

SHIRE OF TAMMIN

Minutes of the Ordinary Council Meeting held at the Council Chambers
Donnan Street, Tammin on Wednesday, 11 February 2004

DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

1:40pm - 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. R. Brooks	Member (until 5:39pm)

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

Apologies

Cr. M. Wheeldon	Member
Cr. R Stokes	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 Brooks declared an impartiality interest in item 11.1.2 and a financial interest in item 11.1.7 and 11.1.8.

Cr Caffell declared an impartiality interest in item 11.1.2 and a financial interest in item 11.1.7

Cr Thomson declared an impartiality interest in item 11.1.2 and a financial interest in item 11.1.8

PRESENTATION

NIL

CONFIRMATION OF MINUTES PREVIOUS MEETING

Minutes of Ordinary Council Meeting held on Wednesday, 3 December 2003

MIN 0588/04 MOTION – Moved Cr. Thomson 2nd Cr. Caffell

That the minutes of the Ordinary Meeting of the Shire of Tammin held on 3 December 2003 at Council Chambers, Tammin be confirmed as a true and correct record.

CARRIED 4/0

ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION - Nil

REPORTS OF COMMITTEES

RESOURCE SHARING COMMITTEE

MIN 0589/04 MOTION – Moved Cr. Thomson 2nd Cr. Brooks

That the minutes of the Shire of Kellerberrin and Shire of Tammin Resource Sharing Committees held at the Shire of Kellerberrin Council Chambers, Kellerberrin on Tuesday, 3 February 2004 be confirmed as a true and correct record.

CARRIED 4/0

REPORTS OF OFFICERS

Agenda Reference:	11.1.1
Subject:	Additional Street Lighting – Local Government Partnership Funding
Location:	Shire of Tammin
Applicant:	Shire of Tammin
File Ref:	ENG 03
Disclosure of Interest:	Nil
Date:	5 February 2004
Author:	Mick Cole, Community Development Officer

BACKGROUND

Funds are available from Office of Crime Prevention through the Local Government Partnership Fund to improve safety to residents and reduce the opportunity for crime and anti-social behaviour.

We are looking at providing additional lighting to unlit areas to provide a safer environment for residents.

COMMENT

To provide adequate lighting in known trouble spots to light the area so that residents will feel safe and secure at night.

We have identified through personal inspection and by requests from residents a need for an additional 14 street lights to bring the street lighting in Tammin to an acceptable standard. (refer attached map)

This inspection also found that some of the lighting currently installed is inadequate and requiring upgrading or cleaning. Western Power will undertake this work at their cost as part of their street light maintenance.

FINANCIAL IMPLICATIONS

Based on Western Power estimate of \$430 per light total cost for this project would be \$6,386.00.

Councils contribution towards this would be \$2,000 cash and \$664 in kind.

The balance of costs to be provided by funding body.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

That Council allow \$3,000 in its 2004/05 budget for partial cost of street lighting upgrade if the grant application is successful.

STAFF / COUNCIL RECOMMENDATION

MIN 0590/04 MOTION - Moved Cr. Thomson 2nd Cr. Brooks

That Council allow \$3,000 in its 2004/05 budget for partial cost of street lighting upgrade if the grant application is successful.

CARRIED 4/0

Agenda Reference:	11.1.2
Subject:	Tamma Village Weekly Rentals– (Joint Venture)
Location:	Shire of Tammin
Applicant:	Shire of Tammin – Department of Housing and Works
File Ref:	AGE02
Disclosure of Interest:	N/A
Date:	3 February 2004
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

On the 27th January 2004 John Mitchell (Manager Development Services) and myself attended the offices of Department of Housing and Works for a meeting with them in respect to the Joint Venture project of Tamma Village.

The Department of Housing and Works has been awaiting a final report from the Shire since late 1999 in regards to the Tamma Village project. This was only brought to both the Manager Development Services and Manager Corporate Services attention late last year and we have since been attempting to revisit the project to identify what has been completed and expenditure that has been incurred.

The Department of Housing and Works requested that a financial report be compiled to illustrate the Shire's contribution to the project and also prove payments made to them with

respect to carpets etc. This was very difficult as no records were kept and correspondence was not passed down.

We compiled this information to the best of our ability and forwarded this to the Department of Housing and Works for their information and assessment. On receiving this information a meeting was arranged to discuss problem areas and to explain the setup of the Joint Venture program.

The areas of concern are as follows:

- 1 Rentals were too low
- 2 Insignificant Long Term Reserve
- 3 No Financials reported
- 4 No contact nor discussion on improvements with the Department of Housing & Works
- 5 No reserve created for Surplus funding
- 6 That is was reported in surveys that we were putting surplus away for construction of more units –this has not been done.

COMMENT

As previously mentioned it was only on notification from the Department of Housing and Works that current staff became aware of Tamma Village being a Joint Venture Project.

In meeting with Department of Housing and Works we obtained a better understanding of what is required of the Shire of Tammin to meet the requirements of the Joint Venture Project.

The following modifications were recommended:

- 1 Rentals to be increased to \$55 per week
- 2 Application forms to be handed out for Rental Assistance
- 3 \$8,400 per year set aside for the Long Term Maintenance Reserve
- 4 Creation of a reserve for the Surplus from Income to Expenditure
- 5 An annual report compiled and forwarded to the Department of Housing and Works.

In increasing the rentals for Tamma Village this would entitle the residents to claim the Rental Assistance from Centrelink. Please see attached Maximum Rent Charges for Organisations.

Residents being eligible for Rental Assistance would result in decreasing rent payable by the tenants so increasing the rentals would have a two fold effect. Increasing our income on rentals and saving the tenants through Rental Assistance. This would work as follows:

	Rental Paid	Rental Assistance	Total Payable by Tenant
Currently	\$42.00 per week	Under Threshold N/A	\$42.00 per week
Proposed	\$55.00 per week	\$40.70	\$14.30 per week

Thus being a saving of \$27.70 to the tenant.

FINANCIAL IMPLICATIONS

Shire of Tammin Budget 2003 / 2004 –

- Under budgeted Income on Tamma Village Income
- Under budgeter Expenditure to Long Term Maintenance Reserve
- Surplus funds to be placed into a Reserve not as general surplus funds.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Local Government Act 1995 as amended section 6.11 Reserve Accounts

RECOMMENDATION

- 1 That Council increase rentals to \$55 per week applicable to occupants of Tamma Village.
- 2 That Council increase allocation to a reserve of up to \$8,400.
- 3 That the Manager Corporate Services arrange a meeting with Tenants to explain and assist with changes to rentals including rental assistance programs.
- 4 That Council Create a Reserve for Surplus funds and place all surplus funding to this account at the end of the Financial Year - Tamma Village Reserve Account.
- 5 That Council produce an annual report to the Department of Housing and Works.

