

SHIRE OF TAMMIN

Minutes of the Ordinary Council Meeting held at Council Chambers, 1 Donnan Street,
Tammin, on Wednesday, 2 June 2004

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

1:34pm - 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

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

Apologies

Cr. R Stokes	Member
Cr. R. Brooks	Member

Leave of Absence

Nil

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE- Nil.

PUBLIC QUESTION – Nil

APPLICATIONS FOR LEAVE OF ABSENCE – Nil

FINANCIAL INTEREST

Cr Thomson declared a financial interest in Attachment 1 to Manager Corporate Services report because he received a councillor payment.

Cr Caffell declared a financial interest in Attachment 1 to Manager Corporate Services report because she received a councillor payment and in item 11.2.3 as her mother in law resides in unit 7 of Tamma Village.

Cr Wheeldon declared a financial interest in Attachment 1 to Manager Corporate Services report because she received a councillor payment.

PRESENTATIONS - Nil

CONFIRMATION OF MINUTES PREVIOUS MEETING

MINUTES OF ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 12th MAY 2004

Minutes of Ordinary Council Meeting held on Wednesday, 12 May 2004

MIN 0677/04 MOTION – Moved Cr. Thomson 2nd Cr. Caffell

That the minutes of the Ordinary Meeting of the Shire of Tammin held on 12 May 2004 at Council Chambers, Tammin be confirmed as a true and correct record.

CARRIED 4/0

ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION - Nil

10. REPORTS OF COMMITTEES/COUNCILLORS

10.1 WORKS AND SERVICES COMMITTEES

Shire of Tammin

Minutes of the Works and Services Committee Meeting held at Council Chambers,
1 Donnan Street, Tammin on Thursday 13th May 2004.

DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

6:05pm - The Chairperson declared the meeting open.

RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Present:

Cr Brooks	Member, Chairperson
Cr Stokes	Member
Cr Thomson	Member
Mr Frank Peczka	Chief Executive Officer
Mr Raymond Griffiths	Manager Corporate Services
Mr Tom Applegate	Manager Works and Services

Apologies:

Nil

CONFIRMATION OF MINUTES PREVIOUS MEETING

MINUTES OF JOINT WORKS AND SERVICES COMMITTEE MEETING HELD ON 16th FEBRUARY 2004

MIN WS01/04MOTION - Moved Cr. Thomson 2nd Cr. Stokes

That the minutes of the Works and Services Committee on the 16th February 2004 at the Shire of Tammin Council Chambers, be confirmed as a true and correct record of the meeting.

CARRIED 4/0

MECHANICS NOTES

Dave presented a Major/Minor Plant Budget Considerations as well as his 2004/2005 Budget Considerations.

MIN WS02/04MOTION - Moved Cr Stokes 2nd Cr Thomson

That the Shire of Tammin Works and Services Committee accept the Mechanic's Report.

CARRIED 4/0

CLOSURE OF MEETING

9.00pm - There being no further business, the Chairperson, Cr Brooks thanked the members for attending and closed the meeting.

NEXT MEETING DATE

Not Confirmed.

MIN 0678/04 MOTION – Moved Cr. Caffell 2nd Cr. Wheeldon

That the minutes of the Works and Services Committee Meeting of the Shire of Tammin held on 13 May 2004 at Council Chambers, Tammin be confirmed as a true and correct record.

CARRIED 4/0

11. AGENDA ITEMS

AGENDA ITEMS – CORPORATE SERVICES

Agenda Reference:	11.1.1
Subject:	Delegations of Authority
Location:	Shire of Tammin
Applicant:	Shire of Tammin - Administration
File Ref:	
Disclosure of Interest:	Chief Executive Officer
Date:	27 May 2004
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

The Local Government Act requires the local government to review its Delegation of Powers/Authority to the Chief Executive Officer at least once every twelve months and for the Chief Executive Officer to review his Delegation of Authority to identified/senior staff within the same period.

COMMENT

It has been identified that the delegations are required to be renewed in accordance with statutory direction. For Councils information, previous submissions via the Agenda process occurred during May 2002 and November 2001 for this task to be completed. It should also be noted by the Council that the list of delegations have not changed from those previously approved by the Council and are submitted in accordance with the Local Government Act 1995 and associated Regulations and for the smooth management of the daily functions and operations of the Council. The recommended delegations are in accordance with industry standards for a local government of this size.

FINANCIAL IMPLICATIONS - Nil

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995

- Section 5.41 – functions of the CEO
- Section 5.42 – delegation of some powers and duties to the CEO
- Section 5.43 – limits on delegations to the CEO. A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- Section 5.44 – CEO may delegate powers and duties to other employees
- Section 5.45 – other matters relevant to delegations under Division 4 of the LGA 1995 and a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and, any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.

- Section 5.46 – register of, and records relevant to, delegations to the CEO and Employees and at least once in every year, delegations made under this Division (Division 4) are to be reviewed by the Delegator.

