

SHIRE OF TAMMIN

Minutes of the Ordinary Council Meeting held at Council Chambers, 1 Donnan Street,
Tammin, on Wednesday, 13 September 2004, commencing at 1:00pm

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

1:18pm - The Shire President declared the meeting open.

RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present

| | |
|-----------------|------------------------------|
| Cr. B. Leslie | President (Presiding Person) |
| Cr. L. Caffell | Deputy President |
| Cr. D. Thomson | Member |
| Cr. M. Wheeldon | Member |
| Cr. R Stokes | Member |
| Mr F. Peczka | Chief Executive Officer |
| Miss G Stewart | Personal Assistant (Minutes) |

Apologies

Nil

Leave of Absence

Nil

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE- Nil.

PUBLIC QUESTION – Nil

APPLICATIONS FOR LEAVE OF ABSENCE – Nil

DECLARATION OF INTEREST

Cr Thomson declared a financial interest in item 11.1.6 as he received a councilor payment and payment for gravel.

PRESENTATIONS - Nil

CONFIRMATION OF MINUTES PREVIOUS MEETING

MINUTES OF ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 4th AUGUST 2004

MIN 1728/04 MOTION – Moved Cr. Caffell 2nd Cr. Wheeldon

That the minutes of the Ordinary Meeting of the Shire of Tammin held on 4 August 2004 at Council Chambers, Tammin be confirmed as a true and correct record.

CARRIED 5/0

ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION - Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 SPECIAL BUDGET MEETING MINUTES – 19 AUGUST 2004

Shire of Tammin

Minutes of the Special Budget Meeting held at Council Chambers,
1 Donnan Street, Tammin on Thursday 19th August 2004

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

4.30pm - The Presiding Person, Cr Leslie declared the meeting open.

RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:

| | |
|----------------|--------------------------------------|
| Cr. B Leslie | President/Presiding Person |
| Cr. L Caffell | Deputy President |
| Cr. M Wheeldon | Member |
| Cr. R Stokes | Member |
| Cr. D Thomson | Member |
| Mr. F. Peczka | Chief Executive Officer |
| Mr R Griffiths | Manager Corporate Services (Minutes) |

Apologies:

Nil

DECLARATION OF INTEREST

Cr Leslie declared a financial interest in Item 1 in that he has been asked to provide a quote to cart waste materials for the Tammin Regional Waste Processing Site Contractor.

DEVELOPMENT SERVICES COMMITTEE MEETING – 11 AUGUST 2004

COUNCIL RECOMMENDATION

MIN 1728/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

That Council accept the Development Services Committee Meeting Minutes of 11th August 2004 with the following amendments:

- *Replace all per tonne measurements with per m³ except Commercial and Domestic Rate - Kellerberrin*

CARRIED 5/0

JOINT RESOURCE SHARE COMMITTEE MEETING – 16 AUGUST 2004

COUNCIL RECOMMENDATION

MIN 1729/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Caffell

That Council accept the Joint Resource Share Committee Meeting Minutes of 16 August 2004.

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | Item 1 |
| Subject: | 2004/2005 Fees and Charges |
| Location: | Shire of Tammin |
| Applicant: | Shire of Tammin |
| File Ref: | FIN 04 |
| Disclosure of Interest: | N/A |
| Date: | 30 th June 2004 |
| Author: | Raymond Griffiths, Manager Corporate Services |

BACKGROUND

Council on imposing fees and charges are to be included in the annual budget though can be imposed during the financial year or amended from time to time during a financial year. (Absolute Majority Required)

A list of proposed fees and charges are attached including a summary page of amendments.

COMMENT

The amendments to the fees and charges for 2004/2005 are minimal. Council has not increased the fees and charges on these items for some years and now needs to look at doing so as Councils costs are increasing in producing the services offered.

The Development Services Committee in its meeting 11th August 2004 reviewed and modified the fees and charges for the Tammin Refuse Site as per Development Services Minutes.

FINANCIAL IMPLICATIONS

- Shire of Tammin 2004/2005 Budget

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS –

Local Government Act 1995 (as amended)

Section 6.16 (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute Majority Required.*

- (2) A fee or charge may be imposed for the following
 - a. Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government

- b. Supplying a service or carrying out work at the request of a person
 - c. Subject to section 5.94, providing information from local government records;
 - d. Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate;
 - e. Supplying goods;
 - f. Such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be –
- a. Imposed* during a financial year; and
 - b. Amended* from time to time during a financial year.

** Absolute Majority Required*

Section 6.17. (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –

- (a) The cost to the local government of providing the service or goods;
 - (b) The importance of the service or goods to the community; and
 - (c) The price at which the service or goods could be provided by an alternative provider.
- (2) A high fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
- a. Under section 5.96;
 - b. Under section 6.16 (2) (d); or
 - c. Prescribed under section 6.16 (2) (f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service
- (4) Regulations may –
- a. Prohibit the imposition of a fee or charge in prescribed circumstances; or
 - b. Limit the amount of a fee or charge in prescribed circumstances.

RECOMMENDATION

- 1 That Council adopts the fees and charges listed for 2004/2005

** Absolute majority required*

COUNCIL RECOMMENDATION

MIN 1730/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

- 1 *That Council adopts the fees and charges listed for 2004/2005 with Development Services Committee discussion amendments as per following:*

Refuse Site Charges

Commercial Rate Putrescible

25.00 per m3

Commercial /Domestic Rate – Kellerberrin

15.00 per tonne

Fixed until 30/06/2006

| | |
|---|-------------------------------------|
| | <i>(GST Inclusive)</i> |
| Trucks | 10.00 per m3 |
| Car Bodies (if collected from Tammin Townsite – free) | 20.00 |
| Grain Disposal | 10.00 per m3 |
| Truck/Plant Bodies (if collected from Tammin Townsite – free) | 150.00 |
| <u>Tyres</u> | |
| Passenger Car | 5.00 |
| Light Truck | 10.00 |
| Farm Machinery/Plant | P.O.A |
| Asbestos Waste (Commercial) | 100.00 per m3 |
| Asbestos Waste (Residential <1m3) | 85.00 per m3 |
| <u>General Waste</u> | |
| Single Axle Trailer (Car Towed) | 15.00 |
| Tandem Axle Trailer (Car Towed) | 25.00 |
| General Waste eg boot waste – car | 6.00 min fee P.O.A Attendant |
| Special burial including animal, fiberglass etc | 50.00 per m3 |
| Large Volumes > 30m3 | (by negotiation) |
| Undefined Waste @ direction of contractor | 50.00 per m3 |
| All Refuse Site Fees are subject to GST. | |

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | Item 1 |
| Subject: | Annual Budget 2004/2005 |
| Location: | Shire of Tammin |
| Applicant: | Shire of Tammin |
| File Ref: | N/A |
| Disclosure of Interest: | N/A |
| Date: | 19 August 2004 |
| Author: | Raymond Griffiths, Manager Corporate Services |

BACKGROUND

Council in its July Ordinary meeting of Council received a budget brief highlighting increases and modifications from 2003/2004 Budget. Listed below is the same Budget Brief information:

- Rates are recommended to increase by 7.5% from \$440,150 to \$473,288
- Rural Valuations increased 14.3%
- Salary and Wages increased 9.90%
- Resource Sharing payment (Net) decreased from \$84,630 in 2003/2004 Budget to \$83,968 in 2004/2005.
- Road Capital Costs increased from \$159,947 to \$317,637
- Road Maintenance increased from \$278,416 to \$406,681

- Insurance increased from \$55,056 in 2003/2004 Budget to \$61,181 in 2004/2005, an increase of 11.12%
- Fees and Charges changes in 2004/2005
 - Sale advice information increased from \$10 to \$20
 - Private Housing Rentals increased \$5 per week
 - Tamma Village Rentals up from \$42 per week to \$50 per week
 - Refuse Site fees and charges as per Council decision
 - Photocopying increased 5 cents per fee
 - Included Mowing as a fee and charge with Slashing and Broom Hire
 - Included Mulch as a fee and charge
 - Included Master Key Deposit as a fee and charge
 - Included Utilities as a fee and charge
- Included Meat Inspector Costs in as \$65,000 and out for \$65,000
- Council this year is receiving \$14,365 in Black Spot Funding.
- Council this year is expected to receive the balance of monies outstanding for purchase of Tammin Steel Building (\$38,000)
- Transfer of Reserves
 - \$150,000 from Plant Replacement to Municipal for purchase of Plant and Equipment
 - \$10,000 from Entitlements Reserve to pay Annual Leave Entitlements in December 2004
- Raising of Loan (\$250,000) for Purchase of Plant and Equipment
- Incorporated new Operational Costs of Hydrology Model (Including \$15,000 for Opening of Hydrology Model)
- Federal Assistance Grants General up by 5.6% to \$384,695 from \$364,099 where as the Roads Grants dropped by \$1,500 from 2003/2004

Council in its July 2004 Ordinary Meeting of Council adopted:

MIN 0699/04 MOTION - Moved Cr. Caffell 2nd Cr. Wheeldon

Council adopts the following for the 2004/2005 Financial Year;

1. *Council offer to ratepayers the following payment options for 2004/2005;*

Option

Due By

*Option A - One Payment
(includes 5% discount)*

35 days from issue of rate notices

Option B - Two Payments 50% due 35 days from issue of rate notices
50% due 120 days from issue of rate notices

Option C - Four Payments 25% due 35 days from issue of rate notices
25% due 120 days from issue of rate notices
25% due 182 days from issue of rate notices
25% due 273 days from issue of rate notices

2. *Instalment option is offered for rubbish charges - no instalment interest or penalty interest to apply.*

3. *Administration fee of \$5.00 per reminder rate notice (Options B and C)*
4. *Instalment interest to be levied at 5%*
5. *Late payment penalty interest to be levied at 11% for Rates.*
6. *Discount - 5%*

7. *That rate incentives (Weekends away) be offered to ratepayers for early payment of rates within 35 days at no cost to Council*

**CARRIED 5/0
BY ABSOLUTE MAJORITY**

MIN 0701/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

1. *That Council donates;*
 - a. *\$350 cash towards the operating expenses of the West Week Lunch (Speaker) for the Tammin Country Women's Branch*
 - b. *\$5,000 cash for wages for operation of Tammin Cooina Centre*
 - c. *\$15,000 cash subsidy for Tammin Bowling Club Green keeper*
 - d. *\$1,000 cash subsidy to Tammin Primary School for Swimming Lesson transportation.*
 - e. *That Council's Community Development Officer assist Tammin Primary School in obtaining funding for Playground Equipment.*
 - f. *\$1,000 towards the Northam Regional Crematorium*
 - g. *\$1,760 cash contribution towards operational expenses for Wheatbelt Agcare*
 - h. *\$250 cash contribution towards display at Perth Royal Show for Central Group of Affiliated Agricultural Societies.*

CARRIED 5/0

REASON

To identify the Northam Crematorium.

