

# Minutes

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

*The President, Councillor Girando, welcomed those present and declared the meeting open at 3.02pm.*

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

|                            |                                      |
|----------------------------|--------------------------------------|
| Councillor M J Girando     | President                            |
| Councillor A J Ovens       | Deputy President                     |
| Councillor B J O'Callaghan |                                      |
| Councillor J M Stacy       |                                      |
| Councillor J K Waite       |                                      |
| Councillor S A Beswick     |                                      |
| Councillor B J McDonald    |                                      |
| Councillor B R McTaggart   |                                      |
| Mr G A Sherry              | Chief Executive Officer              |
| Mr P D Gillis              | Manager Works & Services             |
| Mr L Welch                 | Acting Manager Community Development |
| Mr D J Alcock              | Manager Finance and Administration   |

**Visitors**

Mr Norm Johnson  
Mrs Lorraine Cliff

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

Nil.

**4. PUBLIC QUESTION TIME:**

Nil.

**5. APPLICATIONS FOR LEAVE OF ABSENCE:**

Cr Ovens requested Leave of Absence from 19 - 21 October 2004.

**RESOLUTION: 2004-136**

**Moved: Beswick**                      **Seconded: O'Callaghan**

*That Leave of Absence from Council be granted to Cr Ovens from 19 - 21 October 2004.*

**CARRIED 8/0**

Cr O'Callaghan requested Leave of Absence from 21 - 24 September 2004

**RESOLUTION: 2004-137**

**Moved:** McDonald      **Seconded:** Waite

*That Leave of Absence from Council be granted to Cr O'Callaghan from 21 - 24 September 2004.*

**CARRIED 8/0**

**6. PETITIONS/DEPUTATIONS/PRESENTATIONS:**

Nil.

**7. CONFIRMATION OF MINUTES:**

|     |  |
|-----|--|
| 7.1 | ORDINARY MEETING HELD WEDNESDAY 18 AUGUST 2004 IN THE COOROW ADMINISTRATION CENTRE |
|-----|--|

|                               |                |
|-------------------------------|----------------|
| <b>AUTHOR</b>                 | Gary Sherry    |
| <b>DISCLOSURE OF INTEREST</b> | Nil            |
| <b>DATE OF REPORT</b>         | 20 August 2004 |

**COMMENT:**

Nil

**OFFICER RECOMMENDATION:**

That the Minutes of the Ordinary Meeting held on Wednesday 18 August 2004 in the Coorow Administration Centre be confirmed as a true and correct record.

**RESOLUTION: 2004-138**

**Moved:** Ovens      **Seconded:** Stacy

*That the Minutes of the Ordinary Meeting held on Wednesday 18 August 2004 in the Coorow Administration Centre be confirmed as a true and correct record.*

**CARRIED 8/0**

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

At any meeting Council the person presiding may announce or raise any matter of interest or relevance to the business of Council or propose a change to the order of business.

Members may move that a change in order of business proposed by the person presiding not be accepted and if carried the change does not take place.

Nil.

**9. MATTERS FOR WHICH MEETING MAY BE CLOSED:**

For the convenience of members of the public Council may identify, by decision, early in the meeting any matter on the agenda to be discussed behind closed doors and that matter is to be deferred for consideration as the last item of the meeting.

Nil.

**10. REPORTS:****10.1 CHIEF EXECUTIVE OFFICER'S REPORT:****10.1.1 COUNCIL ANNUAL ELECTOR'S MEETING – A.2**

|                               |                  |
|-------------------------------|------------------|
| <b>AUTHOR</b>                 | Gary Sherry      |
| <b>DISCLOSURE OF INTEREST</b> | Nil              |
| <b>DATE OF REPORT</b>         | 6 September 2004 |

**SUMMARY:**

**Council is required to select a suitable alternative date to hold Council's Annual Electors Meeting.**

**BACKGROUND:**

Council would recall the following resolution from the June 2004 Ordinary Meeting where Council selected Wednesday 20 October 2004 as the date of Council's Annual Elector's Meeting:

**RESOLUTION: 2004-071**

*Moved: McDonald                      Seconded: O'Callaghan*

*That the following Ordinary, General and Special Meeting dates, place and starting time for 2004/2005 financial year be adopted and advertised:*

| <i>Month</i>     | <i>Venue</i>      | <i>Time</i>     | <i>Date</i>                        | <i>Type</i>                 |
|------------------|-------------------|-----------------|------------------------------------|-----------------------------|
| <i>July</i>      | <i>Leeman</i>     | <i>3.00 pm</i>  | <i>Wednesday 21 July 2004</i>      | <i>Ordinary</i>             |
| <i>August</i>    | <i>Coorow</i>     | <i>3.00 pm</i>  | <i>Wednesday 18 August 2004</i>    | <i>Ordinary</i>             |
| <i>September</i> | <i>Leeman</i>     | <i>3.00 pm</i>  | <i>Wednesday 15 September 2004</i> | <i>Ordinary</i>             |
| <i>October</i>   | <i>Coorow</i>     | <i>3.00 pm</i>  | <i>Wednesday 20 October 2004</i>   | <i>Ordinary</i>             |
| <i>October</i>   | <i>Coorow</i>     | <i>7.30 pm</i>  | <i>Wednesday 20 October 2004</i>   | <i>Annual Electors</i>      |
| <i>November</i>  | <i>Leeman</i>     | <i>3.00 pm</i>  | <i>Wednesday 17 November 2004</i>  | <i>Ordinary</i>             |
| <i>December</i>  | <i>Coorow</i>     | <i>3.00 pm</i>  | <i>Wednesday 15 December 2004</i>  | <i>Ordinary</i>             |
| <i>February</i>  | <i>Leeman</i>     | <i>3.00 pm</i>  | <i>Wednesday 16 February 2005</i>  | <i>Ordinary</i>             |
| <i>March</i>     | <i>Coorow</i>     | <i>3.00 pm</i>  | <i>Wednesday 16 March 2005</i>     | <i>Ordinary</i>             |
| <i>April</i>     | <i>Green Head</i> | <i>3.00 pm</i>  | <i>Wednesday 20 April 2005</i>     | <i>Ordinary</i>             |
| <i>May</i>       | <i>Coorow</i>     | <i>3.00 pm</i>  | <i>Wednesday 18 May 2005</i>       | <i>Ordinary</i>             |
| <i>June</i>      | <i>Leeman</i>     | <i>10.00 am</i> | <i>Wednesday 22 June 2005</i>      | <i>Special Draft Budget</i> |
| <i>June</i>      | <i>Leeman</i>     | <i>3.00 pm</i>  | <i>Wednesday 22 June 2005</i>      | <i>Ordinary</i>             |

*CARRIED 8/0*

**COMMENT:**

Council have been advised by their auditors that Council's Audit Report will not be ready by Council's September meeting for inclusion in Council's Draft 2003/2004 Annual Report for consideration by Council.