STAFF / COUNCIL RECOMMENDATION

MIN 0591/04 MOTION - Moved Cr. Brooks 2nd Cr. Caffell

- 1 *That Council increase rentals to \$55 per week applicable to occupants of Tamma Village.*
- 2 *That Council increase allocation to a reserve of up to \$8,400.*
- 3 *That the Manager Corporate Services arrange a meeting with Tenants to explain and assist with changes to rentals including rental assistance programs.*
- 4 *That Council Create a Reserve for Surplus funds and place all surplus funding to this account at the end of the Financial Year - Tamma Village Reserve Account.*
- 5 *That Council produce an annual report to the Department of Housing and Works.*

AMENDMENT TO THE MOTION

MIN 0592/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

- 1 *That Council delay increasing the recommended rentals to \$55 per week (in accordance with joint venture/Homeswest guidelines) applicable to occupants of Tamma Village until such time a meeting with residents has been completed.*
- 2 *That Council increase allocation to a reserve of up to \$8,400.*
- 3 *That the Manager Corporate Services arrange a meeting with Tenants to explain and assist with changes to rentals including rental assistance programs.*
- 4 *That Council Create a Reserve for Surplus funds and place all surplus funding to this account at the end of the Financial Year - Tamma Village Reserve Account.*

- 5 *That Council produce an annual report to the Department of Housing and Works.*

CARRIED 4/0

NEW MOTION

MIN 0593/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

- 1 *That Council delay increasing the recommended rentals to \$55 per week (in accordance with joint venture/Homeswest guidelines) applicable to occupants of Tamma Village until such time a meeting with residents has been completed.*
- 2 *That Council increase allocation to a reserve of up to \$8,400.*
- 3 *That the Manager Corporate Services arrange a meeting with Tenants to explain and assist with changes to rentals including rental assistance programs.*
- 4 *That Council Create a Reserve for Surplus funds and place all surplus funding to this account at the end of the Financial Year - Tamma Village Reserve Account.*
- 5 *That Council produce an annual report to the Department of Housing and Works.*

CARRIED 4/0

REASON

Council don't wish to increase rentals at Tamma village until such time as a meeting is held with the residents.

Agenda Reference:	11.1.3
Subject:	Council Housing, 22 Ridley Street Tammin – Allocation to School Principal
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	ASS439
Disclosure of Interest:	N/A
Date:	5 February 2004
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Late last year (2003) Council agreed to offer the Tammin School, quality Housing for the new Principal. During December 2003, Council was advised that the School does not require Council Housing for its Principal due to other accommodation arrangements being confirmed.

Council at their December 2003 Ordinary Meeting expressed disappointment to the School and the P&C Group of the incoming Principal's decision to arrange alternative accommodation outside the district.

COMMENT

I seek Council direction on re-allocating the Ridley Street House for key Council Staff to occupy as per previous actions completed.

I also acknowledge that the House has been in demand by the following persons and/or businesses:

- a) Tammin School (previously)
- b) Rogers Feedlot Manager position
- c) Charlie Puglia – Tiltmaster Services (current occupier of ex Tammin Steel Premises)
- d) Tammin Roadhouse Managers
- e) Tammin Abattoirs Key Personnel

It should also be noted that the described property remained vacant for a long period of time until the current management researched full utilisation of its Housing Assets and the lack of planning and intent to have the Ridley Street property occupied earlier.

Council now has demand for the property far greater than when the property was previously fully utilised by key staff recently. Council has a number of options to consider including the full sale of the property, although this needs further research as to how the property was funded and if any restrictions are placed upon the Council as a result of this procedure.

FINANCIAL IMPLICATIONS

2003/2004 Budget – operating revenue from rentals – estimated to be below budget allocations due to the re-allocation of tenants and periods of non-occupation

- Operating expenses – to complete essential works at the property for occupation by Council key Staff
- Capital Revenue – sale of property outright – increase Councils Housing Reserve for new Housing Construction programs and reduce maintenance and ongoing cost.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

1. Local Government Act 1995 – for the sale of property
2. Local Government (Administration) Regulations 1996 – process for sale of property
3. Council Meeting Minutes of 3rd December 2003 – MIN 0585/03 MOTION

Moved Cr Wheeldon 2nd Cr Stokes

That the Chief Executive Officer forward a letter to the incoming Tammin School Principal, outlining Councils disappointment at him not residing in the Shire of Tammin.

Carried 4/0

RECOMMENDATION

That Council *allocates* residential property located at 22 Ridley Street Tammin, for key staff requirements subject to Tenancy Agreement being finalised in respect to occupation of this property.

STAFF / COUNCIL RECOMMENDATION

MIN 0594/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

That Council allocates residential property located at 22 Ridley Street Tammin, for key staff requirements subject to Tenancy Agreement being finalised in respect to occupation of this property.

CARRIED 4/0

MIN 0595/04 MOTION - Moved Cr. Brooks 2nd Cr. Thomson

That any other vacant shires houses that are available be offered for rent to the business community.

CARRIED 4/0

Agenda Reference:	11.1.4
Subject:	Request for Provision of Health/Building/Planning/Waste Management Services
Location:	Central Wheatbelt Health Scheme
Applicant:	Shire of Cunderdin
File Ref:	ENVH00
Disclosure of Interest:	N/A
Date:	5 February 2004
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

The Shire of Cunderdin has approached the Central Wheatbelt Health Scheme for provision of Health/Building/Planning and Waste Management Services initially on a three (3) month trial basis of one (1) day per week with a view to a more permanent arrangement of agreed time as determined at the time.

The Shire of Cunderdin was previously in a similar scheme with the Shire of Dowerin, however, a review of time committed by each local government to that service has resulted in each reducing their commitment of time required to service their individual needs.

The Shire of Kellerberrin are the appointed Scheme Administrators and will be formally considering this application at their next Ordinary meeting scheduled for February 2004.

COMMENT

The Chief Executive Officer of the Cunderdin Shire contacted the author of this report seeking assistance for the provision of statutory services to continue the statutory services to that Local Government. In addition, the Cunderdin Agricultural College had made an earlier approach to service their small Abattoir operation for College needs of Health inspection Services.

At this date, Councils Manager Development Services has provided the required services to assist the Shire of Cunderdin and the Cunderdin Agricultural College on a trial basis to assess the opportunity and ability of the scheme to provide requested services.

Central Wheatbelt Health Scheme participants include the Shires of Tammin, Kellerberrin and Bruce Rock, with Kellerberrin being the appointed Scheme Administrators. Management Team has considered the request and the Chief Executive Officer has advised Cunderdin that the request for services can be upheld with the Shire of Kellerberrin allocation being reduced by one day to assist. As a result of this action, the following days are now allocated on the following basis : Monday Kellerberrin : Tuesday Cunderdin: Wednesday Kellerberrin: Thursday: Bruce Rock: Friday Tammin. It is proposed by Management that the current charge out rates to Cunderdin, be apportioned on a pro-rata basis for the interim period until permanent arrangements are confirmed in the very near future. This is subject to the Scheme Administrators reviewing the proposed arrangements during the next Ordinary Meeting in accordance with the current Agreement adopted and being mindful that the Shire of Tammin has remained with its allocation and possibly receive some financial gain.

FINANCIAL IMPLICATIONS

2003/2004 Budget – operating expenditure

* it is anticipated that Councils' Budget remain as is for the interim period.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Central Wheatbelt Health Scheme Agreement – amendment to the Document required to reflect

the inclusion of the Shire of Cunderdin.

Health Act 1911 – regarding the appointment of Health Surveyors to a Local Government.

RECOMMENDATION

That;

1. Council agreement for the Shire of Cunderdin to be included in the Central Wheatbelt Health Scheme subject to current time allocation to the Shire of Tammin remaining at one (1) day per week.
2. the Central Wheatbelt Health Scheme Administrators (the Shire of Kellerberrin) be notified of Councils support to include the Shire of Cunderdin and the Agreement Document be reflected of this change.

STAFF / COUNCIL RECOMMENDATION

MIN 0596/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

That;

1. *Council agreement for the Shire of Cunderdin to be included in the Central Wheatbelt Health Scheme subject to current time allocation to the Shire of Tammin remaining at one (1) day per week.*
2. *the Central Wheatbelt Health Scheme Administrators (the Shire of Kellerberrin) be notified of Councils support to include the Shire of Cunderdin and the Agreement Document be reflected of this change.*

CARRIED 4/0

Agenda Reference:	11.1.5
Subject:	Appointment of Key Staff – TALEC Managers and Manager Works & Services
Location:	Tammin
Applicant:	Shire of Tammin
File Ref:	PERS
Disclosure of Interest:	N/A
Date:	6 February 2004
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

Council received resignation from Shane and Sue Heriot as Managers of TALEC and the successful appointment of David and Denise Goulden, by the TALEC Centre Management Committee.