COMMENT

Council in its July 2004 Ordinary Meeting of Council requested that the following amendments be made to the 2004/2005 Draft Budget produced:

- \$8,000 – Purchase of Land for Dam Construction
- \$20,000 – Purchase of Land for Industrial Land (Depot Site)
- \$9,000 – Community Development Officer

The Resource Sharing Committee in its Meeting 16th August 2004 recommended the following:

MIN 1731/04 MOTION - Moved Cr Giles 2nd Cr Caffell

That the Resource Sharing Committee recommend that the Shire of Tammin and Shire of Kellerberrin agree to employ Team Leader - Road Construction, Team Leader - Road Maintenance, Team Leader - Parks and Gardens on a cost recovery basis from non-employing Council and deleting the classification of leading hand.

CARRIED 6/0

FINANCIAL IMPLICATIONS

- Financial Management of 2004/2005 budget

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

Section 6.2 (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.

STAFF / COUNCIL RECOMMENDATION

1. That the GRV Rate in the Dollar of \$0.119902 be adopted
Local Government (Financial Management) Regulations 1996, Regulation 23
2. That the UV Rate of \$0.021027 to be adopted
Local Government (Financial Management) Regulations 1996, Regulation 23
3. That a minimum rates of \$130 per property for Gross Rental Value and Unimproved Values for rateable property with the district be adopted
Local Government (Financial Management) Regulations 1996, Regulation 23
Local Government Act 1995 – section 6.35
4. The rating Valuations for Gross Rental Value of \$276,522 be adopted
Local Government Act 1995 – section 6.39 (1)
Local Government (Financial Management) Regulation 1996, Regulation 55
5. The rating Valuations for Unimproved Value of \$20,556,566 be adopted
Local Government Act 1995 – section 6.39 (1)
Local Government (Financial Management) Regulation 1996, Regulation 55
6. That the Rubbish Removal Service Charge of \$109.00 & \$54.50 (Pensioners) be adopted.
Local Government Act 1995 – section 6.38 and section 6.39
Local Government (Financial Management) Regulations 1996, Regulation 24
7. That the 2004/2005 Budget including above items with the following amendments be adopted.

- a. Reduce 42.2.251 to \$20,673 from \$47,596
 - b. Reduce Salaries (Team Leader) \$10,000
 - c. Reduce Superannuation (Team Leader) by \$6,638
 - d. Reduce Road Maintenance Materials by \$10,285
- Local Government Act 1995 – section 6.2 (1)
Local Government (Financial Management) Regulations 1996, Regulation 33

COUNCIL RECOMMENDATION

MIN 1732/04 MOTION - Moved Cr. Thomson 2nd Cr. Stokes

1. *That the GRV Rate in the Dollar of \$0.119902 be adopted
Local Government (Financial Management) Regulations 1996, Regulation 23*
2. *That the UV Rate of \$0.021027 to be adopted
Local Government (Financial Management) Regulations 1996, Regulation 23*
3. *That a minimum rates of \$130 per property for Gross Rental Value and Unimproved Values for rateable property with the district be adopted
Local Government (Financial Management) Regulations 1996, Regulation 23
Local Government Act 1995 – section 6.35*
4. *The rating Valuations for Gross Rental Value of \$276,522 be adopted
Local Government Act 1995 – section 6.39 (1)
Local Government (Financial Management) Regulation 1996, Regulation 55*
5. *The rating Valuations for Unimproved Value of \$20,556,566 be adopted
Local Government Act 1995 – section 6.39 (1)
Local Government (Financial Management) Regulation 1996, Regulation 55*
6. *That the Rubbish Removal Service Charge of \$109.00 & \$54.50 (Pensioners) be adopted.
Local Government Act 1995 – section 6.38 and section 6.39
Local Government (Financial Management) Regulations 1996, Regulation 24*
7. *That the 2004/2005 Budget including above items with the following amendments be adopted.*
 - a. *Reduce 42.2.251 to \$20,673 from \$47,596*
 - b. *Reduce Salaries (Team Leader) \$10,000*
 - c. *Reduce Superannuation (Team Leader) by \$6,638*
 - d. *Reduce Road Maintenance Materials by \$10,285*

*Local Government Act 1995 – section 6.2 (1)
Local Government (Financial Management) Regulations 1996, Regulation 33*

CARRIED 5/0
BY ABSOLUTE MAJORITY

CLOSURE OF MEETING

5.30pm- There being no further business, the Presiding Person, Cr Leslie thanked the members for attending and closed the meeting.

NEXT MEETING DATES

Wednesday, 1 September 2004 at 1:00pm Ordinary Council Meeting at Council Chambers.

STAFF / COUNCIL RECOMMENDATION

MIN 1734/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

That the minutes of the Special Budget Meeting be received.

CARRIED 5/0

10.2 AGENDA – HYDROLOGY MODEL OPENING

Cr Stokes advised Council of the proposed Agenda for the Hydrology Model Opening, outlining events and catering.

STAFF / COUNCIL RECOMMENDATION

MIN 1735/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Caffell

That Cr Stokes' report be received.

CARRIED 5/0

MEETING GUEST – REBECCA HOUSE, WHEATBELT AREA CONSULTATIVE COMMITTEE

1:43pm – Rebecca House entered Council Chambers and made a presentation to Council.

2:19pm – Rebecca House left Council Chambers.

11. AGENDA ITEMS

AGENDA ITEMS – CORPORATE SERVICES

| | |
|--------------------------------|---|
| Agenda Reference: | 11.1.1 |
| Subject: | Date of Future Local Government Elections |
| Location: | Perth |
| Applicant: | Western Australian Local Government Association |
| File Ref: | ELE-03 |
| Disclosure of Interest: | N/A |
| Date: | 6 September 2004 |
| Author: | Frank Peczka, Chief Executive Officer |

BACKGROUND

Council Meeting Minutes of 2nd June 2004 reads;

*“MIN 0659/04 MOTION Moved Cr Stokes 2nd Cr Wheeldon
That the Shire of Tammin preferred timing for Local Government Elections is
September/October period and that the Western Australian Local Government
Association be advised of Council’s preferred timing of local government elections”.*

Circular received from the Western Australian Local Government Association, dated 24th August 2004 reads;

“In April 2004 the Association canvassed members seeking an indication as to a possible change of date for the holding of Local Government Elections from May to October every two years. This request was after several of the Association’s Zones requested that consideration be given to changing the date for the conduct of biennial Local Government elections. Currently all elections are held on the first Saturday in May each two years, with the next election due in 2005.

Responses were received from in excess of 100 member Councils and whilst there was not a specific date indicated it was clear from the consultation that over 60 members supported a broad change to the September/October period.

In working through the likely scenarios of a suitable date for the elections a number of points were considered including the following:

- *Federal Elections – can be held anytime during this period but more often are held in November,*
- *School Holidays – generally including the last Saturday in September for two weeks,*
- *Long weekend and Royal Show during the last week of September or the first week of October,*
- *AFL Grand Final on the last Saturday in September. It is also likely that during the later part of September many people are involved in the finals of various sporting events, which could impact on interest in the election process,*
- *If the election is held in September many candidate and sitting Councillors will be campaigning during the budget process and from an administration view point the electoral function with impact significantly upon Councils who may already be under pressure to complete the budget in a timely way. From an elected member view they may feel uncomfortable in standing for election immediately after adopting a budget, which may be causing concern in the community.*
- *A change to early September will still not overcome one of the main stated reasons for change being proposed and that is to be able to deal with the budget process.’*

The State Council in considering the report on the outcome of the request for comment from members notes that there was not a specific date proposed in the previous consultation process and as such felt that before adopting a position on a possible date the specific proposal of the 3rd Saturday in October should be canvassed with members.

Against that background members are asked to provide a response to the following question:

Does your Council support a change of Election Day to the 3rd Saturday in October every two years?

COMMENT

The circular put out by the Western Australian Local Government Association is self explanatory and follows up on Council’s June 2004 direction.

I have enclosed the response sheet for Council to confirm or not the indicated date for future local government elections.

FINANCIAL IMPLICATIONS

Nil – the proposal for change of the time of year will not affect the budget for the conduct of in house elections as it will be the same cost and preparation.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

- Local Government Act 1995 (As Amended) – section 4.4 Division 3 – Ordinary Elections
 - Section 4.8 Division 4 – Extraordinary Elections
 - Section 4.11 Division 5 – Other Elections
 - Section 4.16 Division 6 – Postponement and Consolidation of Elections
 - Section 4.19 Division 7 – Provisions about Electoral Officers and the Conduct of Elections
 - Section 4.29 Division 8 – Eligibility for Enrolment
 - Section 4.36 Division 9 – The Electoral Process
 - Section 4.80 Division 10 – Validity of Elections
 - Section 4.85 Division 11 – Electoral Offences
 - Section 4.99 Division 12 – Polls and Referendums

Note: section 4.7 of the Local Government Act 1995, deals with stating that polls for ordinary elections to elect an elector mayor or president will be held on the first Saturday in May every four years; and polls for ordinary elections to elect councilors will be held on the first Saturday in May every 2 years.

- Local Government (Elections) Regulations 1997 – regulations deal with appointment of staff, scrutineers, electoral offences and the general administration of the elections.
- Interpretation Act 1984
- Electoral Act 1907 – deals with electoral roll and the Electoral Commissioner

RECOMMENDATION

That the Shire of Tammin preferred timing for Local Government Election Day be the 3rd Saturday in October every two (2) years.

STAFF / COUNCIL RECOMMENDATION

MIN 1736/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

That the Shire of Tammin preferred timing for Local Government Election Day be the 3rd Saturday in October every two (2) years.

