b>	Northam
<b>Applicant:</b>	Shire of Northam
<b>File Ref:</b>	AGR-11
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	16 December 2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

#### **BACKGROUND**

Correspondence forwarding the Northam Saleyards Business Plan together with a draft of the *Agreement Between Local Governments* document.

#### **COMMENT**

In December 2005 (MIN 233/05) Council resolved to:

- participate by providing an underwritten financial amount of \$50,000 towards to Northam Regional Saleyards Project; and
- to execute an Agreement to identify commitment and contribution towards the Project subject to:
  - Councils approval of the business plan; and
  - acceptance of the legal agreement.

The Business Plan provides the background to the proposal, the proposal's development and the various associated issues.

Of note is the reference to the land:

- Page 12 – Ownership (by the Shire of Northam) removes a heavy capital cost in purchasing land for a saleyard complex.
- Page 17 – Land Purchase \$50,000

In the draft Agreement, (pages 5-6) it is proposed that the Joint Venturers (local governments) lease the area of land whilst it is subdivided and transferred into the local governments to the Agreement.

#### **FINANCIAL IMPLICATIONS**

Exposure to pro-rata contribution to any loss by the Venture up to \$50,000.

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Nil

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Unknown

#### **STAFF RECOMMENDATION**

That:

- the Business Plan and draft Agreement be accepted; and
- authority be given for the signing and affixing of the Common Seal to the Agreement.  
Simple Majority Required

#### **MIN 10/06 MOTION - Moved Cr Caffell 2nd Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.11
<b>Subject:</b>	Works Supervisor Staff Position
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	PERS03/PERS14
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	
<b>Author:</b>	Mick Oliver, Chief Executive Officer

#### **BACKGROUND**

Council resolved in December 2005 that advertising of the vacant Work Supervisor position be held over until early in 2006 when improved opportunities are available for potential applications to be considered.

#### **COMMENT**

In September 2005 Council resolved (MIN 154/05) that the position of full time Works Supervisor be created as follows:

- employment package (including the salary range of \$47,000 to \$52,000 cash) component with a total package of \$67,000 to \$72,000.
- employment contract, including key performance indicators and performance appraisal process.
- allocation of residential property at 4 Old Yorkrakine Road.

The position was advertised and applicants interviewed, however none were deemed acceptable.

#### **FINANCIAL IMPLICATIONS**

Shire of Tammin 2005/2006 Budget – expenses relating to vacant staff position advertising.

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Local Government Act provisions relating to:

- employment of Senior Designated Staff
- employment of Staff by the Chief Executive Officer

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That the position of Works Supervisor be readvertised.

Simple Majority Required

#### **MIN 11/06 MOTION - Moved Cr Caffell 2nd Cr Jefferies**

*That the issue lay on the table to allow further research.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.12
<b>Subject:</b>	Leave Liability – Chief Executive Officer
<b>Location:</b>	Kellerberrin Tammin Resource Sharing Committee
<b>Applicant:</b>	Kellerberrin Tammin Resource Sharing Committee
<b>File Ref:</b>	ADM-26
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	6 January 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

#### **BACKGROUND**

Correspondence advising that the Council of the Shire of Kellerberrin has resolved:

- That the Shire of Kellerberrin forward an invoice to the Shire of Tammin for 30% of the Chief Executive Officer's Annual Leave owing as at 12 January 2006.
- That the Shire of Kellerberrin forward an invoice to the Shire of Tammin for 30% of the Chief Executive Officer's Long Service Leave owing as at 12 January 2006.

Also noting that it seeks to finalise this matter early as a follow up to previous directions from both employing local governments and follow up direction from the Resource Sharing Committee on leave liability of an employee under contract conditions.

Further correspondence has been received forwarding an invoice (dated 18 January 2006) for \$5,815.39 being 30% of \$19,384.63 (56 days).

#### **COMMENT**

Council resolved in December 2005 (MIN 251/05) that:

- the Administration investigates past Chief Executive Officer Annual Leave and Long Service Leave liability payments by the Shire of Tammin.
- the President seek further clarification from the Western Australian Local Government Association – Workplace Solutions.

This followed on from a resolution of the Resource Sharing Committee (2 November 2005) recommending that the Shire Presidents of both Shire of Kellerberrin and Shire of Tammin meet with Mr Simon White of Local Government Workplace Solutions in conjunction with the Chief Executive Officer to discuss the liability of Leave Entitlements as soon as possible together with advice from Local Government Workplace Solutions that:

In relation to leave accruals, we believe that the Resource Sharing Agreement is intended to proportion liability at 30% for the Shire of Tammin and 70% for the Shire of Kellerberrin, as with normal salary payments/entitlements. Leave is not specifically referred to in the Resource Sharing Agreement, but the alternative is that each Local Government would be liable for five weeks annual leave (as stipulated by the Shire of Kellerberrin employment contract and clause 24 of the Local Government Officers' (WA) Award 1999 for the Shire of Tammin contract) and half each of long service leave accrued as set out as sub regulation 9(4) of the Local Government (Long Service Leave) Regulations.

No apparent investigation has been carried out by the Administration in relation to investigation of past Chief Executive Officer annual leave and long service leave liability payments by the Shire of Tammin (Min 251/05).

It is uncertain whether the President has had clarification from WALGA Workplace Solutions (Min 251/05).

### **FINANCIAL IMPLICATIONS**

Shire of Tammin 2005/2006 Budget – operating expenses relating to payroll (Salaries and Wages).

Shire of Kellerberrin 2005/2006 Budget – operating expenses relating to payroll (Salaries and Wages).

1. Long Service Leave Estimated Calculations (payable at time of LSL due date);
  - a) Employment period and Leave Term – 3 years
  - b) Weekly Rate of Employee - \$1,730.77 gross
  - c) Calculations = 13 weeks LSL Liability for 10 year period
  - d) Pro-rata rate =  $1.3 \times 3 = 3.9 \times \$1,730.77 = \$6,750$
  - e) Resource Sharing Split = 70% Kellerberrin (\$4,725) / 30% Tammin (\$2,025)
  
2. Annual Leave Estimated Calculations;
  - a) Employment Term – 3 years
  - b) Leave Entitlements – 15 weeks / 75 days
  - c) Leave Taken – 3.5 weeks / 19 days
  - d) Outstanding Leave – 11 weeks / 56 days
  - e) Current weekly rate = \$1,730.77 gross
  - f) Calculations =  $11 \times \$1,730.77 = \$19,038.47$
  - g) Resource Sharing Split = 70% Kellerberrin (\$13,326.93) / 30% Tammin (\$5,711.54)
  - h) Annual Leave Loading = estimated value outstanding \$1,584.31
    - a. = Kellerberrin 70% = \$1,109.02
    - b. = Tammin 30% = \$475.29
  
3. Summary of Estimated Costs
  - a) Kellerberrin = \$19,160.95
  - b) Tammin = \$8,211.83
  - c) Estimated Total = \$27,372.78



## **POLICY IMPLICATIONS**

Kellerberrin Tammin Resource Sharing Agreement

Clause 10 – Savings and Payments

Sub Clause 10.2 – The payment details shall be based on Salary, not on percentage, and shall be reviewed annually. Below is an example of how the payment is to be split according to time spent in each office.