Bush Fires Act 1954 – Authorized Officer appointments relating to the CEO of the local Government.

RECOMMENDATION

In accordance with the Local Government Act 1995 and the Bush Fires Act 1954, Council delegates to the Chief Executive Officer the following delegations as identified in the attached Schedule titled – “Council to CEO Delegations Schedule” and these delegations are endorsed as of Wednesday, 2nd June 2004.

By Absolute Majority

STAFF / COUNCIL RECOMMENDATION

MIN 0679/04 MOTION - Moved Cr. Thomson 2nd Cr. Wheeldon

In accordance with the Local Government Act 1995 and the Bush Fires Act 1954, Council delegates to the Chief Executive Officer the following delegations as identified in the attached Schedule titled – “Council to CEO Delegations Schedule” and these delegations are endorsed as of Wednesday, 2nd June 2004.

CARRIED 4/0

By Absolute Majority

Agenda Reference:	11.1.2
Subject:	Request for Financial Support to the Northam Regional Crematorium
Location:	Northam
Applicant:	Town of Northam
File Ref:	ADM-19
Disclosure of Interest:	N/A
Date:	26 May 2004
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

The Town of Northam and the Shire of Northam are planning to construct a Regional crematorium and non-denominational Chapel at the Northam Cemetery.

Cremation is currently only an option to those family and friends prepared to travel, often long distances, to the cemeteries of Karrakatta, Pinnaroo and Fremantle in the Perth Metropolitan area. The stress of negotiating traffic and parking in unfamiliar territory, especially to the frail aged, can be avoided through the construction of a crematorium facility in Northam.

If travel is not an option, then the only alternative currently available is burial. As rural communities, we should not be limited in our choice, compared to our city counterparts.

The proposed Chapel building will house the Crematorium, but will also offer a pleasant, stylish environment to say goodbye to loved ones. A large foyer and lounge will also be included in the design. A copy of the concept plan is attached.

The Town of Northam considers this project to be of a high priority to the communities of the Wheatbelt, and seeks your support to secure funding. An application to the Regional Partnerships program for \$400,000 is to be submitted, to assist in funding this \$1,000,000 project.

Your support of this project would be appreciated and is necessary for the success of our funding application. The Town is inviting the Shire of Tammin to consider \$2,000 towards the chapel fit-out in the 2004/2005 budget process. This contribution would sponsor a pew for the chapel. The Town and Shire of Northam, together with grant funding, will pay for all other capital works costs and both Councils will jointly be responsible for operation and maintenance of the facility, including any associated operating losses.

Furthermore, I request your consideration to writing a Letter of Support, to be forward with our Regional Partnerships application.

Only through regional support can this project become a reality. Your assistance is greatly appreciated.

COMMENT

The proposal has merit and deserves consideration to a financial contribution to ensure that the Crematorium is available in the district/region for choice by families if required in comparison of going to the Perth Metropolitan area. Perhaps that Councils proposed contribution is neither here or there in consideration of the total estimated cost of the project. It may or may not appropriate to offer Council support by a letter, if Council considers a financial contribution is in appropriate at this date. This may be in consideration of expending further finances on upgrading its own cemetery site in lieu of a facility in Northam and acknowledged in consideration of providing a greater range of services within the Wheatbelt/Avon Region in lieu of the Perth metropolitan area.

FINANCIAL IMPLICATIONS

2004/2005 Budget Document – \$2,000.00 expense for consideration to a donation if agreed to.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 – section 6.2 local government to prepare annual budget and include agreed/approved expenditures and revenues from its municipal fund for a balanced budget.

- section 6.8 expenditure from municipal fund not included in annual budget.

RECOMMENDATION

1. That Council supports/not supports the Town of Northam request for a financial donation to the proposed Northam Regional Crematorium and forward a letter of support, to testify Council's support/or not to the proposal.

2. That Council provides/not provides, \$2,000.00 in its 2004/2005 Budget Document as a budgeted expense of a donation to the Northam Regional Crematorium Facility.

By Absolute Majority

STAFF / COUNCIL RECOMMENDATION

MIN 0680/04 MOTION - Moved Cr. Caffell 2nd Cr. Wheeldon

1. That Council supports the Town of Northam request for a financial donation to the proposed Northam Regional Crematorium and forward a letter of support, to testify Council's support to the proposal.
2. That Council provides, \$1,000.00 in its 2004/2005 Budget Document as a budgeted expense of a donation to the Northam Regional Crematorium Facility.

CARRIED 3/1

By Absolute Majority

REASON

Council wished to limit their donation to \$1,000.

Agenda Reference:	11.1.3
Subject:	Debtor – Write Off's
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	FIN06
Disclosure of Interest:	N/A
Date:	25 November 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Debtor 1387 (Dog Infringement Notice) – Council in its December 2003 meeting agreed to write the debtor off. In the process prior to having this debtor written off Council had this account with Credipac and received a \$20 fee for their service.