Council's final audit visit was completed on Wednesday 1 September and the Auditor's Report is due in the week commencing Monday 20 September 2004.

Therefore Councils scheduled timing of an Annual Electors Meeting in Coorow on Wednesday 20 October 2004 will no longer be attainable and an alternative date must be chosen.

#### **STATUTORY ENVIRONMENT:**

Local Government (Administration) Regulations 1996

##### **12. Public notice of council or committee meetings - s. 5.25(g)**

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which:
  - (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

##### **5.27. Electors' general meetings**

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

##### **5.54. Acceptance of annual reports**

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.
- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

#### **FINANCIAL IMPLICATIONS:**

Council will complete local public notice using local newspapers with whom Council receives free advertising.

**STRATEGIC IMPLICATIONS:**

Council, for some time, has followed a pattern of holding two electors meetings each financial year, one at the coast and one in Coorow. In addition the elector's meeting to be held at the coast has alternated between Green Head and Leeman as a venue.

At the June 2004 Meeting, Council moved away from this pattern and only one electors meeting was scheduled. In line with alternating Council's Annual Electors Meetings between the coast and Coorow, because Council's last Annual Electors Meeting was held in Leeman on 17 December 2003 the 2004 meeting was scheduled for Coorow.

The most recent Electors Meeting was the Special Electors Meeting held in Coorow on Wednesday 21 April 2004. While this meeting was attended by six electors, Coorow based meetings have not been very well attended in the past.

Under Council's rotational schedule between Leeman and Green Head as venues for coastal electors meetings, Green Head is the next scheduled venue.

**POLICY IMPLICATION:**

Nil.

**VOTING REQUIREMENTS:**

Simple Majority

**CONSIDERATION:**

Council is required to receive its Annual Report prior to 31 December 2004. Council must then hold its Annual Electors meeting within 56 days of this acceptance.

Should Council choose not to alter its ordinary meeting schedule and hold the Annual Electors Meeting in November at the coast, Green Head is the next scheduled venue. The other alternative is to hold the Annual Elector's Meeting in Coorow in December.

The December date coincides with harvest, traditionally a difficult time to attract electors to a public meeting.

**OFFICER RECOMMENDATION:**

That Council hold their Annual Electors Meeting in Green Head on Wednesday 17 November 2004 at the Green Head Community Centre from 7.30 pm.

**RESOLUTION: 2004-139**

**Moved:** Waite

**Seconded:** McDonald

*That Council hold their Annual Electors Meeting in Green Head on Wednesday 17 November 2004 at the Green Head Community Centre from 7.30 pm.*

**CARRIED 8/0**



10.1.2 COUNCIL ELECTION DATE – W8

AUTHOR Gary Sherry  
DISCLOSURE OF INTEREST Nil  
DATE OF REPORT 7 September 2004

**SUMMARY:**

**The Western Australian Local Government Association (WALGA) is seeking Council's position on the date of future local government elections in developing a statewide WALGA position on the issue.**

**BACKGROUND:**

In April 2004 WALGA surveyed members seeking an indication as to a possible change of date for the holding of local government elections every two year. At that time Council developed the following position at the May 2004 Ordinary Meeting.

RESOLUTION: 2004-055

Moved: Beswick      Seconded: McTaggart

That Council's preferred timing for Local Government Elections is the first Saturday in September every two years.

CARRIED 8/0

Council made this resolution with the suggestion to allow newly elected members to participate in the budget process for the following financial year, in a meaningful way, rather than being elected in the May when a large number of Councils have already established their budget parameters.

The alternative view was that newly elected Councillors in September or October are unable to implement any election promises until the following year's budget.

**COMMENT:**

Responses to WALGA's April survey was that from the over 100 responses more than 60 members supported a shift to the September/October period.

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

- Federal Elections – can be held anytime during this period but more often are held in November,
- School Holidays – generally including the last Saturday in September for two weeks,
- Long weekend and royal show during the last week of September or the first week of October,
- AFL Grand Final on the last Saturday in September. It is also likely that during the later part of September many people are involved in the finals of various sporting events, which could impact on interest in the election process
- If the election is held in September, candidates and sitting Councillors will be campaigning during the budget process and from an administration view point the electoral function will impact significantly upon Councils who may already be under

pressure to complete the budget in a timely way. From an elected members point of view they may feel uncomfortable in standing for election immediately after adopting a budget which may be causing concern in the community. Also after a politicised budget Councillors may be elected on platforms to oppose the budget but who practically be unable to do so until the following year.

- A change to early September will still not overcome one of the main stated reasons for change being proposed and that is to be able to deal with the budget process.

Therefore WALGA has now developed a proposal that the 3rd Saturday in October is the best date for future local government elections. However because no specific date was highlighted in the original survey, WALGA believe that the specific proposal of the 3rd Saturday in October should be canvassed with member local governments prior to WALGA adopting a position.

WALGA are seeking comment prior to the 15 October 2004.

**STRATEGIC, FINANCIAL & POLICY IMPLICATIONS & STATUTORY ENVIRONMENT:**

Nil

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council's preferred timing for Local Government Elections is the third Saturday in October every two years.

**RESOLUTION: 2004-140**

**Moved:** Beswick

**Seconded:** O'Callaghan

*That Council's preferred timing for Local Government Elections is the third Saturday in October every two years.*

**CARRIED 7/1**

**10.1.3 RATIONALISATION OF SCOUT ASSOCIATION PROPERTY – SCOUT HALL – LOT 8 SPAIN STREET COOROW – S.4**

**AUTHOR** Gary Sherry  
**DISCLOSURE OF INTEREST** Nil  
**DATE OF REPORT** 6 September 2004

**SUMMARY:**

**The Scout Association seek Council assistance in disposal of the Coorow Scout Hall.**

**COMMENT:**

Council has been approached by the Scout Association of Australia detailing a review they have conducted of all their properties, including the Scout Hall at Lot 8 Spain Street Coorow.

From the review and considering the demographics presently existing in many rural areas, the association has resolved to give up a number of country town Scout Hall facilities. These properties may be able to better utilised by a wider range of community groups or be integrated within current planning zonings. The Association has listed the Coorow Scout Hall for disposal.

In deciding to dispose of the Coorow Scout Hall, the association has offered the property to Council for their comment and consideration for acquisition or for advice on other alternative possibilities. The association would look to sell the property for the unimproved value of the site.