CARRIED 5/0

| | |
|--------------------------------|--|
| Agenda Reference: | 11.1.2 |
| Subject: | Volunteers Day Grant |
| Location: | Shire of Tammin |
| Applicant: | N/A |
| File Ref: | PUB Volunteers Day |
| Disclosure of Interest: | N/A |
| Date: | 26 August 2004 |
| Author: | Mick Cole, Community Development Officer |

BACKGROUND

Each year the Premiers Office through the Volunteering Secretariat offers a grant to rural communities to fund a Volunteers day celebration. The date for this is set at 5 December 2004, however they realize that this date is not satisfactory to all communities due to seasonal workload so they have allowed a function to be held at anytime within the following three month period and still qualify for the grant.

COMMENT

Other councils in the region have found that they can combine this function with their Australia Day celebrations. The amount funded is up to \$500 with a similar contribution from council or whatever group is sponsoring the function.

This grant application closes on the 20th September and I would like some direction from council as to whether they would host an Australia Day function and combine it with a "Thank A Volunteer Day" celebration.

FINANCIAL IMPLICATIONS

If successful the grant funding can be up to \$500 with matching funds from Council.

RECOMMENDATION

1. Council host an Australia Day function in the evening at the Tammin Hydrology Model Site. This function to be combined with the Volunteers Day celebrations. The proposed function be in the form of a sausage sizzle and entertainment. Australia Day is on a Wednesday which would most likely keep people in the district apart from those away on holidays;

or

2. Arrange a separate day for the Volunteers Day function, this would need to be in the time frame of 5th December 2004 to 5th February 2005.

STAFF / COUNCIL RECOMMENDATION

MIN 1737/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Stokes

Arrange a Volunteers Day function in conjunction with the Tammin Annual Christmas Tree Function.

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | 11.1.3 |
| Subject: | Proposed Sale of Council Residential Properties |
| Location: | Tammin Townsite |
| Applicant: | D.K.T. Rural Agencies – Landmark Kellerberrin |
| File Ref: | ASS488/ASS1071 |
| Disclosure of Interest: | N/A |
| Date: | 6 th September 2004 |
| Author: | Frank Peczka, Chief Executive Officer |

BACKGROUND

Council Minute from 4th August 2004 Ordinary Meeting;
 MIN 1725/04 MOTION – Moved Cr Caffell 2nd Cr Thomson
That Council engages D.K.T. Rural Agencies – Landmark realty to list the following properties for sale: 1 Nottage Way, Tammin
 2 Redmond Street, Tammin CARRIED 5/0.

MIN 1726/04 MOTION – Moved Cr Stokes 2nd Cr Thomson
That Council advises Miss Val McMillan that the following properties be advertised for sale; 1 Nottage Way and 2 Redmond Street, in accordance with the Local Government Act 1995 and that a Real Estate Agent has been engaged to act on behalf of Council. CARRIED 5/0.

COMMENT

Council has received market appraisals from D.K.T. Rural Agencies – Landmark Realty Sales Representative Michael Greenwood as follows for the advertised properties and property that was originally intended for sale.

- 1 Nottage Way Tammin - \$35,000 to \$38,500
- 2 Redmond Street Tammin - \$30,000 to \$35,000
- 4 Yorkrakine Road Tammin - \$40,000 to \$44,000

Council directed that 2 Redmond Street Tammin be included in the sale of Housing Property in lieu of 4 Yorkrakine Road Tammin.

Council has received strong pricing submissions and Council appointed sales Representative has done an excellent job in achieving realistic and sound sale proposals for Council consideration.

FINANCIAL IMPLICATIONS

2004/2005 Budget – capital revenue from sale of property
 1 Nottage Way Tammin - \$34,000.00 / Budget
 2 Redmond Street Tammin - \$45,000.00 / Budget
 # Note Budget Allowance for 4 Yorkrakine Road only - \$30,000.00 for Sale of Property less fees for appointed Real Estate Agent of 8% of selling price.
 If agreed to and accepted after regulatory processes are completed, Council will receive revenue more than budgeted for of \$79,000.00 total less budget amount of \$30,000.00, less fees of 8% for agent representation. It is suggested that the surplus amount to budget allocation/estimates, be transferred into Councils Housing Reserve Account for future upgrade programs and/or new construction in relation to Councils planned Housing Program.

POLICY IMPLICATIONS

Plan of Principal Activities for period 1st July 2004 to 30th June 2008:
Principal Activity No 7 – Housing; *Objective: construction of quality Housing within the Shire of Tammin for staff, Tamma Village and School Principal.*
Nil implication under Councils Policy Document.

STATUTORY IMPLICATIONS

Shire of Tammin Strategic Plan 2003 to 2006

Theme 1 – Our Community: *Initiative 2 Housing (h) Upgrade Shire Housing – ongoing*
Local Government Act 1995 –

- section 3.58 (3)

A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property;

a) it gives Statewide public notice of the proposed disposition

i) describing the property concerned

ii) giving details of the proposed disposition; and

iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the Council or a Committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

- section 3.58 (4)

The details of a proposed disposition that are required by subclause (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.

Local Government (Functions and General) Regulations 1996

- regulation 30 relates to disposition of property to which section 3.58 of Act does not apply.

RECOMMENDATION

That Proposals submitted by appointed Real Estate Agent D.K.T. Rural Agencies, Sales Representative Michael Greenwood, for the following persons for the following Shire Residential Properties be accepted on the basis of completing statutory advertising requirements in accordance with the Local Government Act 1995;

Property 1 – 1 Nottage Way Tammin

Proposed Purchaser – Doris Valmai McMillan of 5 Redmond Street Tammin

Proposed Purchase Price - \$34,000.00

Market Appraisal Value - \$35,000 to \$38,500

Property 2 – 2 Redmond Street Tammin

Proposed Purchaser – Naomi Belinda Netherway of 47 Dreyer Street Tammin

Proposed Purchase Price - \$45,000.00

Market Appraisal Value - \$45,000 to \$48,000

STAFF / COUNCIL RECOMMENDATION

MIN 1738/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

That Proposals submitted by appointed Real Estate Agent D.K.T. Rural Agencies, Sales Representative Michael Greenwood, for the following persons for the following Shire Residential Properties be accepted on the basis of completing statutory advertising requirements in accordance with the Local Government Act 1995;

Property 1 – 1 Nottage Way Tammin

Proposed Purchaser – Doris Valmai McMillan of 5 Redmond Street Tammin

Proposed Purchase Price - \$34,000.00

Market Appraisal Value - \$35,000 to \$38,500

Property 2 – 2 Redmond Street Tammin

Proposed Purchaser – Naomi Belinda Netherway of 47 Dreyer Street Tammin

Proposed Purchase Price - \$45,000.00

Market Appraisal Value - \$45,000 to \$48,000

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | 11.1.4 |
| Subject: | Membership Application to Australia's Golden Outback |
| Location: | Wembley, Perth |
| Applicant: | Australia's Golden Outback – Gold Region Tourism Organisation |
| File Ref: | PUB-13 |
| Disclosure of Interest: | N/A |
| Date: | 6 th September 2004 |
| Author: | Frank Peczka, Chief Executive Officer |

BACKGROUND

Notice of the Annual General Meeting of the Australia's Golden Outback - Gold Region Tourism Organisation Inc. has been set for Thursday 23rd September 2004 at the Council Chambers of the Shire of Merredin, commencing at 3.30pm.

COMMENT

The Gold Region Tourism Organisation offers a membership of \$27.50 incl. GST, for the financial year of 2004/2005. Council is under the "Wheatbelt Cluster" of the Gold Region Tourism Organisation Inc.

Australia's Golden Outback is the peak tourism marketing organization solely responsible for the branding, positioning and marketing of the region in the domestic market. The organization works with Tourism WA, formerly the Western Australian Tourism Commission, to promote the region in key international markets.

FINANCIAL IMPLICATIONS

2004/2005 Budget Document – expense for Tourism membership not allowed for. Debit of \$27.50 against expense account for Tourism Promotion is sustainable if Council agrees to the membership offer.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Gold Region Tourism Organisation Inc. trading as Australia’s Golden Outback and formed in December 2003 following the implementation of Tourism Western Australia’s New Concept for State Tourism Strategy.

RECOMMENDATION

That the Shire of Tammin subscribes membership to Australia’s Golden Outback – Gold Region Tourism organization Inc. for the 2004/2005 financial year at a cost of \$27.50 incl. GST. The membership subscriptions be debited against Tourism Promotion expenses.

STAFF / COUNCIL RECOMMENDATION

MIN 1739/04 MOTION - Moved Cr. Caffell 2nd Cr. Wheeldon

That the Shire of Tammin subscribes membership to Australia’s Golden Outback – Gold Region Tourism organization Inc. for the 2004/2005 financial year at a cost of \$27.50 incl. GST. The membership subscriptions be debited against Tourism Promotion expenses.

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | 11.1.5 |
| Subject: | Authority to Use Traffic Signs and devices at Roadworks – New Instrument of Authorisation |
| Location: | Perth |
| Applicant: | Main Roads WA – Executive Director Road Network Services |
| File Ref: | ENG-13/ENG-21 |
| Disclosure of Interest: | N/A |
| Date: | 6 th September 2004 |
| Author: | Frank Peczka, Chief Executive Officer |

BACKGROUND

Extract of Letter from Main Roads WA reads:

“In 2001 Main Roads offered an Instrument of Authorisation to all Local Governments which, once executed, would enable them to use traffic signs and devices at roadworks without having to obtain further approvals from Main Roads, subject to the conditions attached (refer attachment 1). However a number of Local Governments have not yet executed this Instrument of Authorisation, potentially leaving them exposed to liability issues if they use road signs and traffic control devices at roadworks without prior approval from Main Roads.

It is understood that some Local Governments believe that a previous authorization from Main Roads Department in 1975 (refer Attachment 2) provides them with the authority to use road signs and other traffic control devices at roadworks. However, the

1975 authorisation was made under the previous Road Traffic Code 1975 and is relatively limited in scope, not including any regulatory signs such as speed restriction signs and temporary traffic control signals used at roadwork sites. Further, the 1975 authorisation was only offered to rural Local Governments.