Debtor 907 (Hire of Grader) – This account was handed to our debt collector for collection as the account has been outstanding since 2000. We have received payment for this account though have it on advice from Credipac that Council will not be receiving reimbursement of legal costs Council incurred in receiving this money.

COMMENT

Debtor 1387 – Council in its December 2003 meeting agreed to write off a debt for \$300 and this account of \$20 is the fee for trying to ascertain these funds. Council would be recommended to write such a small debt off.

Debtor 907 – Council has received its payment of \$1,485 for its private works in 2000 and it would not be worth the further expense to try and obtain the reimbursement for legal expenses.

STATUTORY IMPLICATIONS

Local Government Act 1995 – section 6.10 provides for Financial Management Regulations to be introduced into local government financial management procedures/policies. - requires that Council approve the write off of any debtor.

Local Government (Financial Management) Regulations 1996 – Part 2 – General Financial Management – regulation 5, deals with Financial Management Duties of the CEO.

POLICY IMPLICATIONS

Council has Delegated Authority to the Chief Executive Officer to write off debtors to the value of \$50.00 only.

FINANCIAL IMPLICATIONS

The amount for recommended write off is \$202.95.

RECOMMENDATION

1. That Council write off all outstanding amounts raised for Debtors 1387 and 907
2. That Council does not provide any further works or services to the abovementioned clients on credit. All accounts to be paid in full before commencement of works and/or delivery of service.

STAFF / COUNCIL RECOMMENDATION

MIN 0681/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Caffell

1. *That Council write off all outstanding amounts raised for Debtors 1387 and 907*
2. *That Council does not provide any further works or services to the abovementioned clients on credit. All accounts to be paid in full before commencement of works and/or delivery of service.*

CARRIED 4/0

Agenda Reference:	11.1.4
Subject:	Hydrology Model Opening
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	AGR19
Disclosure of Interest:	N/A
Date:	27 May 2004
Author:	Mick Cole, Community Development Officer

BACKGROUND

Previous information submitted to Council for the proposed opening day to occur in March 2004 resulted in a program being adopted by the committee responsible. This was used as a basis for obtaining a Lotterywest Grant of \$4,450.00, to provide a day of entertainment suitable for the whole family e.g. **Sambanistas** (percussion group), **Clown**(face painting, balloon sculpting etc.), **Funscootin'** (6 bootscooters and an caller/instructor), **Carmel Charlton** (vocalist), and **Ice Rain** (4 piece band performing popular selections from the 60's to current chart hits).

COMMENT

Due to construction delays this event has been postponed to a date in Sept/Oct. yet to be finalized. Councillor Leslie requested staff to enquire on costings for a band "One Step Ahead", their fee for a family concert is \$5750.00. Availability unknown until a firm date for opening can be decided.

FINANCIAL IMPLICATIONS

The original budget totaled \$9,050.00 of which Councils contribution was \$4,600.00 (see attached budget). To expend \$5,750.00 on one band Council would need to significantly increase their allocation to cover this and other additional expense.

STATUTORY IMPLICATIONS

Local Government Act 1996 – 2004/2005 Budget – Expense Allocation for Opening Celebrations.

As per Manager Development Services Agenda Item 11.2.1 at Councils May 2004 Meeting:

3. *"That Council include within the draft 2004/05 budget \$10,000 for a major event to be held at the Hydrology Model."*

RECOMMENDATION

1. Hydrology Model Opening to be on Saturday, 2004.
2. Council adopt the original program as attached featuring all local talent, and staff to investigate an opportunity for the school children to be part of the performance.
3. \$ to be budgeted in the 2004/2005 budget.

STAFF / COUNCIL RECOMMENDATION

MIN 0682/04 MOTION - Moved Cr. Thomson 2nd Cr. Wheeldon

1. *Hydrology Model Opening to be on Sunday, 24 October 2004.*
2. *Council resolve to investigate an opportunity for the local school children to be part of the day.*
3. *\$15,000 to be budgeted in the 2004/2005 budget for opening celebrations.*

CARRIED 4/0
BY ABSOLUTE MAJORITY

AGENDA ITEMS – DEVELOPMENT SERVICES

Agenda Reference:	11.2.1
Subject:	Tammin Hall – Engineers Report
Location:	Shire of Tammin
Applicant:	Administration
File Ref:	Assessment 1063
Disclosure of Interest:	Nil
Date:	27 May 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

Van Der Meer Consulting Engineers were engaged to prepare a report on the general condition of the Tammin Hall, Great Eastern Highway. The inspection was undertaken on 2nd March 2004.