The Coorow Scout Hall is not in good condition. It has not been used for some time and is in a very derelict state. In the recent past Council has required the Scout Association to complete fire hazard reduction on the property and would have required additional reduction but for the actions of neighbours during Coorow Clean Up days. Council's insurers specifically mentioned the fire hazard emanating from this property when conducting a risk assessment of Council's neighbouring residence.

**POLICY IMPLICATIONS:**

Should Council purchase the property the lot has value as a site for location of a residence in the future. Under Council's Town Planning Scheme No. 2 the property is zoned "Private Clubs & Institutions". This zoning restricts the ownership and future alternative usage of the property and a planning amendment would be required.

**FINANCIAL IMPLICATIONS:**

Council has not budgeted for the purchase of this property. The expected cost would be in the region of \$2,000 plus costs.

The building may have some value to be demolished for reconstruction as a shed at another location.

An amendment to Council's town planning scheme to alter the zoning of the lot would have a cost impact in the region of \$1,000 to Council.

**STRATEGIC IMPLICATIONS:**

The Scout Hall is unlikely to be used in its current condition. Further it could not be recommended for any community use in its current condition. Purchase of the property would require Council to take action to make the building safe and reduce ownership risks on the site.

Currently little vacant residential land is available for purchase in Coorow. This site may be very appealing for a Council or private residence. It is away from highway and is an elevated location. Council could offer the property for sale at a reduced sale price with a covenant requiring construction of a residence within a given period similar to schemes conducted by other country centres. This cost to Council would be recovered in rates on the property in five years.

**STATUTORY ENVIRONMENT:**

Nil at this time.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council negotiate purchase of Lot 8 Spain Street Coorow owned by the Scouts Association and currently used as the Coorow Scout Hall.

Mr Welch, Council's Acting Manager Community Development, outlined that he had inspected the property and the building is constructed using asbestos sheeting. Therefore Council must use a licensed contractor for demolition and arrange for the disposal of the asbestos. This would cost Council in the vicinity of \$1,500 of additional expense over demolition.

**RESOLUTION: 2004-141**

**Moved:** McTaggart      **Seconded:** O'Callaghan

*That Council negotiate purchase of Lot 8 Spain Street Coorow owned by the Scouts Association and currently used as the Coorow Scout Hall.*

**CARRIED 8/0**

#### 10.1.4 CONFERENCES – C.10

|                        |   |
|------------------------|---|
| AUTHOR                 | Gary Sherry   |
| DISCLOSURE OF INTEREST | Nil   |
| DATE OF REPORT         | 7 September 2004  |
| ATTACHMENT             | 10.1.4a WA Sea Change Conference Program<br>10.1.4b Waste & Recycle 2004 Conference Program |

#### SUMMARY:

**Council should consider having Council representatives attend two conferences regarding issues that have application to Council.**

#### COMMENT:

##### WA Sea Change Conference

Approximately four million people live in Australia in coastal areas outside capital cities. It is estimated that the rate of population growth in these areas is 50% higher than the national average. Coastal population is predicted to increase by a further million people over the next 15 years.

This rate of growth is considered unsustainable. It poses a major risk to coastal communities and to the fragile coastal environment. Sea change growth, which involves an unprecedented, shift of population to coastal areas, is a national issue that is impacting on coastal communities in every state in Australia. Urgent action is required to identify and implement strategies to better manage growth and reduce its adverse social, environmental and economic impacts.

A conference has been organised for WA coastal Councils by WA coastal Councils to advise on the work of the National Sea Change Taskforce, a group of pro-active coastal Councils around Australia that have undertaken to facilitate a coordinated approach to the Sea Change phenomenon. The conference program is included for Councillor Information at Attachment 10.1.4a WA Sea Change Conference Program.

##### Waste & Recycle 2004 Conference

This conference is the eminent event for information and networking on Waste Management issues in this state. The two day conference also has the option of additional site visits and a workshop as extension activities.

Delegates at this event will have unparalleled access to a range of prominent and extremely well informed speakers and panellists via a range of formats including workshops, panel sessions, keynote addresses, concurrent paper sessions and keynote discussion groups as well as the informal networking that takes place in the extensive trade exhibition.

This years event program is focused on providing increased opportunities for delegates to raise their questions or share their experiences in a context of vigorous discussion and

debate. The program is included for Councillor Information at Attachment 10.1.4b Waste & Recycle 2004 Conference Program.

**FINANCIAL IMPLICATIONS:**

WA Sea Change Conference

|               |                    |       |              |
|---------------|--------------------|-------|--------------|
| Registration  | \$182 per delegate | \$364 |              |
| Accommodation | \$100 per delegate | \$200 | <u>\$564</u> |

Waste & Recycle 2004 Conference

|               |                    |         |                |
|---------------|--------------------|---------|----------------|
| 2 Delegates   |                    |         |                |
| Registration  | \$600 per delegate | \$1,200 |                |
| Tour/Workshop | \$70 per delegate  |         |                |
| Accommodation | \$300 per delegate | \$600   | <u>\$1,800</u> |
| Total         |                    |         |                |

Council's 2004/05 Budget and Actual

|                       |                                     |         |
|-----------------------|-------------------------------------|---------|
| Conference & Seminars | Budget                              | \$8,500 |
|                       | Actual (Estimate to 31 August 2004) | \$6,500 |

Council would still be expecting to consider attending other conferences and seminars including having delegates attend the annual Northern Country Zone of WALGA conference and AGM in Geraldton in March 2005.

**POLICY & STRATEGIC IMPLICATIONS:**

Council has increasing involvement with both these policy areas. Council should be taking a proactive stance to maintain appropriate Council policy development that meets Council's statutory requirements and future needs. In particular Council:

- has a developing coastal urban area whose future development will be shaped by the decisions made by Council today.
- is embarking on a program to have its Waste management activities comply with statutory requirements and meet community and government exceptions.

**STATUTORY ENVIRONMENT:**

Local Government Act (1995):

6.8 Expenditure From Municipal Fund Not Included In Annual Budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
- (a) is incurred in a financial year before the adoption the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or

\* Absolute majority required

- (c) is authorised in advance by the mayor or president in an emergency.

(1a) In subsection (1) –

“Additional purpose” means a purpose for which no expenditure estimate is included in the local government's annual budget.

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER RECOMMENDATION:**

That Council have:

1. Two delegates, Cr Girando and the Chief Executive Officer, attend the WA Sea Change Conference on Friday 1 October 2004; and
2. Two delegates, a Councillor and Council's Manager Community Development, attend the Waste & Recycle 2004 Conference on Thursday and Friday 24/25 September 2004.