With the publication of the new Code of Practice, Main Roads is taking the opportunity to clarify the delegation to erect traffic signs and devices at roadworks by issuing a revised Instrument of Authorisation, two copies of which are enclosed (refer Attachment 3). All Local Government are requested to execute this new Instrument of Authorisation which, once fully executed, will replace any previous authorisation under the Road Traffic Code 2000.

This new Instrument of Authorisation does not affect the Commissioner's delegation, dated 17 July 1975, to a number of Local Governments outside the Perth metropolitan area, for signs not related to roadworks. However, wherever roadworks are concerned, the new Instrument of Authorisation prevails and will give Local governments the authority to use the full range of traffic signs and devices.

COMMENT

During 1975 and updated in 1982, all rural and regional local governments were given authority (except on a declared Main Road), to erect, display, alter or take down any traffic sign controlling or relating to the parking or standing of vehicles on any road or portion of a road within the municipality; and

To erect, establish, display, alter or take down any traffic sign of a non-regulatory nature which serves as a warning, advisory or directional sign to a person using any road or portion of a road within the municipality.

A sample of the Instrument of Authorisation is attached to this agenda item as an appendix.

FINANCIAL IMPLICATIONS

Nil at this time, although one should remain conscious of what signs and/or signals that a local government seeks to erect at the ultimate cost of local government on land under jurisdiction of Main Roads WA.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Road Traffic Code 2000 – regulation 297 (1) the Commissioner of Main Roads has the authority

to erect road signs, traffic control signals and other devices.

- regulation 297 (2) the Commissioner can delegate this authority to

Authorised Bodies.

Unless it has been delegated to them, Local Governments do not have the authority to erect road signs, traffic control signs and other devices. This includes the use of traffic signs and devices at roadworks.

RECOMMENDATION

That the Shire of Tammin executes the 2004 Instrument of Authorisation with the Commissioner of Main Roads in accordance with regulation 297 (2) of the Road Traffic Act 2000 and apply the Common Seal of the Shire of Tammin to the Instrument of Authorisation.

STAFF / COUNCIL RECOMMENDATION

MIN 1740/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

That the Shire of Tammin executes the 2004 Instrument of Authorisation with the Commissioner of Main Roads in accordance with regulation 297 (2) of the Road Traffic Act 2000 and apply the Common Seal of the Shire of Tammin to the Instrument of Authorisation.

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | 11.1.6 |
| Subject: | July Cheque List |
| Location: | Shire of Tammin |
| Applicant: | N/A |
| File Ref: | N/A |
| Disclosure of Interest: | N/A |
| Date: | 10 th August 2004 |
| Author: | Raymond Griffiths, Manager Corporate Services |

BACKGROUND

Accounts for Payment from 1st July to 31st July 2004

Municipal Fund

| | | | |
|-------|---|-------|---------------------|
| 10762 | - | 10767 | \$58,733.18 |
| 10768 | | | TEST RUN |
| 10769 | - | 10770 | \$168.62 |
| 14451 | - | 14500 | \$67,684.33 |
| 14501 | | | TEST RUN |
| 14502 | - | 14523 | \$141,865.44 |
| | | | <u>\$268,451.57</u> |

Trust Fund

Nil

COMMENT

During the month of July 2004 the Shire of Tammin made the following significant purchases:-

| | |
|---|-------------|
| Donovan Ford Purchase of 1 Only New Ford Fairlane Ghia G220 BA V8 | \$44,988.38 |
| Department of Housing & Works Variation - Orig. Contract For Carpets, Extension To Gas Line & Built In Robes | \$10,950.00 |
| Horwath Perth Fee For Interim Audit & Financial Management Review | \$5,885.00 |
| Motorcharge Limited Fuel - June 2004 | \$7,373.42 |
| Westarp Design, Supply & Install Shade Structure - Hydrol. Model | \$18,150.00 |
| Municipal Insurance Broking Service Insurance 30/06/04 - 30/06/05 | \$8,912.83 |
| Municipal Liability Scheme 1st Instalment Contrib. & Casual Hirers Insurance 30/06/04 - 30/06/05 | \$8,549.33 |
| Municipal Property Scheme 1st Instalment Contribution 30/06/04 - 30/06/05 | \$9,280.70 |
| Tammin Concrete Services Supply & Deliver Concrete To Tammin Dam Site | \$10,560.00 |

FINANCIAL IMPLICATIONS

Shire of Tammin 2004/2005 Operating Budget

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS –

Local Government (Financial Management) Regulations 1996

Regulation 13 (2) – Where a local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, each payment from the municipal fund or the trust fund is to be noted on a list compiled for each month showing –

- 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.

- (3) The list referred to in sub regulation (2) is to be –
- a) Presented to the council at the next ordinary meeting of the council following the preparation of the list; and
 - b) Recorded in the minutes of the meeting at which it is presented.

RECOMMENDATION

1 That the accounts submitted from 1st July to 31st July 2004 be accepted.

VOTING REQUIREMENT – ABSOLUTE MAJORITY

STAFF / COUNCIL RECOMMENDATION

MIN 1741/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Stokes

1 *That the accounts submitted from 1st July to 31st July 2004 be accepted.*

CARRIED 5/0
BY ABSOLUTE MAJORITY

MEETING GUESTS – LIBBY HUTCHINSON & DENNIS REID – YORKRAKINE HALL COMMITTEE

2:51pm – Libby Hutchinson and Dennis Reid entered Council Chambers and discussed with Council the proposal to build Tennis Courts at Yorkrakine and for Council to part fund this venture.

3:15pm – Libby Hutchinson and Dennis Reid left Council Chambers.

3:18pm – Council adjourned for afternoon tea.

3:25pm – Council resumed. All those present at the start of the meeting were present.

| | |
|--------------------------------|---|
| Agenda Reference: | 11.1.7 |
| Subject: | July Financial Management Report |
| Location: | Shire of Tammin |
| Applicant: | Shire of Tammin |
| File Ref: | N/A |
| Disclosure of Interest: | N/A |
| Date: | 10 th August 2004 |
| Author: | Raymond Griffiths, Manager Corporate Services |

BACKGROUND

Enclosed is the monthly report for the month of July 2004.

Direct Debit list for the month of July 2004:-

Municipal Fund

| | |
|--------------------------------|-------|
| 01.07.04 National On-Line Fees | 53.32 |
|--------------------------------|-------|

| | | |
|----------|--|----------|
| 14.07.04 | Net Pay for F/E 14.07.2004 | 7,838.37 |
| 26.07.04 | Lease Repayment for 120H Cat Grader | 5,641.53 |
| 28.07.04 | Net Pay for F/E 28.07.2004 | 9,245.42 |
| 30.07.04 | Municipal Fund Bank Fees for July 2004 | 124.70 |
| 30.07.04 | Trust Fund Bank Fees for July 2004 | 57.20 |
| 30.07.04 | Reserve Fund Bank Fees for July 2004 | 20.00 |

Trust Fund

| | | |
|----------------------------|--------------------------------|-------------|
| 31 st July 2004 | Police Licensing for July 2004 | \$13,877.15 |
|----------------------------|--------------------------------|-------------|

COMMENT

The following capital purchases were made during the month of July 2004:-

| | | |
|-------------------------------|--|-------------|
| Woodstock Electrical Services | Excavator work, truck hire for Tammin Dam Site | \$2,716.56 |
| Tammin Concrete Services | Concrete poured at dam site | \$10,560.00 |
| Donovan Ford | Purchase new Ford Fairlane GHIA | \$44,998.38 |

FINANCIAL IMPLICATIONS

➤ Financial Management of 2004/2005 budget

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS –

Local Government (Financial Management) Regulations 1996

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

- (1) A local government is to prepare –
 - a) Monthly financial reports in such form as the local government considers to be appropriate; and
 - b) Quarterly financial reports for the periods ending on 30 September, 31 December, 31 March and 30 June (or where a 4 weekly period system is used, the period to the end of the week closest to each of those dates) in accordance with regulation 35.
- (2) A monthly or quarterly financial report is to be –
 - a) Presented to the council –
 - i. At the next ordinary meeting of the council following the end of the period to which the report relates; or
 - ii. If the report is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of council after that meeting;

and

- b) Recorded in the minutes of the meeting at which it is presented.
- (3) A quarterly report may be presented to a local government in lieu of a monthly report.

RECOMMENDATION

- 1 That Council approve the Monthly Financial Statements for the period ending 31st July 2004.
- 2 That the Direct Debit List be accepted for the month of July 2004.

2:45pm – Cr Thomson left Council Chambers

2:48pm – Cr Thomson returned to Council Chambers.

STAFF / COUNCIL RECOMMENDATION

MIN 1742/04 MOTION - Moved Cr. Thomson 2nd Cr. Stokes

- 1 *That Council approve the Monthly Financial Statements for the period ending 31st July 2004.*
- 2 *That the Direct Debit List be accepted for the month of July 2004.*

CARRIED 5/0

AGENDA ITEMS – DEVELOPMENT SERVICES

| | |
|--------------------------------|---|
| Agenda Reference: | 11.2.1 |
| Subject: | Hydrology Model Update |
| Location: | Shire of Tammin |
| Applicant: | Administration |
| File Ref: | AGR19 |
| Disclosure of Interest: | Nil. |
| Date: | 23 rd August 2004 |
| Author: | John Mitchell, Manager Development Services |

BACKGROUND

Council has budgeted \$110,000 to complete the Hydrology Model within the 2004/05 year. The following is a list of general tasks to be completed before opening. Of concern is the need for volunteers at the site. Can Council assist? Currently volunteers are restricted to Council employees.

COMMENT

- 1. wall capping – to extend to stage area, and vertical side of stage, all wall tops except rear spillway which shall be limestone. Wall Capping to be BGC 220mm in either Terracotta, Autumn Blend or Sandstone

2. Pool Paint – to extend up internal walls on rear of external wall in rear pond and rear of internal pond with all surfaces that face the amphitheatre to be rock faced. Cascade wall to be rock faced. Considered the last job before completion.
3. Internal Pathway – BGC Paver – Suggest same colour as that selected for the wall capping. Require 102m² – 1.2m path width.
4. Rails – Suggest use monorail. To address falls at the spillways and front of stage. Rear Amphitheatre area of the rail with two knobs and loose fitting stainless steel wire between the rails for the retaining wall area.
5. Limestone – 200 blocks were promised through Charlie. Need to extend to 300 if possible as no budget allowance. Agree that the retaining wall at the rear be reinforced with the limestone. The above allowance allows for the retaining wall at the rear.
6. Stage water fall feature – SS rolled and plasma cut. Shire President proposed to liaise with Charlie and see if his firm can achieve. – Also the rail system.
7. Volunteers – I have arranged with Tom Applegate to discuss with the Staff to assist on weekends to finalise the sand and levels. We still need volunteers for the brick work and painting.
8. I have organised the glass installation. Midwest Glass –.will attend next week and complete quote and colours.
9. Reticulation and Landscape – Glenice has advised that the east and north sides will be the water wise garden. I have advised that she has an additional \$5,000 on the \$3,000 grant to complete the tasks allocated.
10. NU Cote Finish for the plant room and model room – Brochure in mail. Will leave with Shire President for final decision.