The Shire of Kellerberrin in conjunction with the Shire of Tammin, advertised for the vacant position of Manager Works & Services, resulting from the resignation of Wayne Luxford. Works & Services Committee Chairpersons of both Local Governments, conducted interviews for the advertised position and was unable to make an appointment at the time. The agreed direction was to appoint Councils Works Supervisor, Tom Applegate as the Acting Manager, to assess performance and ability over a temporary period whilst at the same time, seek out possibilities of suitable applicants for the vacant position.

COMMENT

At some time later (mid November 2003), the Resource Sharing Committee resolved to review the position with a possible increase to the employment package and a possible review of the position.

Given the amount of elapsed time since the original vacancy occurring and the improved performance of the Acting Manager, the position was offered to Council employee, Tom Applegate as Manager Works & Services.

Council needs to consider the financial implications of Tom Applegate's appointment under its Enterprise Bargaining Agreement adopted by the Council on October 1997. The Manager Works & Services is a Shire of Kellerberrin payroll position and the conditions which Tom Applegate is employed under the Shire of Tammin Enterprise Bargaining Agreement, needs to be finalised.

Regular reports has been presented to Council over a period of six months, regarding the status of the vacant position of Manager Works & Services and the temporary arrangements to cover Councils Operational needs, to proposed direction of finalizing the position.

FINANCIAL IMPLICATIONS

Shire of Tammin Certified Enterprise Bargaining Agreement 1997 – Employee Tom Applegate

-this Agreement provides for the payout of fifty (50) percent of unused sick leave to the employee as an incentive payment at the applicable rate at the time of termination/resignation.

258.4 hrs (being 50% of accrued time) @ \$22.7732 per hr = \$5,884.60

+ Long Service Leave – transferred
+ Balance of sick leave transferred
+ Time in Lieu = \$466.25
= gross cost \$6,350.85

Shire of Tammin – TALEC Centre Managers – David and Denise Goulden

Agreed appointment conditions – gross salary \$40,000.00

+ rent free of residence

+ nominal fee of \$10.00 per week for vehicle use

(personal)

all other costs relating to consumables such as: electricity, telephone (with the exception of business calls), gas, water consumption, etc to be paid for by the employees as tenants of the residence.

POLICY IMPLICATIONS

TALEC Management Committee responsibility for day to day management of activities, programs and promotion of TALEC.

STATUTORY IMPLICATIONS

Local Government Act 1995 – section 5.37 Senior Employees

Interview Committee Meeting (Chairpersons of Tammin & Kellerberrin Committees) for position of Manager Works & Services held on 1st May 2003

Resource Sharing Committee Meeting – MIN0579/03(Nov03) – appointment process of Manager Works & Services.

RECOMMENDATION

That Council:

1. endorses the appointment of David and Denise Goulden as Managers of TALEC subject to a Contract of Employment being finalized on the basis of agreed employment conditions as summarized in this item; and
2. endorses the appointment of Tom Applegate as Manager Works & Services and the payment of Entitlements as per the Certified Enterprise Bargaining Agreement for the Shire of Tammin.

STAFF/COUNCIL RECOMMENDATION

MIN 0597/04 MOTION - Moved Cr. Brooks 2nd Cr. Thomson

That Council:

1. *endorses the appointment of David and Denise Goulden as Managers of TALEC subject to a Contract of Employment being finalized on the basis of agreed employment conditions as summarized in this item; and*
2. *endorses the appointment of Tom Applegate as Manager Works & Services and the payment of Entitlements as per the Certified Enterprise Bargaining Agreement for the Shire of Tammin.*

LOST 0/4

AMENDMENT TO THE MOTION

MIN 0598/04 MOTION - Moved Cr. Brooks 2nd Cr. Thomson

That Council:

- 1. endorses the appointment of David and Denise Goulden as Managers of TALEC subject to a Contract of Employment being finalized on the basis of agreed employment conditions as summarized in this item; and*
- 2. create the position of Manager Works and Services, to offer Mr Tom Applegate the opportunity to remain a Shire of Tammin Staff Member.*

CARRIED 4/0

NEW MOTION

MIN 0599/04 MOTION - Moved Cr. Thomson 2nd Cr. Brooks

That Council:

- 1. endorses the appointment of David and Denise Goulden as Managers of TALEC subject to a Contract of Employment being finalized on the basis of agreed employment conditions as summarized in this item; and*
- 2. create the position of Manager Works and Services, to offer Mr Tom Applegate the opportunity to remain a Shire of Tammin Staff Member.*

CARRIED 4/0

REASON

To retain an employee within the Shire of Tammin.

Agenda Reference:	11.1.6
Subject:	Marketing Risks from the Commercial release of Genetically Modified (GM) Canola
Location:	Minister for Agriculture, Forestry & Fisheries
Applicant:	Department of Agriculture
File Ref:	AGR21
Disclosure of Interest:	Nil
Date:	5 February 2004
Author:	Frank Peczka, Chief Executive Officer

BACKGROUND

The Department of Agriculture, on behalf of the Minister for Agriculture, is calling for Public Comment on the Marketing Risks from the Commercial release of genetically Modified (GM) Canola. This opportunity is on the basis of the possible impacts on the marketing of Western Australian agricultural products from the commercial release of GM herbicide tolerant canola varieties.

In May 2001, the Minister for Agriculture announced an interim five year moratorium on the commercial production of GM food crops in Western Australia to allow issues associated with market impacts, identity preservation and the feasibility, risks and benefits of establishing GM and GM free zones to be fully debated in the community.

To assist the Minister for Agriculture in making an order under the Act, public comments are invited on:

1. Whether the order should apply to GM crops generally, or whether it should only apply to the two GM canola varieties.
2. The risks of adverse impacts on the marketing of non-GM products if these GM canola varieties are commercially released in Western Australia.
3. The capacity for industry self-regulation of the GM canola supply chain to manage any adverse marketing impacts without additional costs to non-GM producers in Western Australia.

Public Comment closing date is 16th February 2004.

COMMENT

Under the national regulatory system for gene technology, the Commonwealth has responsibility for assessing the risks of GM crop technology to human health and safety, and to the environment. The States and Territories are able to designate areas where GM crops may not be grown, if they assess that there would be adverse impacts on the marketing of their non-GM agriculture products.

The Commonwealth Gene Technology Regulator has issued licenses to Bayer CropScience for the commercial release of the GM canola, InVigor(copyright)hybrid canola, and Monsanto Australia for the GM Roundup Ready(copyright) canola throughout Australia, having assessed that the risks to human health and safety, and to the environment, are no greater than with non-GM canola varieties.

There are a huge number of issues that have been commented upon by various legal experts and Agricultural Consultants including a review by a Standing Committee of the Legislative Council of the Western Australian Government.

The major concern for the release of GM canola into the Western Australian Agricultural Industry centers around a lot of grey areas including : the spread of seed via natural weather events, the issue of spray drift of herbicides onto adjacent crops, the comparison/inference that GM canola "safety" is equal to non-GM canola is misleading/misrepresentation, the responsibility surrounding the use of insecticide and herbicide use, food labeling, marketing and trade implications, all these issues and more are unknown and are not written into legislation as to who has protection and who has liability, who has responsibility and who has absolute legal rights to farm or not to farm non-GM canola or GM canola crops. Cr Caffell has requested that this matter be raised as an Agenda item to the Council and may wish to add further comment to the vast information that is available today regarding this very, important issue.

FINANCIAL IMPLICATIONS

Nil, to the Council at this time – potentially in regulated servicing of controlling and auditing, the environment for health and safety standards, of our community.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

The Gene Technology Act 2000 – establishes a national scheme by which the use of GMO's will be regulated.