**RESOLUTION: 2004-142**

**Moved:** McTaggart      **Seconded:** Ovens

That Council have:

1. *Four delegates, Cr Girando, Cr McTaggart, Cr McDonald and the Chief Executive Officer, attend the WA Sea Change Conference on Friday 1 October 2004; and*
2. *Two delegates, Cr Beswick and Council's Manager Community Development, attend the Waste & Recycle 2004 Conference on Thursday and Friday 24/25 September 2004.*

**CARRIED BY ABSOLUTE MAJORITY 8/0**

### 10.1.5 COMMUNITY BUILDERS – C.27

|                        |                  |
|------------------------|------------------|
| AUTHOR                 | Gary Sherry      |
| DISCLOSURE OF INTEREST | Nil              |
| DATE OF REPORT         | 7 September 2004 |

#### **SUMMARY:**

**Council has been invited to participate in a Community Builder program in our local area by the Shire of Dandaragan.**

#### **COMMENT:**

The Community Builders initiative is a six month action learning program for people from rural and regional communities who are interested in the future of their community and region. The program aims to identify, encourage and empower local residents to become more involved in building their community and its economy. The strength of Community Builders is in its grassroots ethos which means the program is driven and designed by the participants themselves to achieve their personal learning requirements.

Community Builders works by communities in the same geographical area forms a cluster. This involves between five to eight communities each represented by a community team of 2-5 people. Participants set the agenda, explore topics that are important to their area, access skills, information and support. The community teams meet together monthly, with the workshop location rotating around the participating communities.

The program is anticipated to seek expressions of interest from people in the towns of Jurien Bay, Cervantes, Badgingarra, Dandaragan, Leeman, Green Head, Lancelin and Moora.

#### **POLICY IMPLICATIONS & STATUTORY ENVIRONMENT:**

Nil at this time.

#### **FINANCIAL IMPLICATIONS:**

There is no financial allocation in Council's 2004/05 Budget, however it is expected that Council's involvement at this stage would just be supportive.

#### **STRATEGIC IMPLICATIONS:**

This program may result in community driven or led activities that benefit our region and individual communities such as resource sharing and development of new services.



**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council support the Community Builders Program initiative of the Shire of Dandaragan.

**RESOLUTION: 2004-143**

**Moved:** Beswick

**Seconded:** McDonald

*That Council support the Community Builders Program initiative of the Shire of Dandaragan.*

**CARRIED 8/0**

**Cr Stacy declared a Financial Interest in item 10.1.6 in that Cr Stacy owns the property included in the proposed project and left the meeting at 3.20pm.**

|  |
|--|
| <b>10.1.6 BUNTINE-MARCHAGEE INTEGRATED SURFACE WATER<br/>MANAGEMENT DEMONSTRATION CATCHMENT – L1.1</b> |
|--|

|                               |   |
|-------------------------------|---|
| <b>AUTHOR</b>                 | Gary Sherry   |
| <b>DISCLOSURE OF INTEREST</b> | Nil   |
| <b>DATE OF REPORT</b>         | 7 September 2004  |
| <b>ATTACHMENT</b>             | 10.1.6 Buntine-Marchagee Integrated Surface Water Management Demonstration<br>Catchment Grant Application |

**SUMMARY:**

**Council’s involvement in the Buntine-Marchagee Integrated Surface Water Management Demonstration Catchment project is sought.**

**BACKGROUND:**

Council would be aware of some of the details of the Buntine-Marchagee Integrated Surface Water Management Demonstration Catchment project that seeks to better manage water on a 873 hectare demonstration site in Marchagee. To better manage water on the demonstration site requires channelling water across the Marchagee Buntine road to the natural waterway. Currently Marchagee Buntine Road effectively blocks the water resulting in water logging on the farmers property and from time to time, in times of very high water flows, the water flows across Marchagee Buntine Road. The project calls for Council to install a floodway with culverts across Marchagee Buntine Road.

Council does have a culvert installed near to this site and while the culvert is too small to meet demands of relatively normal water flows. In discussion with the Marchagee Catchment Group Council did upgrade the size of the culvert pipe at the request of CALM when completing roadworks on the site in 2003, however the increase in size does not dramatically improve water flows.

**COMMENT:**

Buntine-Marchagee Integrated Surface Water Management Demonstration Catchment

The Coorow LCDC and local landholders, in conjunction with CALM and the Department of Agriculture, are seeking Council’s involvement in completing the Buntine-Marchagee Integrated Surface Water Management Demonstration Catchment project.

The aim of this project is to build a site that can demonstrate best practice surface water management thereby increasing community awareness, understanding and adoption of what is considered for the most part, a manageable land degradation issue contributing to significant loss of agricultural and natural resource values in the Buntine-Marchagee Catchment.

Works will be conducted by a number of groups, including;

- In-kind work from Landholders for fencing, seeding waterways, re-vegetation site preparation, planting and post planting maintenance and maintenance of earthwork structures in-perpetuity
- Landcare technician (SOL consultant) to conduct surveying and marking of all conservation structures. Includes supervision of construction and sign-off that all works have been completed according to SWMP and industry standards
- Construction contractor/s to build conservation structures
- CALM for general project support, administration and project management
- Dept. of Agriculture for provision of training to accredit construction contractors, technical advice, standards control, input and revision of final report
- Shire of Coorow for road works and signage, contract administration and management.

#### Council Involvement

There are two stages to the project. The initial works to be completed are construction works to manage water over the site. This involves completion of road works and construction of drainage channels. In completing the construction of drainage channels Council staff would receive accreditation through the Department of Agriculture.

The second stage of the project would involve installation of measurement instruments, seeding of channels, construction of fencing, fencing of remnant vegetation. Landholders and other partners would complete this work.

Council's significant involvement is to complete alterations to Marchagee Buntine Road to better manage water crossing the road. The construction works to Marchagee Buntine Road are the key component of the project and the project will not proceed without the works being completed.

It is estimated that the road works will take two weeks to complete and the construction of the drainage channels three days.

#### National Landcare Program – Community Assistance Component

To complete the works the Coorow LCDC has submitted an application for funding under the National Landcare Program – Community Assistance Component. This grant closed on 3 September 2004.

While aware of the program for some time, I was not aware of the grant application until late in August 2004. I have given conditional approval to have the grant submitted.

A copy of the grant application that has been submitted to the Northern Agricultural Catchment Council is included at Attachment 10.1.6.

Implications for Council’s Road Construction Program

Council’s approval of this project has implications for Council’s road construction program. The proposed works will take ten days to complete and therefore Council will not be able to complete all the Budgeted road construction works for 2004/05.