OFFICER	SALARY	TAMMIN	KELLERBERRIN
Chief Executive Officer	100%	30%	70%

Clause 14 – Amendment

If any of the Shires wishes to amend or vary this Agreement then the Shire shall give to the other Shire at least two (2) calendar months notice of the proposed amendment or variation and suggest an implementation date.

## **STATUTORY IMPLICATIONS**

Local Government Act

- relating to adoption of budget for known expenditures and revenues
- employment responsibilities for appointment of CEO and Senior Staff

Local Government (Financial Management) Amendment No2 Regulations

- relating to expenditure control and accountability
- relating to approval for budget amendments

Contracts of Employment (CEO)

- Shire of Kellerberrin
  - Clause 5 relates to Remuneration Package
  - Clause 6 relates to Leave Entitlements
  - Clause 9 relates to Inconsistency and Amendment
- Shire of Tammin
  - a) Clause 5 relates to Remuneration Package
  - b) Clause 6 relates to Leave Entitlements
  - c) Clause 9 relates to Inconsistency and Amendment

Long Service Leave Regulations

- sub regulation 9(4) relates to calculations of leave accrued for the purpose of Long Service Leave and employer obligations

Local Government Officer's (WA) Award

- clause 24 relates to Annual Leave in regards to period and payment of leave

## **STRATEGIC PLAN IMPLICATIONS - Nil**

## **FUTURE PLAN IMPLICATIONS - Nil**

## **COMMUNITY CONSULTATION**

- Kellerberrin Tammin Resource Sharing Committee Meeting held 12th October 2005
- Shire of Kellerberrin
- Western Australian Local Government Association – Workplace Solutions Industrial Relations Advisers to Local Government Member Councils – letter of request sent
- Copy of WALGA Workplace Solutions response circulated to Resource Sharing Committee Members at last meeting.
- Presidents Memo regarding an appointment to meet with WALGA – Workplace Solutions regarding matters raised and identification of outcome.

## **STAFF RECOMMENDATION**

That Council provide direction.

Simple Majority Required

**MIN 12/06 MOTION - Moved Cr Jefferies 2nd Cr Caffell**

*That issue lay on the table to allow further research.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.13
<b>Subject:</b>	Equipment Hire – Laser Level
<b>Location:</b>	Tammin
<b>Applicant:</b>	Tammin
<b>File Ref:</b>	ADM-26
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	1 February 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

**BACKGROUND**

A hire charge needs to be set for the laser level.

**COMMENT**

The Shire of Kellerberrin has hired the Shire of Tammin’s laser level.

Coates Hire has quoted a daily hire cost of \$60.

**FINANCIAL IMPLICATIONS**

The draft Business Service Agreement with the Shire of Kellerberrin provides for a 10% discount off commercial hire charges is to be given to the Shire of Kellerberrin.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Nil

**STAFF RECOMMENDATION**

That for the purpose of sharing equipment between local governments, the daily hire charge for the laser level be set at \$60.

Simple Majority Required

**MIN 13/06 MOTION - Moved Cr Greenwood 2nd Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.14
<b>Subject:</b>	2004/2005 Roadworks Program
<b>Location:</b>	Tammin-Wyalkatchem Road
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	1 February 2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## **BACKGROUND**

A report by Mr Peczka was made to the December 2005 Ordinary Council meeting responding to comments by the President regarding budgets vs. actual expenditures recorded against identified roadworks construction jobs for the Tammin-Wyalkatchem Road including Depierres Rd with the inference that funds may have been reallocated to job elsewhere within the Shire of Kellerberrin.

## **COMMENT**

Mr Peczka reported that detailed research of cost allocations recorded against the mentioned roadworks programs for Tammin-Wyalkatchem Road was incomplete (due to research time allocated in consideration of other administration and management priority matters) and had prevented a detailed report to present to Council. Further, that factual information would be obtained and the required research completed for presentation to Council in December 2005.

Mr Peczka indicated he certainly supported Staff honesty and integrity of representing the Council and being responsible to the Council for their actions. Recording and allocating expenses against the programmed works is absolute and at its highest accountable level by Staff and always rightfully allocated against the mentioned jobs in either, the Shire of Tammin and the Shire of Kellerberrin.

However, the report was not presented.

In discussions with Mr Peczka, he has stated that it was likely that some of the expenditure is reflected in the stockpile of metal aggregate near Hocking Rd, some of the expenditure is on other sections of Tammin Wyalkatchem Rd and that there was an under budget expenditure.

## **FINANCIAL IMPLICATIONS**

2005/2006 Budget

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Nil

## **STRATEGIC PLAN IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **STAFF RECOMMENDATION**

That the issue lay on the table pending further financial information being researched.

Simple Majority Required

## **MIN 15/06 MOTION - Moved Cr Caffell 2nd Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.15
<b>Subject:</b>	Number Plates
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Ex Cr Brooks
<b>File Ref:</b>	OSGOV-01
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	1 February 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## **BACKGROUND**

In May, 2004 Cr Brooks sought details regarding the option of adding the crest to the TN.\*\*\* number plate series.

## **COMMENT**

Mr Brooks has advised the submission related to a request from an ex resident who was (and is) seeking number plates which included the Shire of Tammin's crest.

The Department of Planning and Infrastructure (DPI) has advised that a crest can not be added to the existing series (TN.###) and provided guidelines for the Special Series plates (###.TN) with the following specifications:

- embossed aluminium or screen printed polycarbonate.
- plate size will be 372mm x 134mm.
- character size to be 71mm high for aluminium and 55mm for polycarbonate.
- white reflectorised background with your choice of coloured border (if desired).
- requested numeric and alpha characters (if available).
- slogan can be utilised along the bottom of the plate in characters 12mm high, colour of your choice. (Maximum characters 40 including spaces)
- logo can appear on plate (positioning of logo in relation to alpha and numeric characters can be discussed).
- WA to be embossed and in centre position on header of plate.
- aluminium plates can cater for six embossed characters and one screen printed logo and slogan. Polycarbonate plates can cater for eight screened characters and one screen printed logo and slogan.
- screen printed colours are matched using the Pantone Matching System.
- aluminium plate's reflective background colours available include white, lemon yellow, gold and green.
- embossed characters and border are hot foil stamped. A limited number of foil colours are available. Alternatively the plate background or the embossed characters and border can be screen printed of your choice.
- retailed to the Shire of Tammin for \$115 per pair, if manufactured from embossed aluminium with hot foil stamped embossed characters on reflective background; (maximum 7 characters including spaces) or \$170 per pair, if manufactured from embossed aluminium with printed non-reflective background or printed embossed characters and border; (maximum 7 characters including spaces) or \$225 per pair, if manufactured from screened polycarbonate. (Maximum characters 9 including spaces. The first 8 characters must be unique.)
- a once off \$165 fee will apply for plate drawings and production of a sample plate in aluminium or polycarbonate for client approval.
- all plate series require the approval of the specific body or organisation for which the plate series is representing.
- any use of a name, logo or slogan that is a registered trademark requires approval from the governing body or parent company that holds this right.