Gene Technology Act Regulations 2000 – to administer the use of GMO's by the Gene Technology Regulator.
 Gene Technology Bill 2001(WA)
 Gene Technology Amendment Bill 2001 (WA)
 Genetically Modified Crops Free Areas Act 2003 (WA)
 Report of The Standing Committee on Environment and Public Affairs In Relation to The Gene Technology Bill 2001 and the Gene Technology Amendment Bill 2001 – WA Legislative Council Standing Committee – Report 8, dated July 2003.

Text References;

Corrs Chambers Westgarth – legal issues paper on the Risk and Liability arising from the release of GMO's – dated March 2002.
 Ralph Burnett (Agricultural Consultant) – Editorial Paper on the latest issues facing the agricultural industry – dated February 2004.
 Julie Newman (Agricultural Consultant) – issues Paper dated 2002

RECOMMENDATION

That:

1. the Shire of Tammin requests the Minister for Agriculture to consider that no orders are to be made for the release of genetically modified canola crops in Western Australia.

2. if an order is made by the Minister for Agriculture to release a genetically modified canola variety in Western Australia, the Government accepts responsibility for any impact upon the agricultural industry including Liability incurred upon the farming industry, collectively or individually.

STAFF / COUNCIL RECOMMENDATION

MIN 0600/04 MOTION - Moved Cr. Caffell 2nd Cr. Brooks

That:

1. *the Shire of Tammin requests the Minister for Agriculture to consider that no orders are to be made for the release of genetically modified canola crops in Western Australia.*

2. *if an order is made by the Minister for Agriculture to release a genetically modified canola variety in Western Australia, the Government accepts responsibility for any impact upon the agricultural industry including Liability incurred upon the farming industry, collectively or individually.*

CARRIED 4/0

Agenda Reference:	11.1.7
Subject:	November Cheque List
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	9 December 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Accounts for Payment from 1st November 2003 – 30th November 2003

Municipal Fund

10684	-	10696	\$	33,056.98
13935	-	13967	\$	93,395.70
13968	-		\$	TEST RUN
13969	-	14007	\$	31,571.45

\$ 158,024.13

Trust Fund

Nil

COMMENT

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

North City Holden	-	Purchase of TN 221 4 x 2 Crew Cab
\$25,686.35		
AVP Constructions	-	Concrete works, Pipework, Plant & Equipment
\$20,900.00		
Liz Pattison Pty Ltd	-	Completion of Strategic Planning
\$6,149.00		
Woodstock Electrical	-	Labour, Bobcat and Excavator Hire
\$14,304.95		

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

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

VOTING REQUIREMENT – ABSOLUTE MAJORITY

STAFF / COUNCIL RECOMMENDATION

MIN 0601/04 MOTION - Moved Cr. Thomson 2nd Cr. Brooks

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

CARRIED 4/0
BY ABSOLUTE MAJORITY

Agenda Reference:	11.1.8
Subject:	December Cheque List
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	21 January 2004
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Accounts for Payment from 1st December 2003 to 31st December 2003

Municipal Fund

10698			TEST RUN
10699	- 10707	\$	48,803.54
14008	- 14008	\$	10.00
14009			TEST RUN
14010	- 14033	\$	12,887.77
14034			TEST RUN
14035	- 14079	\$	62,360.46
		\$	<u>124,061.77</u>

Trust Fund

NIL

COMMENT

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

Plumb Construction & Design	- Deposit to Commence Hydrology Model Work	\$ 10,000.00
Woodstock Electrical	- Part of Electrical Claim	\$ 25,752.32
BGC Cement	- Bulker Bags	\$ 5,948.80
Midland Brick	- Bricks & Masonry	\$ 6,650.95

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

1 That the accounts submitted from 1st December 2003 to 31st December 2003 be accepted.

VOTING REQUIREMENT – ABSOLUTE MAJORITY

STAFF / COUNCIL RECOMMENDATION

MIN 0602/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

1 *That the accounts submitted from 1st December 2003 to 31st December 2003 be accepted.*

**CARRIED 4/0
BY ABSOLUTE MAJORITY**

Agenda Reference:	11.1.9
Subject:	November Financials
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	9 December 2003
Author:	Raymond Griffiths, Manager Corporate Services

BACKGROUND

Enclosed is the monthly reports for the month of November 2003

Direct Debit list for the month of November 2003

Municipal Fund

4 th November 2003	National On-Line Fee	\$	56.08
5 th November 2003	Net Pay for F/E 05.11.03	\$	10,915.92
7 th November 2003	Payment for Tammin Steel	\$	45,702.42
19 th November 2003	Net Pay for F/E 19.11.03	\$	8,616.91
25 th November 2003	Lease – 120H Grader	\$	5,641.53
28 th November 2003	Reserve Bank Fees	\$	20.00
28 th November 2003	Trust Fund Bank Fees	\$	46.40
28 th November 2003	Municipal Bank Fees	\$	99.80

Trust Fund

31st November 2003 Police Licencing for November \$ 16,749.95

COMMENT

During the month of November we the following Capital Purchases were undertaken:

Purchase of a new 4 x 2 Crew Cab (TN 221)

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

- 1 That Council approve the Monthly Financial Statements for the period ending 30th November 2003
- 2 That the Direct Debit List be accepted for the month of November 2003

STAFF / COUNCIL RECOMMENDATION

MIN 0603/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

- 1 *That Council approve the Monthly Financial Statements for the period ending 30th November 2003*
- 2 *That the Direct Debit List be accepted for the month of November 2003.*

CARRIED 4/0

Agenda Reference:	11.1.10
Subject:	December Financials
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	21 January 2004
Author:	Raymond Griffiths, Senior Finance Officer

BACKGROUND

Enclosed is the monthly reports for the month of December 2003

Direct Debit list for the month of December 2003

Municipal Fund

1 st December 2003	National On-Line Fee	\$	47.86
3 rd December 2003	Net Pay for F/E 03.12.03	\$	8290.41
17 th December 2003	Net Pay for F/E 17.12.03	\$	8542.03
19 th December 2003	Net Pay for F/E 19.12.03	\$	6024.58
24 th December 2003	Lease Pmt for Cat Grader	\$	5641.53
29 th December 2003	Net Pay for F/E 29.12.03	\$	6849.81
31 st December 2003	Reserve Bank Fees	\$	20.00
31 st December 2003	Trust Fund Bank Fees	\$	36.20
31 st December 2003	Municipal Bank Fees	\$	120.50

Trust Fund

31 st November 2003	Police Licencing Dec 03	\$	14,337.65
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COMMENT

During the month of December \$76,395 Capital expenditure was spent on the Hydrology Model.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

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

STAFF / COUNCIL RECOMMENDATION

MIN 0604/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

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

- 3 *That Council approve the quarterly financial statements for the period ending 31 December 2003.*

CARRIED 4/0

Agenda Reference:	11.1.11
Subject:	Financial Reports - Miscellaneous
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	N/A
Disclosure of Interest:	N/A
Date:	28 January 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 for the period ending 31st December 2003 be approved.

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

STAFF / COUNCIL RECOMMENDATION

MIN 0605/04 MOTION - Moved Cr. Caffell 2nd Cr. Brooks

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

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

CARRIED 4/0

Agenda Reference:	11.2.1
Subject:	Building Returns – December 2003
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	BUILD03
Disclosure of Interest:	Nil
Date:	2 February 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

Delegated authority is provided by Council to the Manager, Development Services to approve building applications submitted.

COMMENT

No building Licences were issued for January 2004.

FINANCIAL IMPLICATIONS - Nil.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS - Nil

RECOMMENDATION

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

STAFF / COUNCIL RECOMMENDATION

MIN 0606/04 MOTION - Moved Cr. Caffell 2nd Cr. Brooks

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

CARRIED 4/0

Agenda Reference:	11.2.2
Subject:	Building Returns – January 2004
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	BUILD03
Disclosure of Interest:	Nil
Date:	2 February 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

Delegated authority is provided by Council to the Manager, Development Services to approve building applications submitted.