Road Construction Projects that Council could consider not completing in 2004/05 include:

|                    |                         |          |
|--------------------|-------------------------|----------|
| Penn Road          | 6km Resheet             | \$32,967 |
| Tootbardie Road    | 6km Resheet             | \$50,003 |
| Gunyidi Wubin Road | 8km Resheet             | \$80,073 |
| Launer Road        | 8km Resheet             | \$63,727 |
| Thomas Street      | 450mtr construct & seal | \$47,489 |

Projects that have not been considered include:

|                          |                        |           |
|--------------------------|------------------------|-----------|
| Randell Road             | 3.8km Clearing         | \$32,043  |
| Mudge Road               | 8km Resheet            | \$70,434  |
| Woolmulla Road           | 3km Resheet & drainage | \$85,776  |
| Reseals to various Roads |                        | \$151,165 |

**POLICY IMPLICATIONS:**

Nil at this time.

**FINANCIAL IMPLICATIONS:**

Council’s contribution in this work has been costed as \$70,000 for the road works and \$9,600 for the construction of the drainage channels.

The cost of completion of the works is budgeted as:

| Activity          | Contribution |        |
|-------------------|--------------|--------|
|                   | In Kind      | Cash   |
| Wages & Overheads | 25,390       |        |
| Plant Op Costs    | 26,610       |        |
| Culverts          |              | 9,000  |
| Rock Headwalls    |              | 1,000  |
| Materials         |              | 7,000  |
| Signs             |              | 1,000  |
| Sub-Totals        | 52,000       | 18,000 |
| Total             |              | 70,000 |

Council will receive \$30,000 of the grant funds to complete the road works.

**STRATEGIC IMPLICATIONS:**

Council’s receipt of grant funds greater than the cash expenditure is an unbudgeted receipt of funds. In another year Council would be advised to transfer these excess funds to a Plant Reserve, however in 2004/05 Council has budgeted to borrow \$170,000 to purchase a replacement prime mover.

**STATUTORY ENVIRONMENT:**

Local Government Act (1995)

**6.8 Expenditure From Municipal Fund Not Included In Annual Budget**

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
- (a) is incurred in a financial year before the adoption the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.
- \* Absolute majority required
- (1a) In subsection (1) –  
“Additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

**VOTING REQUIREMENTS:**

Absolute Majority

**OFFICER RECOMMENDATION:**

That Council:

1. not complete the budgeted works to Launer Road; and
2. agree to involvement in the Buntine-Marchagee Integrated Surface Water Management Demonstration Catchment project and complete the unbudgeted works in the estimated amount of \$70,000.

**RESOLUTION: 2004-144**

**Moved:** McDonald      **Seconded:** Ovens

*That Council:*

1. *complete the budgeted works to Launer Road;*
2. *not agree to involvement in the Buntine-Marchagee Integrated Surface Water Management Demonstration Catchment project and complete the unbudgeted works in the estimated amount of \$70,000; and*
3. *will consider involvement in this project in 2005/06 budget.*

**CARRIED BY ABSOLUTE MAJORITY 7/0**

**Cr Stacy returned to the meeting at 3.38pm.**

**10.1.7 SALE OF LOT 121 COMMERCIAL STREET – H5.5**

|                               |                  |
|-------------------------------|------------------|
| <b>AUTHOR</b>                 | Gary Sherry      |
| <b>DISCLOSURE OF INTEREST</b> | Nil              |
| <b>DATE OF REPORT</b>         | 7 September 2004 |

**SUMMARY:**

**Council has received an offer of purchase from employee Mr Paul Biddle to purchase Council residence Lot 121 Commercial Street Coorow for \$29,750.**

**COMMENT:**

Mr Biddle is a Council employee who currently rents the Lot 19 North Street premises is seeking to purchase the house to give his family future financial stability. Mr Biddle has been employed by Council for nearly 6 years and has rented a Council residence for much of this time.

The Commercial Street premises is an aging residence that will require maintenance to bring it too a level that Council would consider satisfactory for the long term rental to a Council employee. Mr Biddle will be able to complete much of the maintenance himself over time.

Council obtained a professional valuation from the Valuer General's Office for this property on 28 May 2002. The valuation is thirty five thousand dollars (\$35,000). Mr Biddle's offer represents a discount of 15% or \$5,250 on the valuation.

Before Council can accept the offer, Council must:

1. obtain an independent valuation from a licensed Valuer; and
2. advertise statewide the details of the proposed sale, as per Local Government Act 1995, Section 3.58 (3), and consider any public submissions at the next available Meeting of Council.

**STATUTORY ENVIRONMENT:**

Local Government Act 1995

**3.58. Disposing of property**

- (1) In this section:  
**dispose~** includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
**property~** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to:
  - (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property:
  - (a) it gives Statewide public notice of the proposed disposition:

- (i) describing the property concerned;
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include;
- (a) the names of all other parties concerned;
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.
- (5) This section does not apply to:
- (a) a disposition of land under section 29 or 29B of the Public Works Act 1902;
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

**FINANCIAL IMPLICATIONS:**

Council has included the sale of Lot 6 Bristol Street for \$28,000 in Council's 2004/05 Budget. These funds are budgeted to be transferred to a Building Reserve.

**STRATEGIC IMPLICATIONS:**

Council currently rents this property privately for nearly two years, given that Council does not have an employee to reside in the property.

Council's Building Maintenance Plan has identified the sale of this property in upgrading Council's stock of housing.

**POLICY IMPLICATIONS:**

Nil at this time.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council:

1. obtain an independent valuation from a licensed Valuer;
2. advise Mr Paul Biddle that Council will consider an offer for purchase of not less than \$29,750 or a greater discount than 26% to the independent valuation from a licensed Valuer; and
3. advertise statewide the details of the proposed sale, as per Local Government Act 1995, Section 3.58 (3), and consider any public submissions at the next available Meeting of Council.

**RESOLUTION: 2004-145**

**Moved:** Stacy

**Seconded:** Beswick

*That Council:*

1. *obtain an independent valuation from a licensed Valuer;*
2. *advise Mr Paul Biddle that Council will consider an offer for purchase of not less than \$29,750 or a greater discount than 26% to the independent valuation from a licensed Valuer; and*
3. *advertise statewide the details of the proposed sale, as per Local Government Act 1995, Section 3.58 (3), and consider any public submissions at the next available Meeting of Council.*

**CARRIED 8/0**



## **10.2 ACTING MANAGER COMMUNITY DEVELOPMENT:**

### **10.2.1 APPLICATION FOR PLANNING APPROVAL – LOT 62 OCEAN VIEW DRIVE, GREEN HEAD - Lot GH 62**

|                               |  |
|-------------------------------|--|
| <b>NAME OF APPLICANT:</b>     | S & K Dobney   |
| <b>LOCATION</b>               | Lot 62 Ocean View Drive, Green Head.   |
| <b>AUTHOR</b>                 | Len Welch  |
| <b>DISCLOSURE OF INTEREST</b> | Nil  |
| <b>DATE OF REPORT</b>         | 30 <sup>th</sup> August, 2004  |
| <b>ATTACHMENT:</b>            | 10.2.1a Application for Planning Approval<br>10.2.1b Plan of Proposed New Undercover Area<br>10.2.1c Inspection Certificates |

#### **SUMMARY:**

**Application for Planning Approval to develop an extension to the garage at lot 62 Ocean View Drive, Green Head.**

#### **COMMENT:**

Application has been received from S & K Dobney of Lot 62 Ocean View Drive, Green Head for Planning Approval to develop an extension to the garage at lot 62.