Final Decisions required and actions of Shire Council: -

- Paver Colour – BGC 220 x 220 Autumn Blend – with sealer;
- Rails – Webforge solid around spillways – Requires Ordering – remainder to be resolved thru Charlie or BP Steel;
- Paint – Ponds – Black – painting of pond floors and rear section wall of rear pond and rear wall of front pond.
- Water Fall edging – SS rolled plasma cut pipe -
- Nu Cote Colour - To be advised from Brochure
- Volunteers – Non Council – dates etc to be used any skills they have.

Final Tasks of Manager, Development Services: -

- Order plate glass – MidWest Glass – Done
- Order Pavers – Awaiting final prices and confirmation of colour
- Order Rails Webforge – Awaiting confirmation of length – assume around spillways only – rear amphitheatre area to be poles – webforge dual know with SS wire between
- Order Nu Cote – Colour to be advised
- Order Volunteers for sand and final levels for pathways – Done – Tom Applegate, Frank P, John Mitchell, Toby McQuistan, Bob
- Order Model – Email to Plumb Construction 16th August 2004.
- Works Manager – Contour to spoon drain – advised 16th August 2004 – will be resolved through road maintenance within two weeks.
- Works Manager – spraying of garden area for water wise garden
- Works Manager – appointment of gardener to resolve and accept responsibility for the lawns etc.

Council is requested to ensure that all materials are decided at this meeting.

FINANCIAL IMPLICATIONS

\$110,000 – 2004/2005 Budget

POLICY IMPLICATIONS- Nil.

STATUTORY IMPLICATIONS - Nil.

STAFF RECOMMENDATION

That the following materials are to be used in the completion of the Hydrology Model: -

1. BGC Paver to the capping of walls and internal pathways – Autumn Blend 220 x 220mm paver;
2. External pathways to be concrete with the impression from Bridgetown to be used as a plate;
3. NU – Cote finish to be (Colour) to all buildings;
4. Fencing system to be the Webforge Monorail system to the spillways and front stage area with the rails and stainless steel horizontals to the rear amphitheatre area;
5. The rear amphitheatre area is to be completed by raising the retaining wall three courses and installing 500mm x 300mm limestone blocks to the internal of the retaining wall for seating and a small guard rail installed above the retaining wall.”

COUNCIL RECOMMENDATION

MIN 1743/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Caffell

That the following materials are to be used in the completion of the Hydrology Model: -

1. *BGC Paver to the capping of walls and internal pathways – Autumn Blend 220 x 220mm paver;*
2. *External pathways to be concrete with the impression from Bridgetown to be used as a plate;*
3. *NU – Cote finish to be (Colour) to all buildings;*
4. *Fencing system to be the Webforge Monorail system to the spillways and front stage area with the rails and stainless steel horizontals to the rear amphitheatre area;*
5. *The rear amphitheatre area is to be completed by raising the retaining wall three courses and installing 500mm x 300mm limestone blocks to the internal of the retaining wall for seating and a small guard rail installed above the retaining wall.”*

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | 11.2.2 |
| Subject: | Model Local Laws - Dogs |
| Location: | Shire of Tammin |
| Applicant: | Administration |
| File Ref: | LLAW - Dogs |
| Disclosure of Interest: | Nil. |
| Date: | 23 rd August 2004 |
| Author: | John Mitchell, Manager Development Services |

BACKGROUND

At the May 2004 meeting Council resolved to consider a local law relating to the keeping of dogs on properties.

The attached local law is a copy of the draft model local law with modifications to suit the Shire of Tammin.

COMMENT

In considering the local law Council must consider areas that dogs will not be allowed into and areas permitted for the exercising of dogs off leashes.

Council determination of prohibited places and places dogs may be exercised off the leach are required.

Clause 5.1 (e) requires Council to consider those places that dogs are prohibited absolutely. Does Council specifically wish to prohibit dogs from any reserves or freehold land? The Abattoirs are covered by different legislation and should not be considered here. For example from the oval proper.

Clause 5.2 requires Council to determine dog exercise areas. Does Council wish to have any areas that can be permitted for dogs to be off leashes?, an example would be the northern end of the Doonan Park.

The local law permits the keeping of four dogs outside the town-site and a maximum of two dogs within the Town-site without applying for a kennel licence. The Local Law also determines minimum standards for the establishment of Kennels.

The Local Law has been prepared by the Local Laws Committee of WALGA. The following amendments have been made to the draft model local law: -

1. Inclusion of the words Shire of Tammin;
2. Naming the Local Law Dogs Local Law 2004;
3. Deletion of the repeal clause 1.2.

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

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

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

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

Summary of Local Law – Keeping of Dogs

Purpose:

The objective of the local law is to make provisions about the impounding of dogs, to control the number of dogs that can be kept on premises, and the manner of keeping of those dogs and to prescribe areas in which dogs are prohibited and other areas which are dog exercise areas.

Effect:

Prevents people keeping an unruly number of dogs to the detriment of neighbours or persons with livestock and ensures that persons involved in the breeding of dogs are restricted to areas within the Town Planning Scheme of the Local Government.

FINANCIAL IMPLICATIONS

Gazettal costs of \$55.00 per page – Please note that the number of pages shown on the local law is approximately halved for gazettal.

POLICY IMPLICATIONS

Permits the preparation of policies relating to the keeping of dogs within Town-sites.

STATUTORY IMPLICATIONS

It is necessary for the Shire of Tammin to have a local law relating to the keeping of dogs. Without the local law there is no control available to Council to address resident concerns.

RECOMMENDATION

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

STAFF / COUNCIL RECOMMENDATION

MIN 1744MOTION - Moved Cr. Caffell 2nd Cr. Stokes

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

CARRIED 5/0

| | |
|--------------------------------|---|
| Agenda Reference: | 11.2.3 |
| Subject: | Dyer - Winery |
| Location: | Avon 12932 |
| Applicant: | J Dyer |
| File Ref: | ASS 54 |
| Disclosure of Interest: | Nil. |
| Date: | 6 th September 2004 |
| Author: | John Mitchell, Manager Development Services |

BACKGROUND

Council has previously resolved to consider the establishment of a winery at the above location.

Correspondence has been sent to surrounding landowners and the Department of the Environment, the Agriculture Department and the Shire of Kellerberrin. A response has been received from the Department of the Environment and the Shire of Kellerberrin.

Shire of Kellerberrin Motion read:

1. *That the Shire of Kellerberrin advises the Shire of Tammin that in the event of affected stakeholders agreeance Council support in principle the establishment of a winery-vineyard on Avon Location 12932 Goldfields Road.*

CARRIED 6/0

COMMENT

The advice received to date is contained in the attached reference documents as supplied by the Department, namely October 2002, Water Quality Protection Note – Wineries in Public Drinking Water Source Areas & the Code of Practice – Environmental Management Guidelines for Vineyards 2002.

The Code, section 5 addresses site selection to optimize use compatibility. Section 5.5 addresses herbicide spray drift from broad-acre farms.

There are several concerns to be addressed: -

1. Town Planning approval and the necessary conditions applicable to the application; and
2. Whether the application should be approved considering the application of pesticides particularly hormone herbicides which have a severe detrimental impact on vineyards.

The Environmental Management Guidelines for Vineyards addresses the majority of concerns, particularly setbacks, buffer zones, waste disposal and location of the vineyard.

The vineyard, if approved, should have the following conditions: -

1. Location to be greater than 100m from any known permanent stream, 200m from any known wetland, and 1.5m above the known water table.
2. The application of pesticides is to be in accordance with the requirements of the Department of Agriculture and any legislation applicable to the application of pesticides.

3. Waste disposal to be in accordance with the Environmental Management Guidelines for vineyards and the Department of the Environment.
4. Storm water control and drainage to be managed to minimise detriment of the environment and to trap and treat nutrients, organic matter and suspended soils before entering any water courses or drainage lines.

The Department of Agriculture is still to respond.

I have liaised with other local governments regarding the approval of vineyards. There have been no known issues with the approval process and the approvals granted do not include any specific conditions relevant to the approval.

Whilst Council awaits the response from the Department, further research will be undertaken.

FINANCIAL IMPLICATIONS - Nil.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS

There are various provisions of Acts and regulations applicable to the operation of a winery. The majority of known legislation has been mentioned within this report.

RECOMMENDATION

“That the information regarding the establishment of a vineyard be received, and the matter is to be brought back to Council once the response from the Department of Agriculture is received.”

STAFF / COUNCIL RECOMMENDATION

MIN 1745/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

“That the information regarding the establishment of a vineyard be received, and the matter is to be brought back to Council once the response from the Department of Agriculture is received.”

CARRIED 5/0

| | |
|--------------------------------|--|
| Agenda Reference: | Late Item 1 |
| Subject: | Agenda Items Report - Wheatbelt East Regional Organisation of Councils (WEROC) – August 2004 Meeting |
| Location: | Merredin |
| Applicant: | Wheatbelt East Regional Organisation of Councils (WEROC) |
| File Ref: | ORG-10 |
| Disclosure of Interest: | Frank Peczka, Chief Executive Officer – preparation of Agenda Item for WEROC Meeting |
| Date: | 9 th September 2004 |
| Author: | Frank Peczka, Chief Executive Officer |

BACKGROUND

The inaugural meeting of the Wheatbelt East Regional Organisation of Councils – WEROC, was held at the Shire of Merredin on Wednesday 25th August 2004. Cr Leslie President and the Chief Executive Officer represented the Shire of Tammin at this meeting.