COMMENT

No building Licences were issued for January 2004.

For information three applications have been received or are being prepared during January 2004 and will be presented to Council when presented to the Administration. Two applications are housing renovation and a new residence.

FINANCIAL IMPLICATIONS - Nil.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS - Nil.

RECOMMENDATION

“That Council note that no building licences were issued for the month of January 2004.”

STAFF / COUNCIL RECOMMENDATION

MIN 0607/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

“That Council note that no building licences were issued for the month of January 2004.”

CARRIED 4/0

Agenda Reference:	11.2.3
Subject:	New Residence – Shire of Tammin
Location:	Lot 113 Dreyer Street, Tammin
Applicant:	Manager, Development Services
File Ref:	ASS 419
Disclosure of Interest:	Nil
Date:	4 February 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

Council has been successful in obtaining a \$40,000 grant towards the construction of a new residence within the town site of Tammin.

Council has previously considered the item and a copy of the report appends.

COMMENT

During the setting of the budget, it was considered necessary to defer construction due to the capital costs of the Hydrology Model and other capital items to be purchased. Construction must commence before the end of the financial year.

A choice of land must also be determined. Lot 113 (43) Dreyer Street has been offered to Council by the Department of Land Information (DOLA) for approximately \$2,300.00. I have liaised with the Department and the price is not negotiable. Council may wish to consider a different location. No allowance within budget for purchase of land.

Alternatively Council may wish to consider the placement of the residence at TALEC. This project is a joint venture between Council and Alcoa and the placement of the residence there will alleviate the concerns with the existing accommodation. The units at TALEC could then be relocated to another block for single persons accommodation.

Quotations were requested during January 2004 from various building companies to provide a three bedroom prefabricated dwelling of approximately 122m² delivered to Tammin. The comparison below may assist Council in determining a choice.

Company	Design Name	Cost	Features
Quality Builders	Ashburton TF 110m2 NC	\$74,357	See attached, no BIR's, CF (\$1906)
	Chisolm 116m2 NC	\$77,252	No BIR's CF \$1,185
	Courtland 123m2 NC	\$93,117	No BIR's CF \$1,323
	Courtland with Ensuite NC	\$96,112	No BIR's CF \$1,298
Ross Squire	Avon Mk10 109m2 add \$2,200 for colorbond	\$82,347	NC, BIR, CF. ES, NV rear, robe recesses beds 2 & 3
	Gloucester Pk 123m2	\$77,154	NC, BIR, CF
Fleetwood Durabuilt	Matilda 106m2	\$86,593	NC, NV, No BIRs, CF
	Kennedy 121m2	\$86,243	NC, no BIR, NV, CF

Abbreviations

1. NC = no carport
2. TF = Timber floor
3. CF = Concrete Floor
4. BIR = Built in robes
5. NV = No verandas
6. ES = Ensuite

The following allowances must also be included: -

Please note that the costings are estimates only.

1. Carpet, vinyl - \$3,000
2. Carport - \$2,000
3. Built in Robes - \$1,000
4. Blinds - \$2,000
5. Verandas - \$2,000
6. Septics - \$3,000
7. Airconditioning - \$2,500
8. Fences - \$8,500
9. Landscaping - \$2,000
10. Paving - \$5,000
11. Infrastructure connections WP, WC, Telstra \$1,000
12. Total Estimated above purchase costs = \$32,000, giving a total price of approximately \$126,000.00

Having reviewed the plans the following suggestions are made: -

1. Call for tenders for a steel framed building of approximate size 123m2, including carpets, carport, built in robes and a four metre rear veranda.
2. Private local contractors provide costings for fence, airconditioning and septic installation and blinds
3. Council staff lay pavers and landscape the site to a set budget.

Further options considered are to purchase a kit home and construct locally. There are several exclusions to the "Kit home" including, painting, concrete floor, labour, floor coverings, electrical, plumbing including fittings, shower screens, and in some cases kitchen cupboards. The main challenge with this type of construction is securing accurate quotations from local trades and engaging a qualified carpenter and apprentice to erect. Experience has shown that these costs will escalate and delay the finishing of the building.

I do not have confidence that the local trades will remain onsite and complete the works should other locals demand the trades at their property. This has currently happened with maintenance issues and capital construction.

FINANCIAL IMPLICATIONS

The set budget is \$132,000.00 with the majority of expenditure to occur in the 04/05 budget.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS

As the project exceeds \$50,000 tenders must be called.

RECOMMENDATION

1. "That the residence be constructed on a lot already owned by Council." *Councillors please note that a list of existing land will be provided at the meeting.*
2. "That the Administration be authorized to call tenders for the construction of a 123m² three bedroom residence with a single bathroom, option for an ensuite, built in robes, carpet, single carport and 3m width front and rear veranda, concrete floor, colorbond roof delivered and placed onsite."
3. "That quotations be sought from local tradespersons to complete those tasks outside the residence contract."
4. "That the tenders and quotations be brought back to Council at the completion of the tender period for adoption."

STAFF / COUNCIL RECOMMENDATION

MIN 0608/04 MOTION - Moved Cr. Caffell 2nd Cr. Thomson

1. "That the residence be constructed on a lot already owned by Council." *Councillors please note that a list of existing land will be provided at the meeting.*
2. "That the Administration be authorized to call tenders for the construction of a 123m² three bedroom residence with a single bathroom, option for an ensuite, built in robes, carpet, single carport and 3m width front and rear veranda, concrete floor, colorbond roof delivered and placed onsite."
3. "That quotations be sought from local tradespersons to complete those tasks outside the residence contract."
4. "That the tenders and quotations be brought back to Council at the completion of the tender period for adoption."

CARRIED 4/0

Agenda Reference:	11.2.4
Subject:	Sanitary Landfill – Fees for Disposal
Location:	Shire of Tammin
Applicant:	Manager, Development Services
File Ref:	ENVH16
Disclosure of Interest:	Nil.
Date:	4 February 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

At the December 2003 Meeting Council resolved to seek additional information regarding the application of fees for disposal at the Tammin Landfill Site.

Contact was made with the following Council's: -

Cunderdin - \$50 charge per business/farmer	Quairading – nil response
Wyalkatchem – No charge	Beverly – attached
Bruce Rock – No charge	Dowerin – No charges
Merredin – Fees charged	Mukinbudin – No charges

COMMENT

The majority of these Councils do not propose the receipt of waste from outside of their Shires.

A copy of the previous reports append.

Council receives an inexpensive service from City and Regional Waste Management and the intent, as advised by Mr. Williams, has always been to resolve the site to a regional site receiving waste from all areas for the purposes of recycling and a potential income for Council.

The intent of the fees is not to impact on residents of the Shire of Tammin, but require major contractors to pay for the service appropriately. Additionally the Shire of Kellerberrin site is not suitable for the types of waste proposed to be received including tyres, asbestos and putrescible waste. With the exception of the asbestos waste the materials are recyclable and could earn Council funds through the Resource Recovery Rebate Scheme.

The comments from the previous reports are still current.

An example of why going regional and accepting other waste products is in accepting concrete and steel waste that the products can earn or save costs to Council. The concrete can be ground to road base and resold at a lesser price than standard road base and the steel products currently earn the contractor \$25.00/tonne.

As a result of these initiatives the site buries little waste and in excess of 500 tonnes of steel has been removed. Additionally Mr. Williams is currently rehabilitating the site at his own cost and removing the old steel. An additional 1000 tonnes of waste is expected to be removed over the next few months.

Putrescible waste is sorted and removed for recycling activities. Currently less than 5% of waste received remains on site.

FINANCIAL IMPLICATIONS

Unknown at this time. Over the previous six months the Administration has commenced charging fees for removal of car bodies, disposal of contaminated grain, asbestos disposal and major contractors disposing of concrete and steel products.