Planning Approval was originally granted to R & S Morphett at the Council Meeting held on the 20<sup>th</sup> April 1999 to construct the addition to the existing shed for the storage of fishing equipment. The Morphett's failed to proceed with the development.

S & K Dobney intentions are to construct the additional storage facility as per the original application ie; *the existing shed on the lot; including a lean-to is 102m<sup>2</sup> in area. The proposed additions are 63m<sup>2</sup> in area, making a total of 165m<sup>2</sup>. The additions are to be placed at the rear of the existing building and are to be colourbond to match existing.*

#### **STATUTORY ENVIRONMENT:**

Shire of Coorow Town Planning Scheme No. 2.

- (i) *10.5.1 Where the local government grants approval for the development of land*
  - (a) *the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the determination; and*
  - (b) *The approval lapses if the development has not substantially commenced before the expiration of that period.*

S & K Dobney are required to seek a new approval because of the above.

The lot in question is one of a number which are zoned Residential with "Additional Use" provisions, under Councils Town Planning Scheme No 1. The additional use permitted is for "Boatyard and Storage of Equipment". The lot is 1,292 m<sup>2</sup> in area.

The proposal can be accommodated on the lot without compromising the open space requirements of the Residential Planning Codes.

**FINANCIAL IMPLICATIONS:**

Nil.

**POLICY AND STRATEGIC IMPLICATIONS:**

Council's Town Planning Scheme Policy No 2 relating to maximum height and area of outbuildings appurtenant to dwellings on land zoned residential, provides in Clause 5.3 "Special Use Areas" that:

*Where applications relating to outbuildings on lots in Green Head which are designated "Boatyards and Storage of Equipment" under Council's Town Planning Scheme No 1 exceed criteria set down in 5.1(a) and 5.2(a) of this policy, each of these applications are to be considered by Council on its merits.*

In view of the zoning of the land and the above policy provisions, and that Council has previously been granted approval and the current adjoining neighbors have no objections, approval of the application would not be seen as by Staff as setting any undesirable precedent.

**VOTING REQUIREMENTS:**

Simple majority.

**OFFICER RECOMMENDATION:**

That the proposed additions to the outbuilding on Lot 62 Ocean View Drive, Green Head, for the purpose of storage of equipment, be approved subject to compliance with all relevant provisions of the following:

1. The Building Code of Australia 1996 as amended
2. The Health Act 1911 as amended
3. Council's Town Planning Scheme No 2

**RESOLUTION: 2004-146**

**Moved: Beswick                      Seconded: Waite**

*That the proposed additions to the outbuilding on Lot 62 Ocean View Drive, Green Head, for the purpose of storage of equipment, be approved subject to compliance with all relevant provisions of the following:*

1. *The Building Code of Australia 1996 as amended*
2. *The Health Act 1911 as amended*
3. *Council's Town Planning Scheme No 2*

**CARRIED 8/0**

10.2.2 DRAFT STATEMENT OF PLANNING POLICY 2.9: WATER RESOURCES POLICY - T 9.16

|                        |  |
|------------------------|--|
| NAME OF APPLICANT:     | Western Australian Planning Commission   |
| LOCATION               | Whole of the Shire   |
| AUTHOR                 | Len Welch  |
| DISCLOSURE OF INTEREST | Draft Water Resources Statement of Planning Policy 2.9   |
| DATE OF REPORT         | 1 <sup>st</sup> September 2004   |
| ATTACHMENT:            | 10.2.2a Draft Statement of Planning Policy 2.9: Water Resources Policy<br>10.2.2b Water Resources Statement of Planning Policy 2.9 |

**SUMMARY:**

**The attached draft is for Public comment and closes on the 1<sup>st</sup> December 2004.**

**COMMENT:**

This draft Policy 2.9 will affect all future subdivisions in there assessment for development in respect of water resources. It will also affect all rural land that has not been developed. *Statements of planning policy, therefore, have little or no affect where existing land use is continuing, and where landowners wish to continue with existing activities.*

Stakeholders (Local Government) and community comments will help improve and finalise the policy for adoption by the commission.

If the policy is adopted it will require greater involvement of Council in the development and use of stormwater within the subdivision and the policy is promoting where water ways are recognised within the said development that the flood plane of that waterway be reserved. Also it will be the responsibility of the developer to identify groundwater, its quality and quantity.

**STATUTORY ENVIRONMENT:**

Town Planning and Development Act 1928.

**FINANCIAL IMPLICATIONS:**

During the draft stage there appears to be little financial implications accept advising the public that the draft policy is available for public comment.

**POLICY AND STRATEGIC IMPLICATIONS:**

There are no policy implications at this time. As Draft policy 2.9 from the Planning Commission affects all future development of land within the Shire of Coorow Councillors and Staff need to study the document and consider the submission of a written comment.

**VOTING REQUIREMENTS:**

Simply majority.

**OFFICER RECOMMENDATION:**

That Council consider lodging a written submission to the Draft Statement of Planning Policy 2.9: Water Resources Policy, and that be considered at the October meeting of Council.