## **General Conditions:**

The following general conditions apply to the issue of all Special Series Plates:

The plates: -

- always remain the property of Department for Planning and Infrastructure.
- must be attached to a currently registered Western Australian motor vehicle or they will be stored in safe custody at the nearest Licensing Centre to the purchaser.

- cannot be affixed to a taxi, omnibus or any other vehicle, which requires specific identifying number plates allocated by Licensing Services.
- cannot be affixed to mopeds or motorcycles.
- that are not attached to a Western Australian licensed vehicle will be stored by Licensing Services and a storage fee for each year or part thereof will be charged to the owner of the “Right to Display” the plates.
- cannot contain a logo and numeric characters only.
- minimum of 10 pairs for the first order, then as further orders are received.

**FINANCIAL IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Unknown

**STAFF RECOMMENDATION**

That Council provide direction.

Simple Majority Required

**MIN 16/06 MOTION - Moved Cr Caffell 2nd Cr Greenwood**

*That the issue of Special Series number plates be listed for discussion at the General Electors meeting with the following parameters proposed:*

- *range between 1.TN – 999.TN (no 0#.TN).*
- *plates to incorporate Shire Crest and the logo “Landcare Centre Of WA”.*
- *options for the issue of the plates be by public auction or raffle draw or some other option by community suggestion.*
- *the Reserve price be set at \$200.*

CARRIED 4/0

**REASON**

To encourage community spirit.

<b>Agenda Reference:</b>	11.1.16
<b>Subject:</b>	November & December Cheque List
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	N/A
<b>File Ref:</b>	N/A
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	9 December 2005
<b>Author:</b>	Raymond Griffiths, Manager Corporate Services & Liz McDonald

## BACKGROUND

Accounts for Payment from 1<sup>st</sup> November 2005 to 30<sup>th</sup> November 2005 and from 1<sup>st</sup> December 2005 to 31<sup>st</sup> December 2005.

### Municipal Fund

12609 - 12611	\$1,427.02
12612	TEST RUN
12613 – 12641	\$71,556.85
12642	TEST RUN
12643 – 12646	\$1,813.80
12647, 12648 – 12671	<u>\$33,305.48</u>
	\$108,103.15

12642 – 12642	\$1,098.00
12671	TEST RUN
12672 – 12681	\$18,050.48
12682	TEST RUN
12683 – 12734	73,264.47
12735	TEST RUN
12736 – 12738	<u>\$1,691.52</u>
	<b>\$94,104.47</b>

### Trust Fund

862 – 865	<u>\$600.00</u>
	<b>\$600.00</b>

## COMMENT

During the month of November 2005 the Shire of Tammin made the following significant purchases:-

Jetpatcher	Hiring of Jetpatcher	\$7,700.00
Motorcharge Limited	Fuel - Oct 2005	\$6,084.09
Shire of Kellerberrin	Resource Sharing	\$40,540.27
WALGA	Advertising Position Vacancies	\$4,831.45
Shire of Kellerberrin	Resource Sharing	\$12,233.45
Specialised Tree Service	Tree Pruning and Removal and Grinding	\$10,494.00

During the month of December 2005 the Shire of Tammin made the following significant purchases:-

### City & Regional Waste Management Services

	Management Fees	\$12,409.73
Donovan Ford	TN2 – Purchase of 2005 Nissan DX Navara	\$14,900.00
Motorcharge Limited	Fuel – November 2005	\$4,413.89
Shire of Kellerberrin	Resource Sharing & other costs refer Chq List	\$9,139.28
Tammin Bowling Club	Third Instalment – Green Keeper Subsidy	\$3,300.00
Volante Systems	Computer(s) License	\$2,000.64
W.A. Treasury Corporation	Repayments on Loans 73 &76	\$14,378.04

## FINANCIAL IMPLICATIONS

Shire of Tammin 2005/2006 Operating Budget.

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE (PRINCIPAL ACTIVITY) PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATION

That the accounts submitted from 1 November 2005 to 31 December 2005 be accepted.  
Simple Majority Required

## MIN 17/06 MOTION - Moved Cr Jefferies 2nd Cr Caffell

*That the Staff Recommendation be adopted.*

CARRIED 4/0

Cr Leslie declared an interest in item 11.1.17.

<b>Agenda Reference:</b>	11.1.17
<b>Subject:</b>	November & December Financial Management Report
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	N/A
<b>Disclosure of Interest:</b>	N/A
<b>Date:</b>	9 December 2005
<b>Author:</b>	Raymond Griffiths, Manager Corporate Services & Liz McDonald

## BACKGROUND

Enclosed is the monthly report for the month of November 2005.

Direct Debit list for the month of November & December 2005:-

### Municipal Fund

01.11.2005	CBA Merchant Fee for November 2005	\$31.71
02.11.2005	National On-Line Fee for November 2005	\$54.78
02.11.2005	Net Pay for F/E 02.11.2005	\$10,327.64
03.11.2005	CBA Pos Fee for October 2005	\$27.99
14.11.2005	Messages On Hold Rental 05/11/2005 - 04/02/2006	\$546.00
16.11.2005	Net Pay for F/E 16.11.2005	\$10,501.59
25.11.2005	Lease Repayment for 928 H Cat Grader	\$5,641.53
18.11.2005	Transfer to new Term Deposit	\$100,000.00
18.11.2005	Reserve Transfers 2005/2006	\$10,000.00
30.11.2005	Net Pay for F/E 30.11.2005	\$10,053.50
30.11.2005	Municipal Fund Bank Fees for November 2005	\$96.20
30.11.2005	Trust Fund Bank Fees for November 2005	\$51.50
30.11.2005	Reserve Fund Bank Fees for November 2005	\$20.90
01.12.2005	CBA Merchant Fee for November 2005	\$0.82
01.12.2005	National On-line Fee for December 2005	\$58.96
02.12.2005	Correcting BRB Levy Receipt on 02/12/2005	\$34.50