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS

Fees and charges set under the Local Government Act 1995 and the Health Act 1911 must be advertised prior to adoption. The existing fees are applicable until the end of the advertising period.

The fees and charges must be adopted by absolute majority.

Section 6.19 of the Local Government Act 1995 requires that Council; advertise its intent to adopt fees and charges and also to determine the date from which the fees become applicable.

The standard advertising period is 14 days.

RECOMMENDATIONS - Absolute Majority required

- 1) "That the proposed fees and charges be advertised in accordance with section 6.19 of the Local Government Act 1995 and that the fees become effective from 1st January 2004.
- 2) "That the fees and charges contained within the 2003/04 budget be deleted and replaced with the new fees and the resolution of the 5th November 2002 contained within item 10.2.1 of that agenda be rescinded.
- 3) "That the Shire of Tammin adopt the following fee structure for disposal of waste at the Tammin Landfill Site: -

Fee Structure for disposal of waste at Tammin Landfill Site for
Commercial/industrial use excluding putrescible waste deposited by other
local governments or their contractors. GST Exclusive

Trucks – load weight <10tonnes \$50.00

Trucks 10t – 15t -\$75.00

Semi's (per trailer) \$150.00

Single axle Trailer (car towed) - \$15.00 – applies to non
resident/commercial/industrial

Tandem Axle Trailer (car towed) - \$25.00 - applies to non
resident/commercial/industrial

Tyres

Passenger Car \$5.00

Light Truck \$10.00

Farm Machinery/Plant POA (Dependent on Metropolitan Prices)

Grain Disposal - as per truck rates

Hazardous Waste – Truck rate + burial costs/disposal costs – POA

Car bodies \$20.00
Truck/plant bodies \$150.00
Asbestos Waste – up to 1m³ 100.00 + burial costs. Councils licence prohibits
Receival of more than 1m³ at a time.

- 4) “That the existing fee structure for disposal of waste at the Tammin Landfill Site be rescinded once the advertising period for the new fees is expired.”

STAFF / COUNCIL RECOMMENDATION

MIN 0609/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

- 1) “That the proposed fees and charges be advertised in accordance with section 6.19 of the Local Government Act 1995 and that the fees become effective from 1st January 2004.
- 2) “That the fees and charges contained within the 2003/04 budget be deleted and replaced with the new fees and the resolution of the 5th November 2002 contained within item 10.2.1 of that agenda be rescinded.
- 3) “That the Shire of Tammin adopt the following fee structure for disposal of waste at the Tammin Landfill Site: -

*Fee Structure for disposal of waste at Tammin Landfill Site for
Commercial/industrial use excluding putrescible waste deposited by other
local governments or their contractors. GST Exclusive*

Trucks – load weight <10tonnes \$50.00

Trucks 10t – 15t -\$75.00

Semi’s (per trailer) \$150.00

*Single axle Trailer (car towed) - \$15.00 – applies to non
resident/commercial/industrial*

*Tandem Axle Trailer (car towed) - \$25.00 - applies to non
resident/commercial/industrial*

Tyres

Passenger Car \$5.00

Light Truck \$10.00

Farm Machinery/Plant POA (Dependent on Metropolitan Prices)

Grain Disposal - as per truck rates

Hazardous Waste – Truck rate + burial costs/disposal costs – POA

Car bodies \$20.00

Truck/plant bodies \$150.00

*Asbestos Waste – up to 1m³ 100.00 + burial costs. Councils licence prohibits
Receival of more than 1m³ at a time.*

- 4) “That the existing fee structure for disposal of waste at the Tammin Landfill Site be rescinded once the advertising period for the new fees is expired.”

CARRIED 4/0

Agenda Reference:	11.2.5
Subject:	Hydrology Model – Costings Update
Location:	Shire of Tammin
Applicant:	Manager, Development Services
File Ref:	AGR19
Disclosure of Interest:	Nil.
Date:	5 February 2004
Author:	John Mitchell, Manager Development Services

BACKGROUND

The Model is progressing with Brickwork completed for the plantroom. In addition the level area for mixer boxes etc has been installed within the Amphitheatre area. Council will also notice that the amphitheatre has been completed with reticulation and lawn.

Over the next two weeks the columns for the stage canopy will be installed followed by the Stage slab. The Bricklayer will return on the 16th February to complete the stage building.

Mr. S. Alcock has been engaged to install the roof on the plant room. He will commence during the week of the 9th February 2004.

All electrical components have been purchased and are stored at several locations. It is estimated that a further \$10,000 will complete the electrical labour component.

COMMENT

The following decisions are required to be made. *(It is understood that the President, Mr. Leslie will present to Council the final finishes).*

1. Pond walls and capping.
2. Stage wall finish – suggested as cobbled thin rock sheets;
3. Spillway floor finish – two suggestions of cobbled rock or coloured rubber matting;
4. Concrete pathways internally and externally or pavers for the amphitheatre area.

FINANCIAL IMPLICATIONS

Current expenditure is \$339,000.00

Accounts with Council currently are: -

1. R & J Independent - \$7,000.00 (An additional \$3,500 has been spent on roofing materials).
2. Woodstock Electrical - \$26,000 (Estimate of complete)
3. Aqua Vinyl Pools - \$26,000
4. Hydrology Model - \$36,000
5. Canopy - \$38,000
6. Western Power - \$12,000
7. Pool Painting - \$10,000 – Note that volunteers must install. A quote from VM-3 for supply and lay - \$56,000 – declined.
8. Handrails - \$10,000 – Webforge
9. Brickwork Labour - \$4,500
10. Pavers/capping - \$5,000 – allowance
11. Landscaping - \$10,000 – allowance

- 12. Doors, frames, windows, ancillaries - \$2,500
- 13. Total - \$178,000 additional funds required.

The total budget presented to Council at the commencement suggested a budget of \$430,000.00. With current expenditure of \$339,000 the total budget is expected at \$517,000.00

POLICY IMPLICATIONS - Nil.

STATUTORY IMPLICATIONS

The Administration has not commenced the loan borrowings process. It is likely that Council will have to resolve by absolute majority to incur the additional expenditure.

The report presented to Council detailing the proposed expenditure listed exclusions which were unknown at the time of presenting the report. These exclusions included fencing, paving, construction of buildings, reticulation and lawns, completion of the amphitheatre area, and handrails. Additional costs have been incurred as a result of limited numbers of volunteers.

RECOMMENDATION

“That Council resolve by **absolute majority** to continue with the Tammin Hydrology Model and incur the additional expenditure as detailed in this report.”

STAFF / COUNCIL RECOMMENDATION

MIN 0610/04 MOTION - Moved Cr. Thomson 2nd Cr. Caffell

*“That Council resolve by **absolute majority** to continue with the Tammin Hydrology Model and incur the additional expenditure as detailed in this report.”*

CARRIED 4/0

Agenda Reference:	11.2.6
Subject:	Saleyards - Future
Location:	Shire of Tammin
Applicant:	N/A
File Ref:	AGR11
Disclosure of Interest:	Nil
Date:	4 February 2004
Author:	John Mitchell, Manager, Development Services

BACKGROUND

At the December 2003 meeting Council considered a report from the Manager, Development Services, concerning the future and required maintenance of the saleyards.

At that meeting Council resolved to seek the views of the users of the facility.

COMMENT

Correspondence was sent to Elders and Wesfarmers seeking their views.

Attached is their correspondence. In total a maximum of 3 sales per year may result. DKT have advised that they would not use the yards in their current condition and would most likely truck livestock to the Northam yards.

A further option is to consider selling the site infrastructure. This action may determine that there is a private contractor who can operate a saleyard.

FINANCIAL IMPLICATIONS

Costs of renovation, repair and income from sales have not been calculated. It is likely that less than 10,000 sheep would be sold through the yards. Allowing \$1.00/head costs the total income would be \$10,000, which would not cover the cost of improvements including addressing waste disposal.