COMMENT

The report highlights already known issues including the deteriorating wooden floor boards. Other issues are: -

1. Grading of ground external of building. This item has been partially addressed on the west and north side. There is minimal works required on the eastern side where the bitumen has deteriorated and pitted. Council's Builder has repaired the walkway and commenced retreating of the timber product.
2. Temporary repairs to the Kitchen floor have been carried out by Council's Builder.
3. Roof drainage will be inspected during the week commencing 1st June 2004 by Council's Builder.
4. Sub soil drainage has been inspected and repaired where it was crushed by vehicles.
5. Renovation of the timber floor in the main hall is estimated at \$25,000. Quotes have not yet been asked for. I have renovated two floors previously – timber boards and parquetry. The average cost for these – 5 and 2 years ago was \$15,000 – \$20,000. Council direction is requested.
6. Provision of a rear exit to the Hall as required by the Building Code of Australia - \$4,000.
7. Structural Adequacy Check – I have contacted Van Der Meers and sought a quotation.
8. Renovation of the hall in accordance with points 1 – 3 of the Engineers report page six.

Council's attention is also drawn to previous reports relating to the provision of adequate facilities to service the hall and hydrology model and proposed upgrades of the hall submitted in February – April 2004.

Those reports discussed the future of the site, provision of adequate kitchen facilities, carparking, change rooms, and access to the project. Additionally the reports suggested the engagement of a planning consultant to prepare an overlay of the completed project incorporating the hall and hydrology model to permit Council to properly plan the completion fo the project.

A copy of the report appends.

FINANCIAL IMPLICATIONS

To be determined. It is suggested that Council consider the previous reports and provides direction to the Administration regarding the proposed path of upgrade of the Hall including those items within this report and the suggested improvements to the hall and environs to support the hydrology model project.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS

The hall is substandard as confirmed by the Engineers report. The building is required to comply with the provisions of the Public Building Regulations 1992 and the Building Code of Australia for class 9 buildings.

RECOMMENDATION

1. "That quotations be called for the renovation of the timber floor and the report be resubmitted to Council for consideration."
2. "That quotations for injection of a suitable waterproofing compound to control the dampness be requested and the report resubmitted to Council."
3. "That funds be provided within the 2004/05 budget to engage a planning consultant to address the required improvements to the hall and environs to cater for the use of the facility."

ABSOLUTE MAJORITY REQUIRED

STAFF / COUNCIL RECOMMENDATION

MIN 0683/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

1. *"That quotations be called for the renovation of the timber floor and the report be resubmitted to Council for consideration."*
2. *"That funds be provided within the 2004/05 budget to engage a planning consultant to address the required improvements to the hall and environs to cater for the use of the facility as identified by Council."*

CARRIED 4/0

ABSOLUTE MAJORITY REQUIRED

REASON

Injecting of waterproof compound be considered after the flooring renovation and identified drainage works are completed.

Agenda Reference:	11.2.2
Subject:	Tammin Oval and Sports Pavilion Engineer Assessment
Location:	Donnan Park
Applicant:	Administration
File Ref:	Assessment 1076
Disclosure of Interest:	Nil
Date:	27 May 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

On 2nd March 2004 an inspection of the Changerooms/Hall and grandstand was undertaken by Mr. Clive Bradshaw of Van Der Meer Consulting Engineers.

COMMENT

A copy of the report appends and indicates that additional tie downs and structural supports are required to be installed in the change rooms to make the building safe and in addition a further full site inspection should be undertaken.

The second report relates to the grandstand area and suggests that the grandstand was not even built to the proposed plans. Additional research and site measurements are required to certify the building structure.

Prior to confirming structural adequacy of the structures Council should consider whether the short term aim is to retain the buildings or consider replacement. Councils Builder can install hoop iron supports as a temporary solution, however the aesthetics will not be improved.

Council may wish to consider the future of these buildings.

I do not recommend at this time spending additional funds to prove the structural adequacy until Council has resolved to continue with the buildings.

FINANCIAL IMPLICATIONS

The reports recommend structural adequacy checks at a cost of approximately \$6,000.00.

The building is substandard. Areas of non compliance include materials used – non fire retardant, non defined steps – change rooms, access and mobility requirements, food hygiene requirements – kitchen and minor issues such as exit signs, use of gas fires, exposed fires in pavilion and leaks within the roof area of the pavilion.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS

Regulation 21 of the Public Building Regulations 1992 requires that the owner maintain the building to the requirements of the Health Act 1911 and the Building Code of Australia 1996 as a minimum.

Regulation 26.1(a) requires the owner of large or high risk facilities – e.g. sporting venues to prepare risk management plan which includes the identification of known risks and proposals to address those risks.

RECOMMENDATION

1. "That the repairs required to ensure the adequacy of the roof over the Donnan Park Change rooms be secured using Hoop Iron and straps be carried out immediately."
2. "That Council resolve to retain the buildings for a further ten years minimum and the Administration be instructed to prepare an upgrade program to ensure that the buildings are safe and capable of use by the public."