05.12.2005	CBA Pos Fee for November 2005	\$47.69
14.12.2005	Net Pay for F/E 14/12/2005	\$10,833.33
28.12.2005	Lease Repayment for 120H Cat Grader	\$5,641.53
28.12.2005	Net Pay for F/E 28/12/2005	\$10,954.10
30.12.2005	Reserve Fund Bank Fees for December 2005	\$20.00
30.12.2005	Trust Fund Bank Fees for December 2005	\$51.80
30.12.2005	Municipal Fund Bank Fees for December 2005	\$94.10

### Trust Fund

18.11.2005	Correcting Allocation of BRB Cheque - 12646	\$326.89
28.11.2005	Dishonoured Cheque & Fee - Hollett Pty Ltd	\$2,376.40
28.11.2005	Dishonoured Cheque & Fee - Hollett Pty Ltd	\$6,134.75
30.11.2005	Police Licensing Debits for November 2005	\$22,765.35
18.11.2005	Correcting Allocation of BRB Cheque – 12646	\$100.00
31.12.2005	Police Licensing Debits for December 2005	\$24,242.85

### COMMENT

There were no capital purchases made during the month of November 2005.

The following capital purchases were made during the month of December 2005:-

Donovan Ford	TN2 2005 Nissan DX Navara	\$30,922.38
	Less : Trade-in 2003 Toyota Hilux	<u>-\$16,022.38</u>
		\$14,900.00
B.J. & J.L. Leslie	Shed at 20 Ridley Street, concrete pad	\$1,947.00
Belle Nominees	Shed at 20 Ridley Street, Dingo Digger hire	\$220.00
R & J Independent Rural Supplies	20 Ridley Street, Colourbond sheeting & flashings	\$182.60

It is noted that a monthly budget for the Shire of Tammin was not prepared or adopted in August 2005. As such, the Local Government (Financial Management) Amendment Regulations (No. 2) 2005 - Regulation 34 has not been complied with.

### FINANCIAL IMPLICATIONS

Financial Management of 2005/2006 budget.

### POLICY IMPLICATIONS

Nil

### STATUTORY IMPLICATIONS –

Local Government (Financial Management) Amendment Regulations (No. 2) 2005

Local Government (Financial Management) Amendment Regulations (No. 2) 2005

Regulation 34 – Financial reports to be prepared – s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –
  - a. Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - b. Budget estimates to the end of the month to which the statement relates;
  - c. Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - d. Material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - e. The net current assets at the end of the month to which the statement relates.



- (2) Each statement of financial activity is to be accompanied by documents containing –
  - a. An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - b. An explanation of each of the material variances referred to in sub regulation (1)(d); and
  - c. Such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown –
  - a. According to nature and type classification;
  - b. By program; or
  - c. By business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
  - a. Presented to the council –
    - i. At the next ordinary meeting of the council following the end of the month to which the statement relates; or
    - ii. If the statement is not prepared in time to present it to the meeting referred to in sub paragraph (i), to the next ordinary meeting of the council after that meeting;

and

  - b. Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.
- (6) In this regulation –
 

“**committed assets**” means revenue unspent but set aside under the annual budget for a specific purpose;

“**restricted assets**” has the same meaning as in AAS 27.

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE (PRINCIPAL ACTIVITY) PLAN IMPLICATIONS**

Nil

#### **COMMUNITY CONSULTATION**

Nil

#### **STAFF RECOMMENDATION**

That the Direct Debit List be accepted for the months of November 2005 and December 2005 and the Financial Report for December 2005 be accepted.

Simple Majority Required

#### **MIN 18/06 MOTION - Moved Cr 2nd Caffell Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 3/0

Cr Leslie did not vote.

<b>Agenda Reference:</b>	11.1.18
<b>Subject:</b>	Office Building Roof
<b>Location:</b>	Tammin
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	ASS-1063
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	25 January 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

#### **BACKGROUND**

The roof over the veranda at the entrance to the Shire Offices leaks badly.

## COMMENT

Enquiries have indicated that the leak has been in existence for some long period of time however has deteriorated in recent times.

The roofing is aged corrugated iron, rusted out in places. The iron is fixed at a very shallow angle – with insufficient fall. Bitumen paper has been installed underneath the iron and bitumen paint applied to the top.

The leaks are a significant hazard for customers entering and exiting the building. The leaks are damaging the ceiling/under-surface of the veranda. A solution needs to be in place before winter.

Mr Alcock has indicated that the existing iron should be removed, the frame repatched (by cutting into the existing roof) and new colourbond sheets installed.

The alternative is to replace the existing rusted iron roof with new colourbond – without altering the roof pitch.

## FINANCIAL IMPLICATIONS

No provision exists in the 2005/2006 Budget.

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Some complaints from customers.

## STAFF RECOMMENDATION

That Council provide direction.

Simple Majority Required

## MIN 19/06 MOTION - Moved Cr Caffell 2nd Cr Greenwood

*That the roof repairs be carried out forthwith.*

CARRIED BY AN ABSOLUTE MAJORITY 4/0

<b>Agenda Reference:</b>	11.1.19
<b>Subject:</b>	Localities
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	Department of Land Information
<b>File Ref:</b>	PROP-21
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	12 January 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence responding to Shire of Tammin's concerns regarding locality names and boundaries and noting that the localities are as agreed by the Shire of Tammin in December 1999 (map supplied). Also, forwarding it's document *Principles, Guidelines and Procedures*.

## COMMENT

The minutes from October 1999 (Item 10.1.8) record the correspondence being considered with Council resolving that the CEO and Principle Works Supervisor provide a suggested locality plan to

the November 1999 meeting. However, neither the November 1999 or December 1999 record the matter being resolved.

The plan shows the Shire being split essentially on the compass into 5 localities (including the Tammin townsite).

If an amendment is sought to the locality names or boundaries, a formal submission is required, including:

- the rationale behind the proposed change
- evidence of community consultation;
- a map clearly indicating the alignment of the new boundary; and
- history regarding the origin of new names.

The minutes from December 2005 do not record details of Council's concerns.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **STATUTORY IMPLICATIONS**

Nil

#### **STRATEGIC PLAN IMPLICATIONS**

Nil

#### **FUTURE PLAN IMPLICATIONS**

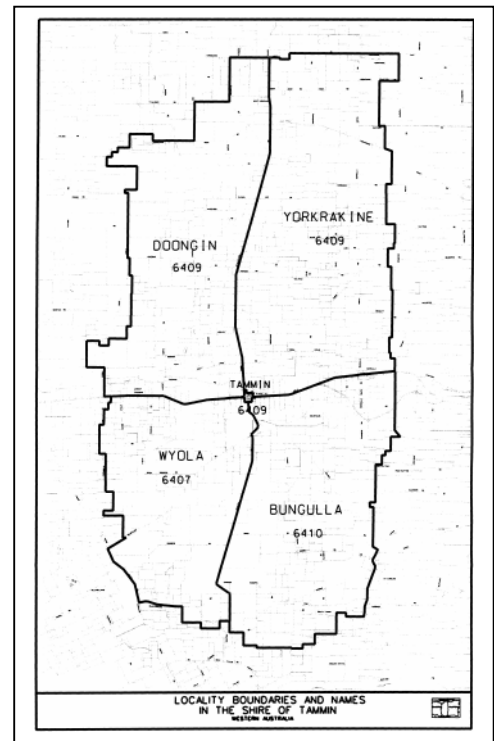
Nil

#### **COMMUNITY CONSULTATION**

Unknown

#### **STAFF RECOMMENDATION**

That Council provide direction.