A copy of the Agenda and the Memorandum of Understanding will be distributed on meeting day. A number of matters from the Meeting have been summarized hereunder.

COMMENT

Business matters raised at the Meeting include;

1. Signing of WEROC Memorandum of Understanding by all member local governments
2. Local Government Housing Development Incentive Program
MOTION reads; "That the Executive Officer of WEROC writes to the Director of the Country Housing Authority reinforcing the importance OF THE Local Government Housing Development Incentive Program and requesting that every effort be made to encourage the State Government to increase the funding program to assist local governments to providing quality housing to attract professionals to rural Western Australia".
3. Landcorp Townsite Development Program
MOTION reads; "That the Wheatbelt East Regional Organisation of Councils (WEROC) seek a meeting with the Minister for Local Government and Regional Development and the Minister for Planning and Infrastructure to put forward the proposal for the State Government to provide an allocation for funding for headworks and infrastructure costs through the Townsite Development Program".
4. WEROC Drive Map
MOTION reads; That WEROC support the development of a Drive Map and Visitors Guide for the WEROC Region subject to confirmation from participating Councils of a financial contribution to the project". around \$550.00 incl gst for each local government.
5. WALGA Rural Summit
MOTION reads; "That the Wheatbelt East Regional Organisation of Councils (WEROC),request the Western Australian Local Government Association (WALGA) to provide a current status report on the identified issues raised at the Rural Summit held in Pinjarra on 14th February 2003 and that the President and Chief Executive Officer of WALGA, be invited to the next meeting of the WEROC Group, to present the requested status report".
MOTION reads;"That the Wheatbelt East Regional Organisation of Councils consider hosting a Rural, Regional and Remote Local Government Summit".
6. WEROC Regional Records Management Officer
MOTION reads; "1.That WEROC recognize the need and support in principle the creation of a Regional Records Management Officer position for the WEROC Region.
2. That the proposal of a financial contribution to the project commencing 2005-2006 for a three year minimum period be considered by each participating Council.
3. That responses from each Council and submissions for a host Council be considered at the next WEROC Meeting".

In relation to the WEROC Drive Map and Visitor Guide (one assumes that the marketing for this will be under the arm of WETRAVEL!), there appears to a need for consideration of

a brand name for Tourism and the design for us to be integrated into other regional areas yet remain distinctive in our own right.

FINANCIAL IMPLICATIONS

2004/2005 Budget – \$550.00 contribution towards the WEROC Drive Map and Visitor Guide

POLICY IMPLICATIONS

2004 WEROC Memorandum of Understanding Agreement – executed August 2004

STATUTORY IMPLICATIONS

Good governance by members to achieve the aims of the Group.
Local Government Act 1995 in reference to decision making by individual local governments responding to recommendations from the WEROC group.

RECOMMENDATION

1. That the report of the WEROC Meeting held on August 25, 2004 be received.
2. That the affixation of the Common Seal and signatures by the President, Cr Leslie and the Chief Executive Officer, to the WEROC Memorandum of Understanding Agreement, be endorsed.
3. That Council agrees to contribute approximately \$550.00 towards the WEROC Drive Map and Visitor Map.
4. That Council suggests the “.....” As a Brand name, provide a design and colour concept for WETRAVEL marketing and promotions on behalf of WEROC.

COUNCIL RECOMMENDATION

MIN 1746/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Caffell

1. *That the report of the WEROC Meeting held on August 25, 2004 be received.*
2. *That the affixation of the Common Seal and signatures by the President, Cr Leslie and the Chief Executive Officer, to the WEROC Memorandum of Understanding Agreement, be endorsed.*
3. *That Council agrees to contribute approximately \$550.00 towards the WEROC Drive Map and Visitor Map.*

CARRIED 5/0

REASON

Item 4 - Council is unable to contribute at this stage.

| | |
|--------------------------------|--|
| Agenda Reference: | Late Item 2 |
| Subject: | Extra-Ordinary Local Government Elections - 2004 |
| Location: | Shire of Tammin |
| Applicant: | Shire of Tammin |
| File Ref: | ELE-03 |
| Disclosure of Interest: | Frank Peczka, Chief Executive Officer as the appointed Returning Officer for Elections |
| Date: | 9 th September 2004 |
| Author: | Frank Peczka, Chief Executive Officer |

BACKGROUND

Council received a letter of resignation from Cr Brooks, dated 4th August 2004 and read at Councils August 4, 2004 Ordinary Meeting during the information session.

Cr Brooks Letter of resignation reads;

"It is with genuine mixed emotions I resign as councilor of Tammin Shire.

Work commitments do not allow sufficient time to satisfactorily attend to the increasing responsibilities required.

I have enjoyed my time on the Shire and regret I can no longer continue.

I wish you all the best of luck for the future."

COMMENT

Council is required to complete a number of statutory steps in the conduct of an extraordinary election for the Shire of Tammin to replace Cr Brooks. The term of the incumbent Councillor is for the balance of the term that expires in May 2005. Local Government is due for annual elections process in May 2005 in accordance with the Local Government Act 1995 and associated regulations.

Council is advised that the suggested election date for the extraordinary election is Saturday 4th December 2004 in accordance with the Local Government Act 1995 and associated regulations, the Electoral provisions as per the attached Election timetable calculations.

FINANCIAL IMPLICATIONS

2004/2005 Budget – Election Expenses budget allocation is \$981.00 – accounts 41.1.310 and 41.1.311. Councils budget allocation is estimated for one election therefore, Council may over expend in this expense area for the conduct of its Election Cycle responsibilities.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

- Section 2.32 How extraordinary vacancies occur in offices held by electors
Section 2.32 The office of a member of a council as an elector mayor or president or as a councilor becomes vacant if the member;

- (b) resigns from the office.
- Section 4.8 Extraordinary Elections
Section 4.8(1) If the office of a councilor or of an elector mayor or president becomes vacant under section 2.32 Or 2.33 an election to fill the office is to be held.
- Section 4.9 Election Day for extraordinary election
Section 4.9(1) Any poll needed for an extraordinary election is to be held on a day decided on and fixed;
 - (a) *by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or*
 - (b) *by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).**(2) The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be compiled with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.*
- Section 4.10 Extraordinary election can be held before a resignation has taken effect
If a member resigns
 - (a) *the vacancy is to be regarded for the purposes of sections 4.8(1) and 4.9 as occurring when the CEO receives the notice of resignation even if the resignation takes effect on a later day; but*
 - (b) *the election day fixed for the extraordinary election cannot be earlier than one month before the resignation actually takes effect.*
- Section 4.19 The returning officer
Section 4.19The principal electoral office of a local government is that of returning officer.
- Section 4.20 CEO to be returning officer unless other arrangements are made
Section 4.20(1) subject to this section the CEO is the returning officer of a local government for each election.
Section 4.20(2) a local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint by absolute majority a person other than the CEO to be the returning officer of the local government for an election.

RECOMMENDATION

That Council adopts the following actions relating to the Extraordinary Local Government Elections for the Shire of Tammin;

1. that the President sets Saturday December 4, 2004 as the Extraordinary Election Date.
2. that Council conducts the Extraordinary Election as a “in person” election.
3. that the Shire of Tammin Administration Office be the main Polling Place for the conduct of the Extraordinary Election, including early, absent and postal voting requirements.
4. that the Term of Office for the vacancy is the balance of the resigned Councillors’ term that expires in May 2005.
5. that the Chief Executive Officer be appointed as the Returning Officer for the conduct of the Extraordinary Election.
6. that resigned Councillor, Cr Russell Brooks be acknowledged for his valuable contribution during his term of office, to the Shire of Tammin.

COUNCIL RECOMMENDATION

MIN 1747/04 MOTION - Moved Cr. Stokes 2nd Cr. Thomson

That Council adopts the following actions relating to the Extraordinary Local Government Elections for the Shire of Tammin;

- 1. that the President sets Saturday December 4, 2004 as the Extraordinary Election Date.*
- 2. that Council conducts the Extraordinary Election as a "in person" election.*
- 3. that the Shire of Tammin Administration Office be the main Polling Place for the conduct of the Extraordinary Election, including early, absent and postal voting requirements.*
- 4. that the Term of Office for the vacancy is the balance of the resigned Councillors' term that expires in May 2005.*
- 5. that the Chief Executive Officer be appointed as the Returning Officer for the conduct of the Extraordinary Election.*
- 6. that resigned Councillor, Cr Russell Brooks be acknowledged for his valuable contribution during his term of office, to the Shire of Tammin.*

CARRIED 5/0

| | |
|--------------------------------|--|
| Agenda Reference: | Late Item 3 |
| Subject: | New Staff Position – Community Development Officer Part Time |
| Location: | Tammin |
| Applicant: | Shire of Tammin |
| File Ref: | PERS:CDO |
| Disclosure of Interest: | N/A |
| Date: | 13 th September 2004 |
| Author: | Frank Peczka, Chief Executive Officer |

BACKGROUND

Councils 2004/2005 Adopted Budget allowed for a part time Community Development Officer position on the basis of two (2) days per week.

COMMENT

A draft Position Description has been prepared for Councils consideration, emphasis has been on the Hydrology Model marketing, promotion and production of an events calendar for the facility.

Councils adopted Resource Share Agreement with the Shire of Kellerberrin, allows for one day per week for the current Community Development Officer to undertake and complete responsibilities and identified tasks on behalf of the Shire of Tammin. The Agreement amended in February 2004, will need to reviewed and considered at the next Resource Share Committee Meeting as it will affect the Shire of Kellerberrin planning and position of the Community Development Officer.

FINANCIAL IMPLICATIONS

2004/2005 Budget – part time Community Development Officer salary estimate of \$9,000.00 – expense account 132.1.406

2004/2005 Budget – Salaries and Wages Schedule – current allocation of \$5,792.00 for shared Community Development Officer position – resource share payment expense with the Shire of Kellerberrin.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Resource Share Agreement – Amended February 2004
- staff resource share positions approval for a shared

RECOMMENDATION

That;

1. Council amends the Resource Share Agreement at the next Resource Share Committee Meeting, to delete the shared position of Community Development Officer for the Shire of Tammin; and
1. the draft Position Description for a part time Community Development Officer for the Shire of Tammin be adopted as amended.