STAFF / COUNCIL RECOMMENDATION

MIN 0684/04 MOTION - Moved Cr. Thomson 2nd Cr. Wheeldon

1. *“That the repairs required to ensure the adequacy of the roof over the Donnan Park Change rooms be secured using Hoop Iron and straps be carried out immediately.”*
2. *“That Council resolve to retain the buildings for a further ten years minimum and the Administration be instructed to prepare an upgrade program to ensure that the buildings are safe and capable of use by the public.”*

CARRIED 4/0

Agenda Reference:	11.2.3
Subject:	Tamma Village Units 5, 7 & 8 Engineer Assessment
Location:	Booth Street
Applicant:	Administration
File Ref:	Assessment 1076
Disclosure of Interest:	Nil
Date:	27 May 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

On 2nd March 2004 an inspection of the Residences was undertaken by Mr. Clive Bradshaw of Van Der Meer Consulting Engineers.

COMMENT

The report appends and recommends that the cracks and joints be raked and filled with a flexible epoxy and the gutter be redirected. Additionally all drainage be inspected to ensure there is no leak.

The above works have been completed by Mr. Steven Alcock, Council's Builder.

To allay the Tenants concerns a copy of the report can be provided to the affected tenants.

FINANCIAL IMPLICATIONS

Repairs to the cracks and joints can be carried out during routine painting of the properties and therefore will not severely impact on existing proposed budgets and programs. Over the next two years the majority of units will be repainted internally. The effected properties will be brought forward and addressed prior to painting of other units.

Council's portion of the cost is offset against the equities of the project.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS - Nil.

RECOMMENDATION

1. *“That the engineering report regarding units 5, 7 and 8 Tamma Village be received and included in the annual maintenance program.”*

2. "That the Tenants of units 5, 7 and 8 be advised of the report and maintenance schedule.

STAFF / COUNCIL RECOMMENDATION

MIN 0685/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

1. *"That the engineering report regarding units 5, 7 and 8 Tamma Village be received and included in the annual maintenance program."*
2. *"That the Tenants of units 5, 7 and 8 be advised of the report and maintenance schedule."*

CARRIED 4/0

Agenda Reference:	11.2.4
Subject:	2 Redmond Street – Engineering Report
Location:	Shire of Tammin
Applicant:	Administration
File Ref:	Assessment 1071
Disclosure of Interest:	Nil
Date:	27 May 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

On 2nd March 2004 an inspection of the residence was undertaken by Mr. Clive Bradshaw of Van Der Meer Consulting Engineers.

COMMENT

The report appends and recommends that all storm water be diverted away from the building. In addition garden beds and lawns should be kept away from the residence. Further assessment of the cracks and damage will be difficult and not achieve an increase in value of the residence or improve living conditions.

Storm water diversion is already in Council's budget to address. Internal painting of the residence will address the cracks after soakwells are installed.

FINANCIAL IMPLICATIONS

Within existing budget allocations within the 5 year maintenance program.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS - Nil.

RECOMMENDATION

"That the Engineers report regarding 2 Redmond Street, Tammin be received and the issues for maintenance be included within the five year program already established."

STAFF / COUNCIL RECOMMENDATION

MIN 0686/04 MOTION - Moved Cr. Caffell 2nd Cr. Wheeldon

“That the Engineers report regarding 2 Redmond Street, Tammin be received and the issues for maintenance be included within the five year building maintenance program already established.”

CARRIED 4/0

Agenda Reference:	11.2.5
Subject:	Review of Threshold Price for Non Registered Builders
Location:	Shire of Tammin
Applicant:	Administration
File Ref:	BUILD04 & OFGOV02
Disclosure of Interest:	Nil
Date:	27 May 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

The Department of Consumer and Employment Protection have requested the views of Council regarding the current threshold applied for non registered builders constructing within Western Australia.

Currently a non registered builder can perform any works under \$12,000 and an owner builder for a residence can apply for a special licence. The Building Surveyor cannot issue a licence to an unregistered builder for any other classification of building e.g. warehouse, offices etc.

I believe the review is the thin end of the wedge to ensure that only registered builders perform construction works. The Department has requested submissions on the questions they have raised only. The issues paper appends.

COMMENT

Page five of the Issues Paper raises the questions that responses are requested to. Suggested answers are provided: -

Q1 – The threshold price for building by unregistered builders should be increased to \$20,000 to allow for price differentials between the City and regional areas. In summary the current system should not prohibit an owner builder for a class one building (dwelling) submitting plans and commencing construction of a residence on the owners property.

Q2 – See Question 1.

Q3 - Yes. Currently the Home Indemnity Insurance threshold is \$20,000.

Q4 – There is no known analogy between the threshold price and the quality of the work. Individuals will generally not take shortcuts with their own construction for the obvious reason it is their money. There are more problems with alleged professional trades and the level of service these trades supply particularly where the trade is metropolitan based. Regional Contractors living is received from their competency and few reduce standards as a result.

Q5 – Unknown. There are obvious increases in fixed costs the further north one constructs. It may be advantageous to set a below 26 parallel and above 26 parallel.