Simple Majority Required

#### **MIN 20/06 MOTION - Moved Cr Caffell 2nd Cr Jefferies**

*That the proposal to change locality boundaries for the Shire of Tammin to Tammin (townsite), North Tammin (north of Great Eastern Hwy) and South Tammin (south of Great Eastern Hwy) be listed for consideration on the General Electors meeting Agenda and that the Department of Land Information be asked to comment on the proposal.*

CARRIED 4/0

#### **REASON**

To address the community concerns regarding the localities use with rural addresses.

<b>Agenda Reference:</b>	11.1.20
<b>Subject:</b>	Land Purchase
<b>Location:</b>	Tammin Townsite
<b>Applicant:</b>	T Amiss
<b>File Ref:</b>	ASS-450
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	27 October 2004
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence seeking to purchase the area of Draper Street to the south of lot 44.

Mr Amiss is the owner of lot 132 Draper Street.

In support of the application Mr Amiss advises he wishes to set up an outdoor hydroponic vegetable garden with a 6m x 6m shed and small transportable home unit.

In December 2004 the CEO wrote back offering support for the proposal and suggesting a nominal market value of around \$500. Mr Amiss responded in January 2005 agreeing to the value and requesting the appropriate paper work be drawn up.

In August 2005 Mr Amiss wrote again following up the proposal.

## COMMENT

The area in question is Crown land being a road reserve. Draper Street is unmade between McLaren Street and Britton Street.

The Shire of Tammin is not in a position to negotiate it's sale – however could support an application to the Department of Planning & Infrastructure. To allow this action to proceed, the road would need to be closed.

The sale of the section of Draper Street would cancel any future opportunity of creating Draper Street as a through street. It would, however, allow the creation of a further residential block on the western section (south of lot 152).

There appears to be ample alternative land available to Mr Amiss.

## FINANCIAL IMPLICATIONS

Costs involved in closing of the road.

## POLICY IMPLICATIONS

Unknown

## STATUTORY IMPLICATIONS

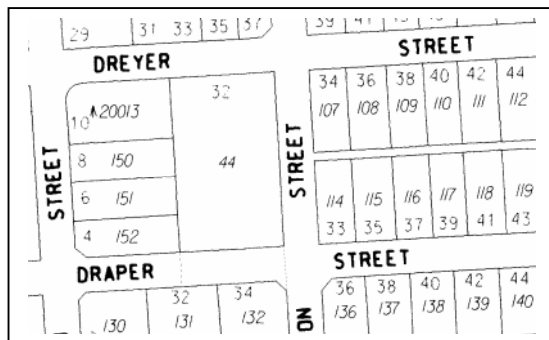
Section 56 of The Land Administration Act 1997 provides for the cancellation of the dedication of roads.

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil



## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATION

That an apology be provided to Mr Amiss for the delay in considering his proposal and that he be advised that the closure of the section of Draper Street between McLaren and Britton Streets is not supported.

Simple Majority Required

## MIN 21/06 MOTION - Moved Cr Greenwood 2nd Cr Jefferies

*That an apology be provided to Mr Amiss for the delay in considering his proposal and that he be advised that the closure of the section of Draper Street between McLaren and Britton Streets is not supported. Further, that Mr Amiss be introduced to the owner of the adjoining lot (lot 131 Draper Street) as an alternative for his proposal.*

CARRIED 4/0

## REASON

To assist Mr Amiss with his aspirations.

<b>Agenda Reference:</b>	11.1.21
<b>Subject:</b>	Tammin Art Prize
<b>Location:</b>	Shire of Tammin
<b>Applicant:</b>	L Hutchinson
<b>File Ref:</b>	ADM-06
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	27 January 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence responding to an account for photocopying (Invoice 2084 - \$144.65) for the Art Prize 2005 Catalogue and seeking clarification as to the assistance provided by the Shire of Tammin to the Art Show. Verbal advice was provided (by Mr Raymond Griffiths) that the Shire of Tammin had given a years grace (i.e. 2004) and that now all costs (photocopying etc.) had to be paid. However, no correspondence to this effect has been provided.

Further, it was understood that that the reason they went out alone was mainly to make accounting easier and to allow access to their funds.

## COMMENT

The background to this issue is unknown.

## FINANCIAL IMPLICATIONS

The grant submission budget to Healthways (for a grant of \$2,000) provided for *preparation and administration* of \$400 and 2 days venue hire (\$150) to be funded (contribution in kind) by the Shire of Tammin together with \$1,000 (cash) for prize money as part of the total budget of \$5,030.

## POLICY IMPLICATIONS

Unknown.

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Unknown

## STAFF RECOMMENDATION

That the account be withdrawn and an apology be provided.

Simple Majority Required

## MIN 22/06 MOTION - Moved Cr Jefferies 2nd Cr Caffell

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.22
<b>Subject:</b>	Minister's Financial Management Awards
<b>Location:</b>	N/A
<b>Applicant:</b>	Dept. of Local Government & Regional Development
<b>File Ref:</b>	OSGOV-26
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	23 January 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence advising that the Minister's Financial Management Awards are to again be presented this year and with the Shire of Tammin's 2004/2005 Annual Budget receiving a high ranking in the budget assessment phase, an invitation is extended for the Shire of Tammin to participate in the Awards.

## COMMENT

The process assesses a wide range of financial documents prepared and presented by local governments in terms of presentation, content and effectiveness as management and accountability tools. The documents to be reviewed this year are:

- Annual Budget
- A Monthly Financial Report
- Audit Reports
- Principal Activities Plan
- Annual Report, June, 2005

A high ranking for the Annual Budget is the entry point for this invitation.

Nomination is required by 24 February 2006.

## FINANCIAL IMPLICATIONS

Nil

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## FUTURE PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Nil

## STAFF RECOMMENDATION

That:

- Mr Raymond Griffiths be congratulated for achieving the high ranking assessment; and
- the invitation be declined due to other commitments.