COUNCIL RECOMMENDATION

MIN 1748/04 MOTION - Moved Cr. Caffell 2nd Cr. Stokes

That;

1. *Council amends the Resource Share Agreement at the next Resource Share Committee Meeting, to delete the shared position of Community Development Officer for the Shire of Tammin; and*
2. *the draft Position Description for a part time Community Development Officer for the Shire of Tammin be adopted as amended.*

CARRIED 5/0

LATE ITEM 4 – CATTLE YARDS REMOVAL – R A ROGERS & CO

COUNCIL RECOMMENDATION

MIN 1749/04 MOTION - Moved Cr. Thomson 2nd Cr. Stokes

1. *That Council accept the proposal from R A Rogers and Co for the removal of Cattle yards from Part Lot 9 and 10 Great Eastern Highway, Tammin.*

CARRIED 5/0

LATE ITEM 5 – YORKRAKINE HALL COMMITTEE – PROPOSED TENNIS COURTS

COUNCIL RECOMMENDATION

MIN 1750/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

That the proposed Multifunction Sports Facility at Yorkrakine Hall be supported in principle and Council will consider a budget allocation for 2005/2006, subject to successful application to the Department of Sport and Recreation.

CARRIED 5/0

LATE ITEM 5 – POSTPONEMENT OF HYDROLOGY MODEL OPENING

Resolved that Council postpone the Opening of the Hydrology Model from 24 October 2004 to 6 February 2005.

4:42pm – Cr Wheeldon left Council Chambers.

4:45pm – Cr Wheeldon returned to Council Chambers.

Chief Executive Officer's Report For the period August/September 2004

1. Human Resource Management

All Staff have been busy with the preparation and completion of Councils Budget for 2004/2005 and preparations for meetings scheduled by the Council over the past six to eight weeks in setting an acceptable framework for the Council to consider.

Rate Notices have been completed and mailed out once software bugs have been sorted to allow the distribution of rates notices. Thank you to the Staff that have put in the effort to package the rates notices ready for mail out, it has been appreciated to meet the discount deadline set for Friday 8th October 2004.

Various Staff have been on Annual Leave, Training Courses and Staff Performance Assessments over the past reporting period and summarised hereunder;

- a) Administration Staff – Clerical Officer Liz McDonald attended a Licensing course on 1-3 September 2004 over the period of three days.
Clerical Officer, Julie Clarke will be attending a Website Development Course with CEO Personal Assistant, Gemma Stewart on Thursday, 9 September 2004 and Julie is required to attend a training course on Police Licensing on 15-17 September 2004 for the "Trelis" Vehicle Licensing System introduced by the Department of Planning and Infrastructure on July 1, 2004.
- b) Staff Performance Assessments – All Administrative Staff have completed the staff appraisal process including Councils Administrative Staff, Julie Clark and Liz McDonald. Manager Development Services and Manager Works & Services will be completed during the week ending September 10th, 2004 and Manager Corporate Services has been completed. This program has been scheduled to fit in with the business of Council as well as the daily operational requirements of each staff member. I thank staff for their input and agreed outcomes to be achieved over the next twelve month period. A summary report is to be presented to the Resource Share Committee next meeting date scheduled for Tuesday 14th September 2004.
- c) Annual Leave – Grader Operator Bob McMeekan has completed four weeks Annual Leave with sick leave taken by Truck Driver Marc Anderson during the reporting period.

2. Comparison of Audit Reports for the last three Financial Years

To keep Council abreast of the standard and number of Audit Queries raised in each of the last three financial years of the Council, a summary report is listed hereunder to ensure that Council is fully aware of what has been presented and not what may have been presented as some comments may suggest;

a) 2000/2001 Financial Year

- + Audit Report Received at the Office of Council on 11th March 2002
- + Audit Report Matters Raised – Nil
- + Audit Management Report Matters Raised was Two (2) relating to the Asset Register and the Road Infrastructure Valuation performance.

b) 2001/2002 Financial Year

- + Audit Report Received at the Office of Council on 5th March 2003
- + Audit Report Matters Raised – Two (2) relating to Statutory Compliance and forwarding of the Annual Financial Report
- + Audit Management Report Matters Raised was One (1) relating to Municipal Funds held in Trust.

c) 2002/2003 Financial Year

- + Audit Report received at the Office of Council on 8th March 2004
- + Audit Report Matters Raised – Nil
- + Audit Management Report Matters Raised was Six (6) relating to Timeliness of Reporting, Audit Efficiencies, Municipal Funds Held in Trust, Compliance Audit Return, Asset Register and Sundry Creditors.

Council will observe and acknowledge that generally the last three financial audit years of the Council is very comparable and sound as to the number of actual audit report queries raised and when the actual audit report has been received at the Office of Council. Council should not confuse itself with the recently completed Financial Management Review Report that is required by statute and it is not the Annual Audit Report. The Financial Management Review indicates that systems and procedures requires reviewing by external consultants to ensure that the best possible “eye” can be cast as to whether current systems and procedures are at the level for continuing improving financial and administrative performance over the next review period.

3. Bi-Annual Staff and Council Development Day

A survey has been forwarded to all staff seeking an indication to the preferred date for the Bi-Annual Staff and Council Development Day. 27 Surveys has been received from the Staff endorsing Wednesday 29th September 2004 as being the preferred date for a fun day of Golf at the Kellerberrin Golf Club. No dissent to the date has been received from any staff and Councillors have now been surveyed for their input to the proposed date. In selecting 29th September 2004, Councils planning Calendar has been referred to and commitments have been considered in arriving at the date suggested and agreed to by staff. I welcome Councils input at today’s meeting.

Planning for the second bi-annual Staff and Council Development Bowls Day at Tammin has commenced with suggested dates with representatives of the Tammin Bowling Club, to be held early April and more than likely the middle week, soon after an early Easter Period during 2005.

4. Opening/Completion of Tammin Hydrology Model/Outdoor Function Centre Project

The Manager Development Services has provided a separate Report on the requirements to complete the project. If Staff are given the full responsibility to complete the project, required planning to co-ordinate the outstanding items will be made easier to ensure that the Project remains on track for completion.

The President has indicated that there may be consideration to a further postponement of the project, it is the opinion of Staff that the project can be completed once early decisions are made to ensure that the project moves along in the most efficient manner.

I understand that the Council/Community selected Committee, has met on two occasions to date and whilst I admire the input and planning, I assume that all matters relating to the opening has been prepared and planned for. I have completed a letter of endorsement from the Council to the Tammin Cricket Club to hold a bar to sell and consume alcohol on the premises for the opening day and a Council letter has been forwarded to Main Roads WA, to seek endorsement for speed reduction of Traffic on the Great Eastern Highway (town section) on the opening date. When a response has been received from Main Roads WA, I will pass this onto Cr Stokes for attention by the Council/Community Committee.

5. Avon Football Association Grand Final Venue – Tammin Recreation Oval

Councillors are aware that Tammin will host the Avon Football Association Grand Final On Sunday 12th September 2004. Staff are preparing the facilities in the best possible manner and have already commenced presentation works such as painting of the public toilets, manufacturing of Broadcast Box, oval marking, roadway grading and gravelling of low lying areas, relocation of siren, extra bins, marking of emergency vehicle access areas and closing off short cut access from the Tammin-Wyalkatchem Road. Councillors have been circulated with reports in the “Football Budget” publication of the standard of the Broadcast Box amenity.

6. Changes to the Trade Practices Act – Impact upon Local Governments – Kott Gunning Lawyers

Attached to this Agenda Item is a copy enclosed for Council reading regarding the proposed changes to the Trade Practices Act which will impact upon Local Governments throughout Australia. Council is no doubt aware of this legal and statutory requirement that all local governments are required to act and/or operate under.

7. Client Bulletin August 2004 on “The Unruly Gallery” – McLeods Environmental Planning Law and Local Government Law

Attached to this Agenda Item is a copy of a Client Bulletin prepared by Lawyers McLeods, regarding the increasing disrespect shown to Councils by members of the public gallery. McLeods have outlined a number of measures (last page of bulletin) that the local government industry may wish to consider in addressing this increasing problem for the proper conduct of Council Meetings.

8. Curtain School of Marketing Student Assignments – National Trust

Anne Brake Manager Golden Pipeline has advises that as part of the promotional program for the Golden Pipeline Heritage Trail, arrangements have been made with the Curtain School of Marketing for a couple of student assignments to be undertaken directly to the Trail.

The first is for about 50 second year students to produce a Media Kit and the second is for a class of post graduate students to prepare a Marketing Plan for the marketing and launch of a tourism based enterprise along the pipeline.

The Chief Executive Officer met with three students on Monday 23rd August 2004 in Tammin to give the students a briefing on Tourism generally in the Shire and more particularly the Hydrology Model project as the “marketing project” for the Shire.

As per the attached appendix to this agenda item, Council has been advised that the lecturer at the School of Marketing at Curtin University, Ms Vanessa Quintal will be undertaking a bus trip along the Golden Heritage Pipeline Trail for her students to meet with business and community leaders in the towns once the students have completed their submissions. The assignment is due for completion by 27th October 2004. The submissions will be made available to the "client communities" if they are considered of a good enough standard.

Council's cost contribution to the exercise apart from the CEO's time is one night's accommodation and breakfast at TALEC for three students. I thank David and Denise Goulden TALEC Managers, for escorting the students around on the Sunday afternoon prior, showing them the various tourist and environmental sites within the Shire. Hopefully we will see a submission of an acceptable standard from which the Shire can create a Marketing Plan for the Hydrology Model Project.

9. Tamma Village TV Reception

The problem has now been identified as being a faulty amplifier, this was detected by a TV Technician from Northam when undertaking works for a Tamma Village resident. It is no longer required to install a free to air satellite dish television system for the residents, staff will research costs associated with installing sensor security light systems for residents at the village.

Manager Corporate Services Report

2004/2005 Annual Budget

Council's 2004/2005 Annual Budget has been adopted pages amended as per Council Meeting and the final copy of the budget is now available for pick up.

Advertising Services Rebate – WA Local Government Association

Council received a cheque totaling \$1,301.75 for its 2003/2004 advertising services rebate. This cheque is from the WA Local Government Association Advertising Services for advertisements placed by the Council during the financial year.

The Group Advertising Service recorded growth of 16% for the 2003/2004 year. A total of \$5.3 million in advertising business was placed through the Association's master account with Marketforce.