Q6 – If approvals are required there is no reduction in the standard unless the builder is disreputable. As local governments approve the plans they are aware of local conditions that will effect the issue of a licence.

Q7 – No comment.

In summary it is believed that Council should not support a reduction in the threshold nor unregistered builders existing rights. Further restrictions will drive the industry underground and few local governments have the resources to address illegal construction on a large scale when considering other duties assigned to Officers.

FINANCIAL IMPLICATIONS - Nil

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

1. "That the Shire of Tammin advise the Department of Consumer and Employment Protection that Council does not support a reduction in the threshold nor unregistered builders existing rights. Further restrictions will drive the industry underground and few local governments have the resources to address illegal construction on a large scale when considering other duties assigned to Officers."
2. "That the Shire of Tammin respond to the questions raised in the Issues Paper provided by the Department of Consumer and Employment Protection as follows: -
 - Q1 – The threshold price for building by unregistered builders should be increased to \$20,000 to allow for price differentials between the City and regional areas. In summary the current system should not prohibit an owner builder for a class one building (dwelling) submitting plans and commencing construction of a residence on the owners property.
 - Q2 – See Question 1.
 - Q3 - Yes. Currently the Home Indemnity Insurance threshold is \$20,000.
 - Q4 – There is no known analogy between the threshold price and the quality of the work. Individuals will generally not take shortcuts with their own construction for the obvious reason it is their money. There are more problems with alleged professional trades and the level of service these trades supply particularly where the trade is metropolitan based. Regional Contractors living is received from their competency and few reduce standards as a result.
 - Q5 – Unknown. There are obvious increases in fixed costs the further north one constructs. It may be advantageous to set a below 26 parallel and above 26 parallel.
 - Q6 – If approvals are required there is no reduction in the standard unless the builder is disreputable. As local governments approve the plans they are aware of local conditions that will effect the issue of a licence.
 - Q7 – No comment."

STAFF / COUNCIL RECOMMENDATION

MIN 0687/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

1. *"That the Shire of Tammin advise the Department of Consumer and Employment Protection that Council does not support a reduction in the threshold nor*

unregistered builders existing rights. Further restrictions will drive the industry underground and few local governments have the resources to address illegal construction on a large scale when considering other duties assigned to Officers.”

2. *“That the Shire of Tammin respond to the questions raised in the Issues Paper provided by the Department of Consumer and Employment Protection as follows: -*

Q1 – The threshold price for building by unregistered builders should be increased to \$20,000 to allow for price differentials between the City and regional areas. In summary the current system should not prohibit an owner builder for a class one building (dwelling) submitting plans and commencing construction of a residence on the owners property.

Q2 – See Question 1.

Q3 - Yes. Currently the Home Indemnity Insurance threshold is \$20,000.

Q4 – There is no known analogy between the threshold price and the quality of the work. Individuals will generally not take shortcuts with their own construction for the obvious reason it is their money. There are more problems with alleged professional trades and the level of service these trades supply particularly where the trade is metropolitan based. Regional Contractors living is received from their competency and few reduce standards as a result.

Q5 – Unknown. There are obvious increases in fixed costs the further north one constructs. It may be advantageous to set a below 26 parallel and above 26 parallel.

Q6 – If approvals are required there is no reduction in the standard unless the builder is disreputable. As local governments approve the plans they are aware of local conditions that will effect the issue of a licence.

Q7 – No comment.”

CARRIED 4/0

Agenda Reference:	11.2.6
Subject:	Town Planning Approval - Winery
Location:	Avon Location 12932
Applicant:	David & Jonathon Dyer
File Ref:	ASS54
Disclosure of Interest:	Nil
Date:	27 May 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

An application to establish a winery on property located on the Goldfields Road has been received.

COMMENT

The Town Planning Scheme does not specifically address the implementation of wineries, however after discussions with the Planning Consultant it is believed that the industry is similar to farming and therefore acceptable within the rural zoning of the Shire of Tammin.

The major issues as I see them will be the processing of the grapes and removal of decant and extraneous materials. This matter will be come a Department of the Environment issue.

Other minor issues are the provision of ablutions for workers, drainage of the site not to impact on neighbouring properties and the provision of additional information regarding the

operation – chemical use – is it compatible with locally grown crops, and the impact of grape production on surrounding properties – believed to be negligible.

Detailed plans of the proposed operation should then be submitted for building consideration.

FINANCIAL IMPLICATIONS

There are no financial implications to Council.

POLICY IMPLICATIONS

There are no policy implications to Council.

STATUTORY IMPLICATIONS

Shire of Tammin Town Planning Scheme.
Environmental Protection Act 1986.

RECOMMENDATION

“That the application from Mr. David and Jonathon Dyer to establish a winery on location 12932 Goldfields Road be approved subject to the following conditions: -

1. The provision of information relating to the application of pesticides on the vines and any potential impact on neighbouring general farming practices;
2. Prior to establishment of the winery information regarding waste disposal of by products be advised to Council and the Department of the Environment;
3. The approval is subject to the requirements of any statutory authority including the Departments of the Environment, Conservation and Land Management and the Department of Agriculture.”