Simple Majority Required

## MIN 23/06 MOTION - Moved Cr Caffell 2nd Cr Greenwood

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.23
<b>Subject:</b>	Business Service Agreement
<b>Location:</b>	ADM-26
<b>Applicant:</b>	Shire of Kellerberrin
<b>File Ref:</b>	ADM-26
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	24 January 2006
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## BACKGROUND

Correspondence advising that the Shire of Kellerberrin has accepted the Shire of Tammin's request to provide the identified services to 30 June 2006 subject to a review being completed by 31 March 2006 to identify continuance or otherwise of the services beyond 30 June 2006.

Also, providing Business Service Agreements for signing.

## COMMENT

Council resolved in December 2005 (MIN 244/05) that Council accepts the following identified Contract Services as presented by the Shire of Kellerberrin, including the terms and conditions for each Contract Service.

1. Mechanical Services
  - 2.1 Term: 2005/2006 financial year (6 months)
  - 2.2 Amount
  - 2.3 Conditions - \$52.50 per hour (ex GST) for mechanical services and \$25 (ex GST) per hour for apprentice mechanical services.
  - 2.4 Other (Preferred supplier)
2. Building Services
  - 3.1 Term: 2005/2006 financial year (6 months)
  - 3.2 Amount – maximum of 700 hours.
  - 3.3 Conditions - \$50 per hour (ex GST)
  - 3.4 Other
3. Parks & Gardens (Turf Wicket & grassed oval area)
  - 4.1 Term: 2005/2006 financial year (6 months)
  - 4.2 Amount – maximum of 450 hours
  - 4.3 Conditions - \$38.50 per hour (ex GST)
  - 4.4 Other

## FINANCIAL IMPLICATIONS

Provision exists in the 2005/2006 Budget for the works to be purchased.

## POLICY IMPLICATIONS

Nil

## STATUTORY IMPLICATIONS

Nil

## STRATEGIC PLAN IMPLICATIONS

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **STAFF RECOMMENDATION**

That the Common Seal be affixed to the Business Service Agreements between the Shire of Kellerberrin and the Shire of Tammin.

Simple Majority Required

## **MIN 24/06 MOTION - Moved Cr Jefferies 2nd Cr Caffell**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.24
<b>Subject:</b>	Airconditioning
<b>Location:</b>	10 Ridley Street
<b>Applicant:</b>	Central Districts Airconditioning Plumbing & Electrical
<b>File Ref:</b>	Ass-460
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	1/12/2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## **BACKGROUND**

Correspondence forwarding a quotation for the supply and installation of ducted reverse cycle airconditioning for:

- 5.0-12.4 kw cooling / 5.9-15.5kw heating \$9,867 (inc.)
- 6.0-14.0kw cooling / 6.4-16.0kw heating \$10,517 (inc.)

## **COMMENT**

The quotation was provided at the request of the Shire of Tammin.

## **FINANCIAL IMPLICATIONS**

No provision in the 2005/06 Budget.

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Nil

## **STRATEGIC PLAN IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **STAFF RECOMMENDATION**

That the correspondence be received and no further action be taken.

Simple Majority Required

## **MIN 25/06 MOTION - Moved Cr Caffell 2nd Cr Greenwood**

*That the Staff Recommendation be adopted.*

CARRIED 4/0



<b>Agenda Reference:</b>	11.1.25
<b>Subject:</b>	Town Beautification Committee
<b>Location:</b>	Tammin
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	ORGL-20
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	7 December 2005
<b>Author:</b>	Mick Oliver, Chief Executive Officer

## **BACKGROUND**

Mr Peczka reported to the December 2005 Ordinary Council meeting that advertising in the Tammin Tabloid for interested community persons to assist with the Town Beautification Committee closed on 9 September 2005 without a responses being received at the Shire Office. A circular was mailed to registrations of interest as a result of the earlier process that proved fruitless at that time. Since the mail-out to nominated individuals, confirmation has been received from a number of community members.

Mr Peczka recommended that any involvement and major project planning and consideration to Town Beautification be held over until the New Year as it is now a busy time for all concerned. Indicative Town Beautification Project for works to the CBH reserve area opposite the Town Hall has been presented to those interested community members.

## **COMMENT**

Further details are unknown.

## **FINANCIAL IMPLICATIONS**

Unknown

## **POLICY IMPLICATIONS**

Nil

## **STATUTORY IMPLICATIONS**

Nil

## **STRATEGIC PLAN IMPLICATIONS**

Nil

## **FUTURE PLAN IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Local advertising, direct contact.

## **STAFF RECOMMENDATION**

That Council determine the Charter of the Town Beautification Committee and appoint it's members.

Absolute Majority Required

## **MIN 26/06 MOTION - Moved Cr Jefferies 2nd Cr Greenwood**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

<b>Agenda Reference:</b>	11.1.26
<b>Subject:</b>	Vineyard Application Town Planning Refusal
<b>Location:</b>	Avon Location 12932
<b>Applicant:</b>	J & D Dyer
<b>File Ref:</b>	ASS-54
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	26 October 2005
<b>Author:</b>	John Mitchell, Manager Development Services

## **BACKGROUND**

Council resolved (MIN 212/05) in November 2005 that Council:

- seek to hold a meeting with the Department of Agriculture in February 2006.
- write to Mr J Dyer advising him that Council are requesting to meet with the Department of Agriculture in February 2006 and neighbouring landowners be invited to attend.

This followed on from the May 2005 Ordinary Council meeting when Council resolved to refuse the Town Planning application to establish a winery on the above location. Council's reasons for refusal were they had concerns with broadacre farming practices in comparison to intensive agriculture practices. Mr Dyer has responded to Council's decision.

## **COMMENT**

The Manager, Development Services has liaised with the applicant and the Town Planning Consultant relating to Council's decision. The following comments are provided:

- Mr. Dyer has sought legal advice and will pursue the matter through the judicial system if required.
- The Town Planning Consultant agrees with the decision of the Administration in recommending approval of the application.
- If the matter was placed at an appeal the Administration would be in conflict with Council at a State Government level and could not support Council's decision.

The concerns raised by the affected properties can be addressed through existing legislation. The decision using the broadacre vs. intensive agriculture reason is also not supported by the Administration or consultant for the following reasons:

- The definition of intensive agriculture within the scheme text includes a vineyard, nursery, tree growing and other activities. All of which operate within the region currently.
- The definition of rural pursuit includes the growing of trees – for residential, commercial or industrial gardens – but not for farms. Although the "use" as a vineyard is subject to a discretionary approval of Council, there are still insufficient reasons to refuse the application.
- The existing "uses" on farms within the rural area therefore is not approved. A precedent is set.
- Section 4.3.4 states a "wide range of rural/agricultural uses" that determine the purpose and intent of the rural zone, implying that intensive and broadacre are compatible.
- Section 4.4 of the Scheme text determines that developments are limited by liquid waste disposal and therefore Council can require that information be provided to satisfy themselves that the drainage is adequate. This section permits the local government to restrict development, but not refuse it for these purposes until satisfaction is achieved. This can be achieved through the Department of Environment licences.