Financial Assistance Grants 2004/2005 – WA Grants Commission

Council in 2004/2005 received an increase of 7.0% in its equalization grant receiving \$384,695 up from \$362,335 in the previous year. Council Local Road Funding steadied with Council receiving \$201,807 compared to \$202,419 from the previous year.

Lot 8 & 9 Nottage Way (Joint Venture) – Department of Housing and Works

Department of Housing and Works have advised Council that the above properties are Joint Venture properties and are to be reported and managed along the lines of Tamma Village.

Council is to report every year of its Property Management and Financial Reports for the Local Government Community Housing Project (LGCHP) and included in the financial reporting a Balance Sheet. A Balance Sheet is very hard to produce when all monies received and expended are from Council's Municipal Fund.

The Chief Executive Officer and I are currently reviewing the situation to see if it is of benefit to create a new account for the joint venture project for ease and quality of recording, reporting and balancing, even though all accounts and transaction are audited.

In meeting with Department of Housing and Works for the inspection of the two properties we were advised of the following works to be completed to comply:

- Lot 8 – requires re-tiling in the shower
- Lot 8 – fixing of the oven to wall (anti-tilt)
- Lot 8 – repainting
- Lot 9 – smoke detector installed
- Lot 9 – fixing of oven to wall (anti-tilt)
- Lot 9 – the tiling in shower to be reviewed.

Further research is required to determine the specifications set for construction of these 2 housing units.

Manager Development Services Report

Hydrology Model

Works have recommenced at the model. Over the next two weeks the spillways will be installed. To date all capping, fencing and rails, paint, and the fountain edge has been ordered.

Westrac has provided a skid steer bobcat for a week. Over the next week, the northern fence will be installed and the earthworks finalised.

The major concern at this stage is volunteers and the installation of the rock face. Steven Alcock, Toby McQuistan and the Manager will attempt to complete these works.

Mr. Leslie is collecting the limestone component and returning materials to suppliers.

Should any Councillor know of any person prepared to donate labour and skills, please liaise with the Chief Executive Officer. Volunteers to date are Mr Frank Peczka, Mr Tom Applegate, Toby McQuistan, Bob McMeekan and the Manager.

26 Walston Street, Tammin

Edwin Houghton is continuing to remove materials from the property. In addition Mr. Steven Williams has appointed Edwin Houghton to assist him manage the landfill site. At this time an area has been set aside for Edwin Houghton to establish his metal works at the Landfill site.

The Manager will continue to monitor the situation. Should the matter fall behind Council's previous resolution relating to inspection and potential condemnation may be enforced.

Roadhouse Service Station – Sewerage

Discussions have commenced with the Manager of Peak Fuels regarding the continued disposal of effluent onto the ground particularly around Nottage Way.

The matter will be resolved.

8 Nottage Way – repairs & improvements

The shower has failed in the above unit and is currently being replaced. The main reason for failure is the lack of tar sealing to the hob which has completely rusted away. In addition whilst the residence is vacant it will be repainted internally.

Abattoirs – recommencement

The Abattoirs has commenced operation. Mr Max Thurley has been appointed as the Environmental Health Officer (Meat) for the Shire of Tammin.

Mr. Thurley has in excess of 20 years experience as a Meat Inspector and is capable of being transferred to Australian Quarantine Inspection Services and continue the inspections.

The Abattoirs is up to date with outstanding payments. Advice has been sent to the Health Department seeking gazettal of fees at \$1.00 per head to ensure that Council's costs are covered. At this time the Department has been advised that Council will refund excess funds from the fees, once Council's direct costs have been recouped.

The Abattoirs has lost the Manager and Quality Assurance positions.

Tammin Regional Waste Processing Site

At the previous meeting of the Development Services Committee, it was agreed that the Manager's report would include a small report on the Processing Site.

No funds have been received since that meeting. Expenditure has included the cost of fencing, Management fees to Mr. Williams and completion of the licence application for Department of the Environment.

Over the next two months the site will be remodelled and a large component of old waste will be removed.

Mr. Williams has advised that there are funds coming into Council and these should be received in October 2004.

The Manager is liaising with the Shire of Cunderdin to achieve the contract for their waste disposal. It is hoped that this can be achieved before October 2004. Currently there are issues with the Contractor who has not provided the costing for disposal.

Manager, Works & Services Report July/August 2004

1. MAINTENANCE GRADING

- 1.1. Quartermain Road
- 1.2. Rabbit Proof Fence Road
- 1.3. South Wyola Road
- 1.4. Dixon Road
- 1.5. Kitto Rogers Road
- 1.6. Gardner Reserve Road
- 1.7. Barracks Road
- 1.8. Parrawilla Road
- 1.9. North Wyola Road also gravel for large holes
- 1.10. North Inverarity Road
- 1.11. Packham Road

- 1.12. Quinn Rogers Road
- 1.13. Franklin Road

2. TAMMIN DAM

- 2.1. Fencing is near completion
- 2.2. Cementing small amount to do in the next two weeks

3. HYDROLOGY MODEL

- 3.1. Remove Fence
- 3.2. Cart in Yellow Sand
- 3.3. Mow Lawn

Thank you to all who helped us with the sand carting and weeding

4. PRIVATE WORKS

- 4.1. D. Chatfield – Grader Hire
- 4.2. R. Stokes – Grader Hire

5. GENERAL WORK

- 5.1. Fertilize Oval
- 5.2. Mowing Parks
- 5.3. Weed Spraying
- 5.4. Waste pick up in town and at Golf Club
- 5.5. Patching in town streets and Tammin Wyalkatchem Road
- 5.6. Button drive way cost of sand for Hydrology Model, gravel and grade
- 5.7. Clean up around Nottage Way
- 5.8. Mowing in town streets
- 5.9. Remove small gum trees. Walston / Redmond Street

6. HOLIDAYS

- 6.1. Bob McMeeken will return from holidays on 31st August 2004

Also thank you to all who helped with the setting up of the new broadcasting box in Tammin. Radio West were very impressed with the box, even if it was not quite finished. We will be doing a fair bit more work at the oval before the grand final.

Community Development Officer Report

Mobile Phone Service – Telstra Countrywide

During the month I discussions with Alan Mills, Telstras National Manager for Mobile Phone Services. I explained the difficulty of receiving an adequate signal level inside buildings in the Tammin townsite. He assured me that he would look into the problem, however Federal Government funding of base stations to provide coverage along Australia's main highways has all been allocated.

Last week I had a follow-up call from Lloyd Morley, Telstra CountryWide Manager Kalgoorlie. Lloyd told me that to improve the reception in Tammin would require the installation of a new cellular base station and that this installation would be financially uneconomical for Telstra. They would consider installing a base if council would pay the up-front installation and equipment costs.

Tamma Village TV Reception

Due to the numerous complaints from residents of Tama Village I had a look at the TV reception at several of the units. Some were very good, although I was told that the reception on this particular day was exceptional. There were however some units that still received a poor reception. It would appear that the whole village is fed from an antenna array mounted on a pole at the front entrance to the village that is way too low to get above any electrical interference. The masthead amplifier would just amplify any electrical noise.

The output from the masthead amplifier is connected to a UHF/VHF Distribution Amplifier the output of which goes to a three way splitter feeding three cable runs, one to each of the rows of units. The cable then loops in and out of the respective units.

This method of distribution is not really satisfactory and can lead to the sort of problems that we are now experiencing. I haven't had the chance to do a definitive signal measurement, but I am sure that the installation of a transformer by Western Power would have minimal, if any effect on the overall signal level. At worst it may cause some power interference on the VHF ABC channel

CDO Network Meeting

On Thursday 19th August Tammin was host to the CDO Regional Network Group. This group meets every second month to discuss issues and compare notes: as to what is available in the way of grant funding, hosting is shared amongst the group to the various councils.

Visitors to our meeting were Andrew Prior, (WDC) and Lisa Shreeve (WACC), who discussed two proposals: CDO Centre of Excellence and a Wheatbelt Festival. Councils will undoubtedly hear more of these proposals as they are refined and developed.

The group had a short tour of the Hydrology Model and were most impressed with the overall concept and what the Shire of Tammin has achieved so far. (of course, they all wanted invitations to the opening event)

Community Sport and Recreation Facilities Funding

I met with Libby Hutchison to assist the Yorkrakine Hall Committee with their application to fund two synthetic surfaced tennis courts at Yorkrakine. I believe that they have a strong case to get some funding due to their distance from any other towns. They will of course require council support for their proposal and I have suggested that a deputation meet with council to outline their objectives and seek their support.

Hydrology Model

I have been over the proposal for the 'waterwise garden' at the entrance to the Hydrology Model with the Shire of Kellerberrin CLC, Glenice Batchelor. John Mitchell has indicated where the garden would be located. To fit in with the best time for planting this project should be started as soon as possible.

Rambo the Ambo

Rambo will arrive in Tammin on Monday September 6th. I have been in contact with the local primary school and they are going to participate in the colouring competition as well as organise a gold coin collection for Rambo who will visit the school at 1.00pm. Rambo has already covered a large part of the State and has been successful and appreciated wherever it has been. I have placed notes regarding Rambo's visit in the Tammin Tabloid so lets hope that a lot of the locals will come into town after lunch on Monday 6th and assist with Rambo's fundraising. All proceeds are shared between the Country Medical

Foundation and St Johns Ambulance Society.

Grant Opportunities

I have placed a list of grant opportunities in the Tammin Tabloid, seeking expressions of interest from community groups. This is by no means a definitive list and clubs or organisations seeking funding support can contact me when I am in Tammin or any other time at Kellerberrin for assistance and advice.

STAFF / COUNCIL RECOMMENDATION

MIN 1752/04 MOTION - Moved Cr. Thomson 2nd Cr. Stokes

That the Chief Executive Officers Report including the following sub reports be accepted:

- 1. Manager Corporate Services Report*
- 2. Manager Development Services Report*
- 3. Manager Works and Services Report*
- 4. Community Development Officer Report*

CARRIED 5/0

CLOSURE OF MEETING

4:50pm - There being no further business to discuss President, Cr Leslie thanked Members for their attendance and closed the meeting.

NEXT MEETING DATE

Wednesday, 7 October 2004 commencing at 1:00pm at Council Chambers.