POLICY IMPLICATIONS - Nil

STATUTORY IMPLICATIONS

Incidents at the site may result in civil liability to Council as a result of the yards deteriorated condition. Additionally Occupational Health and Safety Regulations may be breached.

Continued operation of the site is a risk.

RECOMMENDATION

1. "That the Tammin Livestock Saleyards be closed (and offered for sale?)"
or
2. "That the Tammin Livestock Saleyards be closed temporarily and funds allocated in the 2004/05 budget for the removal of the infrastructure."

STAFF / COUNCIL RECOMMENDATION

MIN 0611/04 MOTION - Moved Cr. Caffell 2nd Cr. Brooks

1. *"That the Tammin Livestock Saleyards be closed temporarily and a survey of local farmers be conducted.*

CARRIED 4/0

REASON

Further research required.

Chief Executive Officer's Report For the period December 2003/January 2004

1. Human Resource Management

a) Administration and Management Annual Leave – the Chief Executive Officer completed two weeks annual leave during mid January 2004 and the Manager Corporate Services completed one week annual leave, to attend the annual Country Week Cricket Carnival. It should be noted that the Chief Executive Officer attended the Office of Tammin and Kellerberrin local governments for one day mid week during the second week of Annual Leave entitlements and

also attended the Australia Day Breakfast in Kellerberrin prior to returning to work. Some comments have been made informally of the annual leave arrangements and no comments has been directed to the Chief Executive Officer direct. CEO Personal Assistant Gemma Stewart completed two weeks Annual Leave during early January, following on from the Christmas/New Year period and Manager Works & Services Tom Applegate, completed three weeks Annual Leave during the same period, however extended by a further week to that of Gemma's. Councillors were advised by facsimile of these arrangements and other information relating to relevant matters at the time.

b) Entitled Leave – Clerical Finance Officer, Liz McDonald has applied for accrued and entitled leave commencing late March for around ten weeks to clear the accumulated back log of leave in accordance with Councils Enterprise Bargaining Award adopted late 1997. Assessment will be made soon as to relief staff to cover part of the leave period.

c) Works & Services Staff Annual Leave – Gardener Lawrence McNamara has made application for two weeks annual leave to commence late February and Truck Driver Marc Anderson four days annual leave early March.

d) Other – Manager Development Services, John Mitchell has continued to expend a vast majority of his time on the Hydrology Model Project, approximately five months of almost full time attendance of his employment. John has now been redeployed back into the "Office" to catch up on his other duties with other employing local governments, Bruce Rock and Kellerberrin. John will dedicate time to the project on a reduced time allocation in order to service the other employers.

2. Council Christmas Function

The function was a success as all staff and Councillors and their families that attended, enjoyed each others company and the annual Christmas cheer that comes along for us all to enjoy. It is strongly recommended that the "family" approach to this annual celebration, be continued in a similar format, to continually grow our family of staff and employers as one large family within the two communities. Consideration should be given to planning for 2004 in Tammin now so that required arrangements are in place early (ie booking venue).

3. TALEC Centre Manager Interviews/Appointment

Interviews were conducted on Thursday January 8, 2004 conducted by TALEC Centre Chairperson, Joan Button, Council's representative on TALEC Management Committee, Deputy President Cr Louise Caffell and the Chief Executive Officer. Some seven (7) packages were mailed out upon enquiries received at the Office of the Council, with two (2) applicants being short listed for interview.

The successful applicants were David and Denise Goulden of Tammin who started in the position on Thursday 29th January, 2004.

At the completion of the interview process, an inspection was undertaken of the TALEC Building and Residence and a great deal of cleaning and maintenance work was required/scheduled to raise the standard of buildings presentation to the new employees and customers of TALEC.

We wish David and Denise every success with their appointment and further development and growth to the TALEC business.

4. Street Lighting Audit – Tammin Townsite

On the evening of January 28th, 2004 the Chief Executive Officer and the Manager Works & Services completed a street light audit of the Tammin Townsite. Approximately, 16 new street lights were identified to fill the pre-existing gaps. The audit was completed on the basis of need, safety, security and generally in accordance with Western Power policy of a street light to every second power pole. At the same time a recording was made of lights that needed maintenance to improve the performance of the existing lights and this will be forwarded to Western Power for scheduling. The next phase is to upgrade the lamp wattage to improve the standard of “Lighting” in some areas and to be conscious of constructing footpaths on the street light side of the road.

Further information and detail is contained within the Agenda for Council consideration to the program under a grant application basis and for consideration in Councils 2004/2005 Budget adoption.

5. Garden Renewal in Information Bay/Rest Area opposite the Post Office

Discussions had with some members of the community volunteers undertaking this project have supported the planning for around April/May to undertake this project. Given the extreme weather conditions at this time of the year, establishment of various plants will be a “battle” and ineffective and the suggestion supported.

6. Tammin Abattoir Operations

On Wednesday 14th January 2004, the Chief Executive Officer visited the Abattoir premises and met with Managing Director John DeQuintal and Operations Manager Ken Robinson to discuss progress and opening/operation schedule. It is anticipated that end of February 2004 the Abattoirs will commence testing and operations. An inspection by the Health Department, the Chief Executive Officer, Manager Development Services and Abattoir Owners, Value Added Meat Wholesalers will occur on Friday 6th February for progress towards compliance.

Investigations have been made to seek out available Meat Inspector/s to complete the daily task of inspection of kill quality in accordance with statutory requirements. This service will be provided on a cost recovery basis and cannot be undertaken by Councils Health Scheme Staff Member, Manager Development Services, John Mitchell, due to other duties and responsibilities under the Scheme arrangement.

7. Be-Active Sport & Recreation Management Committee Meeting

The Chief Executive Officer attended a Management Committee Meeting in Bruce Rock on Tuesday 3rd February 2004, to review the employment package of the current Co-Ordinator, Jason Bow.

The Management Committee resolved to increase the employment package of the Co-Ordinator by \$3,000.00 – the split being \$1,500.00 in salary and \$1,500.00 in study and education fees upon successful completion of each unit per annum.

Other changes implemented by the Committee included: personal (by the Co-Ordinator) presentations to each member Local Government - once per year during February/March of each year, introduce quarterly Reports to each Member Local

Government, continue with school based programs, continue with holiday programs and increase exposure of the scheme to member communities.

It is anticipated that there should be no increase in Member Councils annual contributions based on current budgets set for the next twelve months. The current Service Agreement with Member Councils is being updated for a three year commitment as this ties in with funding commitments from Healthway towards the Be-Active Co-Ordinator position for the Central and Eastern Wheatbelt Scheme.

Councillors should note that member Local Governments include: Bruce Rock, Kellerberrin, Merredin, Tammin, Westonia and Yilgarn.

8. Central Wheatbelt Enterprise Scheme (BEC)

Current Scheme Facilitator, Cheryl Dimmack has resigned from the position as of end of March 2004.

Location of the Office and the Facilitator is up for review as indicated at the last management Committee Meeting held in Wyalkatchem on Friday 19th December 2003. This has been raised as the Shire of Wyalkatchem has not supported the Office and the position to any great degree, with the emphasis being on sub standard Office accommodation and below standard operational support. At the Meeting it was suggested that perhaps the Shire of Cunderdin may be interested in "hosting the Scheme with more details to be considered at the next Management Committee Meeting scheduled for Monday 9th February 2004 in Tammin at the Office of Council. Dependant on the options and the consideration by the Management Committee, I may suggest that Tammin could be interested in hosting the BEC Scheme? Councillors please note that Notice of the Meeting was received today 5th February 2004 via email and minimal time to seriously consider this opportunity.