If subject to an appeal Council's decision would most likely be overturned.

## **FINANCIAL IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

There are no policies applicable to this development application.

## **STATUTORY IMPLICATIONS**

The Shire of Tammin Town Planning Scheme No.1

## STRATEGIC PLAN IMPLICATIONS

Nil

## PRINCIPAL ACTIVITY PLAN IMPLICATIONS

Nil

## COMMUNITY CONSULTATION

Community consultation has been undertaken. The concerns raised by the public relate to the application of pesticides and can be addressed through existing legislation.

## STAFF RECOMMENDATION

That Council Resolution (MIN 64/05):

*That Council reject the application by Mr Jonathan Dyer to establish a winery on Location 12932.*

be rescinded.

Absolute majority required.

That the recommendations contained in the Manager, Development Services report of May 2005:

1. That the Shire of Tammin approve in principle the establishment of a winery on location 12932 subject to the following conditions: -
  - a) The Applicant is to submit a detailed plan of the proposed development addressing the Environmental Management Guidelines for Vineyards 2002 and providing Council with supporting documentation that the development has been designed to comply with these requirements.
  - b) The applicant is to submit a report from a suitably qualified Engineer that the liquid waste disposal system is designed to accommodate the proposed production and is compliant with the Department of the Environment requirements.
2. That the Applicant be given advice as to the requirements of the Environmental Management Guidelines for Vineyards 2002 and Agriculture and Related Resources Protection (Spraying Restrictions) Act 1981 and the requirements to comply with this legislation.
3. That a copy of the Department of Agriculture correspondence be provided to the applicant for information.

be adopted.

Simple Majority Required

The CEO noted that the development application was for the establishment of a vineyard on land which zoned Rural. Under the Scheme, a vineyard is included in the definition of intensive agriculture which is an "AA" use under the Shire of Tammin's Town Planning Scheme No 1. This means that the use is not permitted unless Council has granted planning approval. Further, that whilst Council is not required to give notice (Clause 6.3) because of the area of affected land owners (radius of 10km for restriction in chemical use) it would be prudent to do so.

The CEO further noted that a quorum of Council did not exist. To resolve this situation, a decision from the Department of Local Government and Regional Development would be sought to either allow Councillors who had declared an interest to vote or to reduce the number of a quorum for this item. In the interim, the details of the proposal would be provided to the affected land owners (within the 10km radius) and advertised locally (Kellerberrin Pipeline and Tammin Tabloid) to expedite Council's determination of the application.

Noted that Item 11.1.27 was omitted.

<b>Agenda Reference:</b>	11.1.28
<b>Subject:</b>	Playground Equipment
<b>Location:</b>	Kadjininy Kep
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	AGR-19
<b>Disclosure of Interest:</b>	NIL
<b>Date:</b>	1 February 2006
<b>Author:</b>	Carol Crane, Community Development Officer

**BACKGROUND**

Council resolved in June 2005 (MIN 94/05) to provide up to \$30,000 in the 2005/06 Budget to provide playground equipment for visitors to Kadjininy Kep and Memorial Park and the Community Development Officer investigate obtaining additional funding for seating, shelters, fencing etc. for the designated area. Further, that an application be made to Lotterywest for a grant of \$10,000 to complete the playground equipment project.

This followed on from the old playground equipment being removed for safety reasons. A fun play area will encourage local families to utilize the BBQ and picnic facilities in Memorial Park and Kadjininy Kep. A children’s playground will enhance the overall appeal of the attraction for tourists and travellers.

**COMMENT**

Funding from Lotterywest for \$11,000 (GST Inc) has been received for the purchase and installation of the new playground in between Memorial Park and Kadjininy Kep. A decision needs to be made on design of the playground so an order can be placed and equipment installed as soon as possible.

**FINANCIAL IMPLICATIONS**

Provision of \$30,000 is included in the 2005/2006 Budget – Capital Expenses together with \$10,000 Income from Government Grants (Account 113.2.61).

Total cost of equipment (inclusive of GST) excluding freight, construction and supply of soft fill sand is:

- Miracle Concept 1 + freestanding pieces \$28,591.20
- Miracle Concept 2 + freestanding pieces \$27,606.70
- Forpark Concept 1 + freestanding pieces \$25,527.70
- Forpark Concept 2 + freestanding pieces \$29,893.60

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Shire of Tammin Strategic Plan 2003 – 2006 Theme 1 : Our community  
Councils Role: “Provide community facilities, information and resources.”

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Support has been previously registered from Tammin Tidy Towns, Tammin Primary School and the Tammin Tabloid.

**STAFF RECOMMENDATION**

That Council determine the preferred design for the playground equipment to allow arrangements to be made for it’s construction and installation.

Simple Majority Required

**MIN 28/06 MOTION - Moved Cr Jefferies 2nd Cr Caffell**

*That the Miracle Concept 2 + freestanding pieces, together with filled in stairs and 3 panels similar to the Forpark design, be purchased.*

CARRIED 4/0

**REASON**

Council preference.

<b>Agenda Reference:</b>	11.1.29
<b>Subject:</b>	Bicycle Plan
<b>Location:</b>	Tammin Townsite
<b>Applicant:</b>	Shire of Tammin
<b>File Ref:</b>	ENG-11
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	2 February 2006
<b>Author:</b>	Carol Crane

**BACKGROUND**

Unsuccessful applications have been made to the Department of Planning and Infrastructure in the last two years for funding to establish a footpath along Shields Street from Booth Street to Station Road. The funding rounds were oversubscribed however one of the key factors that went against Tammin's application was that The Shire of Tammin does not have an adopted Bicycle plan.

**COMMENT**

Applications for 2006 Country pathways funding close on the 17 March 2006. If the Shire of Tammin is to be successful Council needs to adopt a Bicycle plan.

It is recommended that the plan includes a map of existing footpaths and dual purpose paths, a schedule of works and a maintenance schedule.

**FINANCIAL IMPLICATIONS**

Matching funding by the Shire of Tammin will be required in 2006/07 if the grant application is successful.

**POLICY IMPLICATIONS**

Nil

**STATUTORY IMPLICATIONS**

Nil

**STRATEGIC PLAN IMPLICATIONS**

Nil

**FUTURE PLAN IMPLICATIONS**

Nil

**COMMUNITY CONSULTATION**

Previous support has been received from The Tammin Senior Citizens and the Tammin Primary School.

**STAFF RECOMMENDATION**

That the Bicycle plan prepared for the Shire of Tammin be adopted.