STAFF / COUNCIL RECOMMENDATION

MIN 0688/04 MOTION - Moved Cr. Caffell 2nd Cr. Wheeldon

“That the application from Mr. David and Jonathon Dyer to establish a winery on location 12932 Goldfields Road be approved subject to the following conditions: -

1. The provision of information relating to the application of pesticides on the vines.
2. *That the proposed winery does not impact on neighbouring general farming practices.*
3. *Prior to establishment of the winery information regarding waste disposal of by products be advised to Council and the Department of the Environment;*
4. *The approval is subject to the requirements of any statutory authority including the Departments of the Environment, Conservation and Land Management and the Department of Agriculture.”*

CARRIED 4/0

REASON

Council wished to not hinder current farming activities of neighbouring properties.

Agenda Reference:	11.2.7
Subject:	Budget Consideration Items 2004/05
Location:	N/A
Applicant:	Administration
File Ref:	FIN04
Disclosure of Interest:	Nil
Date:	27 th May 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

The 2004/05 budget is currently being prepared and Council consideration of the following items is requested for inclusion.

COMMENT

Tamma Village Television Reception.

The Administration has received verbal complaints regularly over the last year regarding the deteriorating reception at Tamma Village for television. Quotations to improve the reception are being sought and are expected to cost in the vicinity of \$3,500 - \$5,000 and comprise up to 3 systems with 10 decoders and splitter boxes. Mr. Peter Shepherd, Grinder Enterprises will provide a quotation by the meeting.

Mr. Applegate has been called out on many occasions voluntarily after hours to assist the tenants to resolve their issues but there has been a slow continuous degradation of the signal received.

Tammin Regional Waste Processing Site

Further fires have been lit at the site. In 2001 Council sought a quotation from Toodyay Boring (Avon Water Solutions to prepare Hunts Well Bore for a supply of water to fight fires at the processing site. Additionally the Contractors agreement requires that Council provide the materials for additional fencing and closure of the main entrance when not in use.

The quotation suggests a cost of \$2,000 plus mobilization and long term bore test. An allowance of \$3,300 is considered sufficient to prepare the bore. An additional budget for pipe-work, trenching and connections is required. The length of pipe-work required is approximately 1000m. Trenching costs are estimated at \$2,000. The table below summarizes the required components.

Component	Cost	Comment
Boring	3,500	The provision of a water supply through Water Corporation has been estimated by WC at \$5,000 + headworks.
Trenching	\$2,000	
Fencing materials	\$6800	Approximately 500m is required. 150m may be salvaged from the Hydrology Model includes concrete.

5,000l Tank	\$1000	Includes the attachments and ancillary connections
25mm Pipework, ancillaries Water	\$1,000	25mm high pressure line
Total	\$14,300	

Please note that budget estimates are sourced from local suppliers. No labour component from Council is envisaged as the Workcamp and contractor would erect the fence etc.

FINANCIAL IMPLICATIONS

The additional budget requirements total

POLICY IMPLICATIONS

Nil. The upgrade of the Landfill Site is in conformity with Council's licence conditions and the agreement with the Contractor.

STATUTORY IMPLICATIONS

Department of Environment Licence – Tammin Regional Waste Processing Site.

RECOMMENDATION

1. "That Council budget \$3,500 (to be confirmed by quotation presented to meeting) in the 2004/05 budget for the provision of improvement to the television reception at Tamma Village."
2. "That Council budget \$14,300 in the 2004/05 budget for the required improvements to the Tammin Regional Waste Processing Site comprising lockable entry, provision of fire fighting water source and additional materials for enclosing portions of the site."

STAFF / COUNCIL RECOMMENDATION

MIN 0689/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

1. *"That Council budget \$3,500 in the 2004/05 budget for the provision of improvement to the television reception at Tamma Village."*
2. *"That Council budget \$14,300 in the 2004/05 budget for the required improvements to the Tammin Regional Waste Processing Site comprising lockable entry, provision of fire fighting water source and additional materials for enclosing portions of the site."*

CARRIED 4/0

Agenda Reference:	Attachment 1
Subject:	April Cheque List
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	10 May 2004
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Accounts for Payment from 1st April 2004 to 30th April 2004

Municipal Fund

10735	-	10737	\$	173.00
10738				TEST RUN
14273	-	14306	\$	28,976.34
14307				TEST RUN

\$ 29,149.34

Trust Fund - Nil

COMMENT

During the month of April 2004 the Shire of Tammin made no significant purchases.

FINANCIAL IMPLICATIONS

Shire of Tammin 2003/2004 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 April 2004 to 30th April 2004 be accepted.