A major hurdle to this brief proposal is that the current Chairman is the Chief Executive Officer of the Wyalkatchem Shire (recently resigned) who apparently has been offered the position as Deputy CEO with the Shire of Cunderdin!! In making comment on this is that I have been aware of the BEC Office operating out of Tammin previously and coupled with the current shortage of suitable housing in Tammin, this task may be more difficult. For Council's information.

Manager Corporate Services Report

Rates

As at the 31st January 2004 letters have been sent to all ratepayers that have rates outstanding. Within this letter we reminded ratepayers that the penalty interest is set to start after Friday 14th November 2003 and that if no payment is received then we will pass the debt recovery onto our Debt Collector.

We have had a positive response from these letters with debts being paid in full with also payment arrangements being made on many more. We are currently \$18,000 away from our outstanding rates figure at the end of the financial year last year. In knowing this there is also another instalment due to be paid in May 2004. With these instalments and payment arrangements in place I foresee Councils Rate Debtor debt should be considerably lower than in previous.

Debtors

Please find below a listing and details to accounts that are 60days and over that Council is in the process of follow ups.

Debtor 1572 – Hire of Grader (Private Works). Reminder letters has been forwarded reminding them of payment and we have also been in contact with respect to the debt as they have been in contact with Council to have more Private Works completed.

Debtor 254 – Hire of Truck for removal of dust. Council has been in contact with Debtor and there is confusion in what has happened with respect to the allocation of a payment. We are currently in the process of researching this and it is to be finalized by the next Council meeting.

Debtor 907 – Hire of Grader. This account is currently with our Debt Collectors. We have been informed via the debt collector that this account is to be paid as soon as the debtor receives a copy of the invoice. This process has taken place and we are currently awaiting advice from the debt collector on the progress.

Debtor 1409 – Accommodation at TALEC. Letters have been sent to the debtor reminding them of the account. We have since been advised that these letters have been issued to the incorrect address. New letters have been issued and phone contact is going to be made.

The remainders of outstanding accounts are debtors that have only returned to operations within the last week.

TALEC

Mr David Goulden and Mrs Denise Goulden were appointed as the Managers for TALEC. David and Denise commenced work on the 27th January 2004.

Before David and Denise were to commence as Managers of TALEC an overhaul of the centre needed to be completed as the condition of the centre needed attention.

Council appointed Miss Maree Hendry, Sue Button, Michelle Applegate, Carmel Applegate and Val McMillan to clean the centre and the residence. This cleaning operation took 10 days to complete and Star Laundry Laundered all the Linen.

General

On the 27th January 2004 John Mitchell and myself were invited to meet with the Department of Housing and Works with respect to the Joint Venture of Tamma Village in Tammin. Please find agenda item attached for further information.

Manager, Works & Services Report December 2003

1.0 ROAD MAINTENANCE

- 1.1 Ralston Road signs – guide posts
- 1.2 Underwood Road – grading
- 1.3 Barracks Road – grading
- 1.4 Cubbine Road – grading
- 1.5 Gardener Reserve Road – grading
- 1.6 East and West Yorkrakine Road – grading

- 1.7 Youering Road – gravel in pot holes
- 1.8 Goldfields Road – grading
- 1.9 11 mile road – grading
- 1.10 Yorkrakine Road – grading
- 1.11 Wheeldon Road – grading

2.0 HYDROLOGY MODEL

- 2.1 Yellow Sand
- 2.2 Building Works
- 2.3 Brick Works

3.0 PRIVATE WORK

- 3.1 CBH dust removal

4.0 GENERAL

- 4.1 Tamma Village
- 4.2 Oval water – mowing
- 4.3 Wickets water – mowing
- 4.4 Park water – mowing
- 4.5 Street leaves
- 4.6 Rubbish
- 4.7 Clean-up - 8 Nottage Way
- 4.8 Cemetery clean up, grade and water
- 4.9 Fire breaks around town, water pipe

5.0 OVAL

- 5.1 Damage to automatic switch, hoses undone and sprinklers turned off (children)

**Manager, Works & Services Report
January 2004**

1.0 CONSTRUCTION

- 1.1 Tammin – Wyalkatchem Road gravelling shoulders
- 1.2 Nelson Road – Gravelling
- 1.3 Moore Road - Gravelling

2.0 GRADING

- 2.1 School Bus Routes
- 2.2 East West Yorkrakine
- 2.3 Turon Road
- 2.4 Blackiston Road

3.0 HYDROLOGY MODEL

- 3.1 General Work – Cementing
- 3.2 Lawn – Water – 3 times a day

4.0 PRIVATE WORK

- 4.1 CBH dust
- 4.2 Calm Merredin (Rocks into car park) Yorky Rock

5.0 GENERAL

- 5.1 Oval Wickets
- 5.2 Parks – mowing and check sprinklers
- 5.3 Check all sprinklers
- 5.4 Waste Pick up around town
- 5.5 Pick up waste at TALEC

Community Development Officer Report

Hydrology Model

Met with Rodney Stokes regards program for the opening of Hydrology Model. Change of date from 28th March to 21st March to prevent clashing with bowls function. Advised Julie Craig (DOTARS) who has submitted application for Ministerial representation at the opening.

Entertainment now confirmed and an additional act (Carmel Charlton) added by request to the program. A variety of entertainment is planned to suit a wide age group and make it a great family day out. Copy of opening day program attached.

Reception of Win TV

A number of Tammin residents have signed a petition regarding the poor reception of WIN TV. I contacted Geoff Miller (WIN TV Engineer) who had not been informed of any problems. He arranged to visit Tammin and found a problem with the Up-Converter, which was only operating at half power. This unit was replaced 29th Jan. and I will do some follow-up checks to see if reception has improved.

Street Lighting

I will be submitting an application this week to the Office of Crime Prevention for some funding to upgrade and increase the street lighting in Tammin townsite.

It has been determined that some 16 new lights will be required. In addition to these Western Power will perform some maintenance on existing lights to either fix or clean to improve the street lighting.

Both the CWA and the seniors committees have given me letters of support as well as the Cunderdin Police.

Country Pathways

The 2004 funding round for dual use footpaths is now open and I am resubmitting the application to hot mix the Shield Street footpath from Station Street down to the Mobil service station.

I have completely reworked this submission but I have been informed that there is only a limited amount of funds available and these funds are not enough to cover all applications submitted.

Roadwise Grant

I have put a submission into Roadwise for some funding for signage as per the attached copy. These signs will be placed on all arterial roads, leading from Tammin and at the shire boundaries.

STAFF / COUNCIL RECOMMENDATION

MIN 0612/03 MOTION - Moved Cr. Caffell 2nd Cr. Brooks

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

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

CARRIED 4/0

LATE ITEMS

LATE ITEM 1 – CENTRAL WHEATBELT BUSINESS ENTERPRISE CENTRE

STAFF / COUNCIL RECOMMENDATION

MIN 0613/03 MOTION - Moved Cr. Caffell 2nd Cr. Brooks

That Council provide a bid to the BEC office offering space subject to the availability of suitable housing.

CARRIED 4/0

5:39pm - Cr Brooks left Council Chambers.

GENERAL DISCUSSION

LATE ITEM 2 - NOTICE OF INTENT TO DRAIN – GAVIN CHARLTON

RESOLVED – Council supports the Notice of Intent to Drain.

LATE ITEM 3 - REDUCTION OF SPEED LIMIT ON GREAT EASTERN HIGHWAY – GREENMOUNT TO MUNDARING – MAX TRENORDEN, MEMBER FOR AVON

RESOLVED – Council to respond as follows:

1. No, The Reduction in Speed limit is not justified
2. No, Council were not consulted
3. Yes, Council wish to have the decision overturned.

CLOSURE OF MEETING

5:45pm - There being no further business to discuss President, Cr Leslie thanked Members for their attendance and closed the meeting.

NEXT MEETING DATE

Wednesday, 3 March 2004 commencing at 1:00pm at Tammin Council Chambers