**RESOLUTION: 2004-147**

**Moved:** Beswick

**Seconded:** O'Callaghan

*That Council consider lodging a written submission to the Draft Statement of Planning Policy 2.9: Water Resources Policy, and that be considered at the October meeting of Council.*

**CARRIED 8/0**

10.2.3 APPLICATION FOR PLANNING APPROVAL – CARETAKER'S DWELLING AND KENNELS – LOT 468 WHISTLER CRESCENT GREEN HEAD - LOT GH 468

|                        |   |
|------------------------|---|
| NAME OF APPLICANT:     | Wayne Mol   |
| LOCATION               | Lot 468 Whistler Crescent Green Head.   |
| AUTHOR                 | Len Welch   |
| DISCLOSURE OF INTEREST | Nil   |
| DATE OF REPORT         | 2 <sup>nd</sup> September 2004  |
| ATTACHMENT:            | 10.2.3a Application for a Licence – Form 1<br>10.2.3b Letter of Reference<br>10.2.3c Letter of Request<br>10.2.3d Plan of Lot 468 Whistler Crescent Green Head<br>10.2.3e Proposed Kennel |

**SUMMARY:**

**Re-Application for Planning Approval to develop a Caretaker's Dwelling and Kennels at lot 468 Whistler Crescent Green Head.**

**COMMENT:**

An application for Planning Consent was received from Mr. Wayne Mol of 101 Crawford Street East Cannington WA 6107 to develop a Caretaker's Dwelling and Kennels at lot 468 Whistler Crescent Green Head was considered by Council at the 21 July 2004 meeting:

***RESOLUTION:*** 2004-107

***Moved:*** Beswick ***Seconded:*** O'Callaghan

***That:***

- 1. Planning Approval is not given to Mr. Wayne Mol of 101 Crawford Street East Cannington to develop kennels and a caretaker's dwelling on lot 648 Whistler Crescent Green Head as proposed in his Application for Planning Approval dated 8<sup>th</sup> June 2004.*
- 2. Mr. Mol is to be advised that Council may re-consider this decision following receipt of acceptable amended detailed plans showing –  
(a) how the kennels are to be constructed in accordance with the Conditions of Licence for an Approved Kennel Establishment in Schedule 2 of the Shire of Coorow Dogs Local Law; and  
(b) the caretaker's dwelling being repositioned in closer proximity to the kennels for control of the dogs, ease of assessment of their health and welfare and to reduce the perception that the integrity of the industrial area is being compromised.*

***CARRIED 5/0***

See Attachments 10.2.3a, 10.2.3b, 10.2.3c and 10.2.3d.

Mr. Mol advised that as he is on a disability pension and the kennel's that he established on his sisters property in Canning-vale has to be closed due to the sale of the property. Landcorp advised that land was available in Green Head and he states that he enquired to the Shire of Coorow and that kennel's can be established in the industrial area with permission of Council. See attachment 10.2.3b.

When questioned about the purpose of the kennels he stated that they would be used primarily for breeding with some boarding. I suggested that with his re-application that he states in writing the number, types of dogs and the exact purpose that he intends to use the kennels for. See attachment 10.2.3c

Mr Mol is unable to obtain neighbours written consent because it has been assessed that all the surrounding land that could be directly affected is currently unsold Crown land. It is the opinion of staff that if a kennel was established then the sale of that adjacent land could be compromised.

Council is informed that staff still have concern with the way this proposed development is presented and I example -

- (1) Lot 468 Whistler Crescent Green Head is zoned "Industrial" under the Shire of Coorow Town Planning Scheme No. 2.
- (2) Kennels are not a legitimate "Industrial" activity.
- (3) Under the Town Planning Scheme a *caretakers dwelling* means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building.
- (4) Would the proposed development compromise the integrity of the Green Head industrial area by creating a pseudo residential use on an industrial zoned lot?

Notwithstanding the above –

- (a) Council **does** have discretionary approval authority under the Scheme to approve the development of kennels in an "Industrial" zone (subject to Special Notice).
- (b) There is no other land available or zoned under the Shire's Town Planning Scheme on which kennels could be approved other than in the "Rural" area.

Further, under the Shire of Coorow Dogs Local Law a person shall not operate a kennel establishment without first obtaining a Licence from the local government.

It is the view of staff that this application should not be given Planning Approval because a kennel establishment is not a industrial activity, and that it is contrary to the Shire of Coorow Local Planning Policy No 4. That the applicant be advised of his legal rights to appeal to the Minister for Planning.

#### **STATUTORY ENVIRONMENT:**

Pursuant to the Shire of Coorow Town Planning Scheme No. 2 -

"Industrial Zone" - to provide for manufacturing industry, the storage and distribution of goods and associated uses which by the nature of their operations should be separated from the residential areas.

"Industry" means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for -

- (a) the storage of goods;
- (a) the work of administration or accounting;
- (b) the selling of goods by wholesale or retail; or

(c) the provision of amenities for employees, incidental to any of those industrial operations.

Pursuant to Table 1 of the Shire of Coorow Town Planning Scheme No. 1 Kennels have an 'A' symbol.

TABLE 1: Zoning Table

P - Permitted      D - Discretion      A - Special Notice      X- Not Permitted

| Use Classes               | ZONES*      |            |            |               |       |                   |                        |                              |
|---------------------------|-------------|------------|------------|---------------|-------|-------------------|------------------------|------------------------------|
|                           | Residential | Commercial | Industrial | Tourist Accom | Rural | Rural Residential | Places Public Assembly | Private Clubs & Institutions |
| Aged Persons Hostel       | D           | X          | X          | A             | D     | D                 | D                      | X                            |
| Agriculture Intensive     | X           | X          | X          | X             | A     | X                 | X                      | X                            |
| Animal Establishment      | X           | X          | X          | X             | P     | D                 | X                      | X                            |
| Aquaculture               | A           | X          | D          | D             | P     | A                 | X                      | X                            |
| Caravan Park              | X           | A          | X          | P             | D     | D                 | X                      | X                            |
| Caretaker's Dwelling      | P           | D          | D          | D             | D     | D                 | D                      | D                            |
| Carpark                   | A           | D          | D          | D             | D     | D                 | D                      | D                            |
| Civic Use                 | X           | D          | X          | X             | X     | X                 | P                      | P                            |
| Consulting Room           | A           | P          | D          | X             | A     | A                 | X                      | D                            |
| Dog Kennels               | X           | X          | A          | X             | A     | A                 | X                      | X                            |
| Dry Cleaning Premises     | X           | A          | A          | X             | X     | X                 | X                      | X                            |
| Dwelling                  | P           | X          | X          | D             | P     | P                 | X                      | X                            |
| Educational Establishment | A           | D          | D          | X             | A     | A                 | D                      | D                            |
| Fast Food Outlet          | X           | P          | D          | A             | X     | X                 | X                      | X                            |
| Fish Shop                 | X           | P          | D          | A             | X     | X                 | X                      | X                            |
| Fuel Depot                | X           | X          | A          | X             | X     | X                 | X                      | X                            |
| Funeral Parlour           | X           | P          | D          | X             | A     | X                 | X                      | X                            |
| Health Club               | X           | P          | X          | A             | X     | A                 | X                      | D                            |
| Home Occupation           | D           | X          | X          | X             | D     | D                 | X                      | X                            |
| Hospital                  | X           | A          | X          | X             | A     | X                 | X                      | X                            |
| Hotel                     | X           | A          | X          | A             | A     | X                 | X                      | X                            |
| Industry Cottage          | A           | P          | P          | A             | A     | A                 | X                      | X                            |
| Industry Extractive       | X           | X          | X          | X             | A     | X                 | X                      | X                            |
| Industry General          | X           | X          | P          | X             | X     | X                 | X                      | X                            |
| Industry Hazardous        | X           | X          | A          | X             | A     | X                 | X                      | X                            |
| Industry Light            | X           | X          | P          | X             | A     | X                 | X                      | X                            |
| Industry Rural            | X           | X          | P          | X             | D     | A                 | X                      | X                            |
| Industry Service          | X           | D          | P          | X             | A     | X                 | X                      | X                            |
| Milk Depot                | X           | P          | A          | X             | A     | X                 | X                      | X                            |
| Motel                     | X           | A          | X          | P             | A     | X                 | X                      | X                            |
| Motor Vehicle Repair      | X           | A          | P          | X             | A     | X                 | X                      | X                            |
| Motor Vehicle Wrecking    | X           | X          | D          | X             | X     | X                 | X                      | X                            |
| Office                    | X           | P          | A          | A             | A     | A                 | D                      | D                            |
| Place of Worship          | A           | D          | X          | X             | A     | A                 | P                      | D                            |
| Public Utility            | X           | D          | P          | D             | D     | D                 | D                      | D                            |
| Reception Centre          | X           | P          | X          | D             | A     | A                 | D                      | D                            |
| Recreation Private        | X           | P          | D          | D             | A     | A                 | D                      | P                            |