VOTING REQUIREMENT – ABSOLUTE MAJORITY

STAFF / COUNCIL RECOMMENDATION

MIN 0690/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

1 *That the accounts submitted from 1st April 2004 to 30th April 2004 be accepted.*

CARRIED 4/0
BY ABSOLUTE MAJORITY

Agenda Reference:	Attachment 2
Subject:	April Financial Management Report
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	10 May 2004
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

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

Direct Debit list for the month of April 2004:-

Municipal Fund

01 st April 2004	National Online Fees for April 2004	\$55.65
7 th April 2004	Payroll for F/E 07.04.04	\$7,996.58
21 st April 2004	Payroll for F/E 21.04.04	\$9,073.81
26 th April 2004	Lease Payment for 120H Cat Grader	\$5,641.53
30 th April 2004	Reserve Fund Bank Fees for April 04	\$20.00
30 th April 2004	Trust Fund Bank Fees for April 2004	\$48.20
30 th April 2004	Muni Fund Bank Fees for April 2004	\$90.20

Trust Fund

30th April 2004	Police Licensing for April	\$ 14,866.25
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COMMENT

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

DKT Rural Agencies	\$754.78	Onga Fire Fighter 6.5 HP
R&J Independent	\$830.00	GPS & Accessories

The Payroll difference from the 7th April 2004 to the 21st April 2004 is due to the payment of Bonus Pays for the March 2004 quarter.

FINANCIAL IMPLICATIONS

- Financial Management of 2003/2004 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 30th April 2004.
- 2 That the Direct Debit List be accepted for the month of April 2004.

STAFF / COUNCIL RECOMMENDATION

MIN 0691/04 MOTION - Moved Cr. Wheeldon 2nd Cr. Thomson

- 1 *That Council approve the Monthly Financial Statements for the period ending 30th April 2004.*
- 2 *That the Direct Debit List be accepted for the month of April 2004.*

CARRIED 4/0

Agenda Reference:	Attachment 3
Subject:	Financial Reports - Miscellaneous
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	23 April 2004
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

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

COMMENT

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

- 1 That the following Reports be approved.
 - Capital Status Report
 - Bank Reconciliation
 - Outstanding Sundry Debtors
 - Loan Register Report

STAFF / COUNCIL RECOMMENDATION

MIN 0692/04 MOTION - Moved Cr. Thomson 2nd Cr. Wheeldon

- 1 *That the following Reports be approved.*
 - *Capital Status Report*
 - *Bank Reconciliation*

- *Outstanding Sundry Debtors*
- *Loan Register Report*

CARRIED 4/0

STAFF / COUNCIL RECOMMENDATION

MIN 0693/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

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 4/0

Agenda Reference:	Late Item 1
Subject:	2004/2005 Budget Briefs
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	FIN-04
Disclosure of Interest:	N/A
Date:	31 May 2004
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Discussions had with the President Cr Leslie, on Wednesday, 26th May 2004, regarding a number of matters including the opportunity to discuss various budget programs at the next Council Meeting. Given the short notice of assisting with this process in lieu of a formal Corporate Services Committee to discuss the preparation of the budget document in greater detail, the following briefing notes are attached for Councils information.

COMMENT

The following documents are attached for Council’s information in consideration of having an early input to the Budget process.

1. Salary and Wages Schedule.
2. Minutes of Joint Works & Services Committee Meeting including a draft ten (10) year Plant.
3. Replacement Program.
4. Community Grants Budget Submissions.
5. Briefing Notes of programs and activities either committed and/or required to be considered for projects and programs to be completed.

It should be noted that staff preference is for the Corporate Services Committee to meet and expend greater time on the budget proposals. Our apologies are recorded for the incompleteness of information for Councils Meeting on Wednesday.

All items have been listed on the basis of Councils draft Plan of Principal Activities, Councils Strategic Plan objectives and the grant applications made and approved for the betterment of the community.

FINANCIAL IMPLICATIONS

2004/2005 Budget Preparation – details unknown at this date

POLICY IMPLICATIONS - N/A

STATUTORY IMPLICATIONS

Local Government Act 1995 –Section 6.2 local government is to prepare annual budget

Section 6.2(1) – *not later than 31st August of 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 30th June. Absolute Majority Voting required.*

Section 6.2(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.*

RECOMMENDATION

That the attached reports be received, in consideration of preparing Councils 2004/2005 Budget Document.

STAFF / COUNCIL RECOMMENDATION

MIN 0694/04 MOTION - Moved Cr. Caffell 2nd Cr. Wheeldon

- 1. That the attached reports be received, in consideration of preparing Councils 2004/2005 Budget Document.*
- 2. That a Special Council Meeting for Budget preparation be held on Thursday, 24 June 2004 at 4:00pm.*

CARRIED 4/0

CLOSURE OF MEETING

3:35pm - There being no further business to discuss President, Cr Leslie thanked Members for their attendance and closed the meeting.

NEXT MEETING DATE

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

Councillor Note: 2004/2005 Budget Meeting of the Council will be held on the same day and earlier commencement time of ordinary meeting will be around mid morning.