Simple Majority Required

**MIN 29/06 MOTION - Moved Cr Greenwood 2nd Cr Caffell**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

## **11.4 Reports Of Officers**

### **11.4.1 Chief Executive Officer's Report - For period up to 1 February 2006**

#### **11.4.1.1 Handover**

Following commencement of duties on Friday 13 January 2006 Mr Peczka returned on 23 January 2006 to go through current items.

Mr Raymond Griffiths has also returned on several occasions to both explain current issues and provide guidance to Ms McDonald.

Appreciation is recorded to both ex-Officers. Appreciation is also expressed to those Councillors who were able to attend the small function on 12 January 2006 for Mr Peczka.

#### **11.4.1.2 Staff**

Following interviews, Ms Alison Fleay was appointed to the position of Administration Officer and commenced duties on 18 January 2006. Unfortunately, Alison has tendered her resignation and will finish on 3 February 2006. The position will be readvertised.

Mrs Carol Crane returned from leave on 1 February 2006. Carol will work additional time to assist whilst the Administration Officer vacancy exists. Casual Staff are also being sought to assist in this area.

Mr John Mitchell is on leave (hence no report).

A sundowner was held on 25 January 2006.

Discussions are continuing with Ms Liz McDonald regarding the Finance Officer's position and the change from the EBA to the Award.

#### **11.4.1.3 Accounting**

The accounting is being bought back up to date on the AccuTerm 97 software and will continue until MYOB is fully operational. Alternatives to achieve this are being researched.

Special mention is made of the commitment by Ms McDonald to learning the additional functions required to maintain the AccuTerm 97 data.

#### **11.4.1.4 20 Ridley Street**

Work is in hand in having the telephone service connected. Unfortunately, there is some error in the Telstra plans creating confusion as to which side of the property the service connection (under the footpath) is required. Telstra will again visit to resolve this problem on 10 February 2006. A cable will then need to be trenched from the north western corner of the house to this point. Hopefully, the connection will not be on the east side of the property – which will create further issues now that paving and the concrete driveway has been laid.

The other improvement works (power to shed, lattice protection on rear veranda, reticulation, relocation of gas bottles and airconditioner compressor, satellite decoder etc) will be progressed through the Shire of Kellerberrin and local trades.

Mrs Glenice Batchelor has been approached to prepare a design for the garden.

#### **11.4.1.5 22 Ridley Street**

Messrs Veronica and Bill Taiki vacated the property on 16 January 2006. The Tammin Abattoir has taken up the rental of the property as from 1 February 2006.

#### **11.4.1.6 CEO's Vehicle**

The new Fairlane G220 sedan was delivered on 12 January 2006. A car kit (for the new CDMA mobile telephone) has been acquired and will be installed in the near future.

#### **11.4.1.7 Banking**

The National Bank has been requested to open an additional Municipal Fund bank account for DPI agency banking (rather than use the Trust Fund bank. The Bank has also been requested to provide on-line banking access to allow the daily transfer of funds to this bank account. Finally, the Bank has also been requested to provide a credit card for the CEO's use (the previous card was in the name of the Shire of Kellerberrin).

#### **11.4.1.8 Councillor Discussions**

Appreciation is expressed to those Councillors who were able to attend the informal discussions on 30 January 2006. Whilst the night when on a little longer than expected (sorry Margaret) I believe they were extremely fruitful and beneficial.

Rabbait has been purchased to address the rabbit issue and action has been taken in relation to the mosquito/puddles issue.

#### **11.4.1.9 New Isuzu Truck / Trailer Combination – Trailer Sway**

The problem reported by Mr Frank Peczka in December (item 13) are understood to have been rectified

#### **11.4.1.10 Mackin Creek – Culvert Works**

Mr Charles Lockwood from Maclean & Lawrence will be on site on Tuesday, 7 February 2006 to provide advice on this issue (at a cost of \$3,000 ex GST).

The 2005/06 Budget provided \$12,875 for this project. The 2005/2006 accounts (Job 122) records expenditure of \$19,275.41 however does not include the additional pipes (4 x 2.4m x 700mm and 4 x 1.2m x 700mm) purchased (approximately \$1,473)

M.G. (Mick) Oliver  
**Chief Executive Officer**

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

##### **11.4.3.1 Thank a Volunteer / Carols by Candlelight**

On the 18th of December the Shire of Tammin successfully hosted the Thank a Volunteer sausage sizzle in Memorial Park followed by Carols by Candlelight in Kadjiny Kep. We were fortunate to have perfect weather for the evening and community members along with visitors from other towns were entertained and participated in Carol singing with the musical group "Spectrum". There was no charge for this performance but the Shire was able to pay \$250 toward the groups travel expenses thanks to our successful application for a "Thank a Volunteer Grant".

##### **11.4.3.2 Grant Acquittals**

Acquittals have been completed for grants the Shire received for the Tammin Art Prize, Thank a Volunteer function and Street Lighting.

##### **11.4.3.3 Youth Activity Centre**

Planning is underway for the official opening of the Tammin Youth Activity Centre on the 7th of April. (This date coincides with National Youth Week).

Janine Oliver from the Shire of Northam (Youth) will be attending with Presidents from the two Yak's she is involved with to talk to our young people about their organisations and ideas that may be of interest to Tammin. I am hoping to secure some funding from Country Arts Youth to bring a band from Merredin over for the evening.

#### **11.4.3.4 Community Playground**

The Shire of Tammin has been successful in its application for \$10,000 to be used to provide a new playground.

#### **11.4.3.5 Events Committee**

The first meeting for 2006 for the Tammin Events Committee is scheduled for 7 February 2006 and minutes of the meeting will be presented to the March Ordinary Council meeting.

#### **11.4.3.6 Functions within the Shire**

The following major events are scheduled for the next two months:

- Country Arts Play – (Hosted by Senior Citizens) 16 March 2006
- Magnificent Seven 24 March 2006
- Youth Activity Centre opening 7 April 2006
- Wedding at Kadjininy Kep 29 April 2006

The following issues have been previously identified to ensure the smooth and successful running of future functions at the Hydrology Model and for general use of the facility:

- permanent rubbish bins within the facility
- change rooms
- temporary cover of fence at entrance. This is the only section of the facility where there is a clear view of the stage
- facilities for gatekeeper
- signage
- parking

Carol Crane  
**Community Development Officer**

#### **STAFF RECOMMENDATION**

That Council accept the:

- Chief Executive Officers Report; and
- Community Development Officer Report.

#### **MIN 30/06 MOTION - Moved Cr Caffell 2nd Cr Jefferies**

*That the Staff Recommendation be adopted.*

CARRIED 4/0

#### **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 9.45pm.

#### **NEXT MEETING DATES**

Ordinary Council Meeting - Wednesday, 8 March 2006