Clause 4.3. – Zoning Table

- 4.3.2. ‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.

Clause 9.4. - ADVERTISING OF APPLICATIONS

- 9.4.1. Where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is –
- (a) an ‘A’ use as referred to in clause 4.3.2; or
  - (b) a use not listed in the Zoning Table,
- the local government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.
- 9.4.2. Despite clause 9.4.1, where application is made for a purpose other than a purpose referred to in that clause, the local government may require notice to be given in accordance with clause 9.4.3.
- 9.4.3. The local government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways-
- (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;
  - (b) notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the local government by a specified day being not less than 14 days from the day the notice is published;
  - (c) a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.
- 9.4.4. The notice referred to in clause 9.4.3(a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the local government.
- 9.4.5. Any person may inspect the application for planning approval referred to in the notice and the material accompanying that application at the offices of the local government.
- 9.4.6. After the expiration of the specified period from the serving of notice of the application for planning approval, the publication of the notice or the erection of a sign or signs, whichever is the later, the local government is to consider and determine the application.



## Schedule 1- General Definitions

“Caretakers dwelling” means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant.

When considering an application for planning approval the Town Planning Scheme requires:

### 10.2. Matters to be considered by Local Government

The local government in considering an application for planning approval is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application —

- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) any approved statement of planning policy of the Commission;
- (d) any approved environmental protection policy under the Environmental Protection Act 1986;
- (e) any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;
- (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;
- (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
- (h) the conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;
- (i) the compatibility of a use or development with its setting;
- (j) any social issues that have an effect on the amenity of the locality;
- (k) the cultural significance of any place or area affected by the development;
- (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;
- (n) the preservation of the amenity of the locality;
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;

- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) whether public utility services are available and adequate for the proposal;
- (t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (u) whether adequate provision has been made for access by disabled persons;
- (v) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (w) whether the proposal is likely to cause soil erosion or land degradation;
- (x) the potential loss of any community service or benefit resulting from the planning approval;
- (y) any relevant submissions received on the application;
- (z) the comments or submissions received from any authority consulted under clause 10.1.1;
- (za) any other planning consideration the local government considers relevant.

Council is advised that Mr. Mol has been informed that approval of his application for kennels would be subject to Council discretion due to the 'A' symbol in Table 1. Also, as the plans enclosed with his Planning Application appeared to place greater importance on the development of the residence Council's approval may not be anticipated.

## SHIRE OF COOROW DOGS LOCAL LAW

### Part 4 - Approved Kennel Establishments

#### 4.1 Interpretation

In this Part and in Schedule 2 –

“licence” means a licence to keep an approved kennel establishment on premises;

“licensee” means the holder of a licence;

“premises”, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

“transferee” means a person who applies for the transfer of a licence to her or him under clause 4.14.

#### 4.2 Application for licence for approved kennel establishment

An application for a licence must be made on Form 1 of Schedule 1, and must be lodged with the local government together with –

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;

- (d) a written acknowledgment that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and
- (e) the fee for the application for a licence referred to in clause 4.10(1).

4.3 Notice of proposed use

- (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment on Form 2 of Schedule 1, after the application for a licence has been lodged –
  - (a) once in a newspaper circulating in the district; and
  - (b) to the owners and occupiers of any premises adjoining the premises.

The notices in subclause (1) must specify that –

- (a) any written submissions as to the proposed use are to be lodged with the CEO within 21 days of the date the notice is given; and
- (b) the application and plans and specifications may be inspected at the offices of the local government.

SCHEDULE 2  
(clause 4.8(1))  
DOG ACT 1976  
SHIRE OF COOROW  
DOGS LOCAL LAW 2003

Conditions of a licence for an approved kennel establishment

An application for a licence for an approved kennel establishment may be approved subject to the following conditions –

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than –
  - 25m from the front boundary of the premises and 5m from any other boundary of the premises;
  - 10m from any dwelling; and
  - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be –
  - (i) at least 100mm above the surface of the surrounding ground;
  - (ii) smooth so as to facilitate cleaning;
  - (iii) rigid;

- (iv) durable;
- (v) slip resistant;
- (vi) resistant to corrosion;
- (vii) non-toxic;
- (viii) impervious;
- (ix) free from cracks, crevices and other defects; and
- (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable up stand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of –
  - (i) 2m; or
  - (ii) 4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheeted internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside –
  - (i) at the premises; or
  - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

**FINANCIAL IMPLICATIONS:**

Nil.

**POLICY AND STRATEGIC IMPLICATIONS:**

Shire of Coorow Local Planning Policy No. 4.

**CARETAKERS DWELLINGS IN "INDUSTRIAL ZONED" AREAS**

The objectives of this Policy are:

- (a) To prevent the establishment of residential uses in industrial areas which may compromise the integrity of industrial areas and create unacceptable residential environments.
- (b) To provide for "*Caretakers Dwellings*" in industrial areas in limited circumstances and subject to appropriate planning controls.
- (c) To establish specific development criteria to limit the scale of "*Caretakers Dwellings*" in industrial areas so that they remain *incidental* to the predominant industrial use.
- (d) To provide clarification and consistency in terms of Council's application of its discretionary power to approve.

*LOCAL PLANNING POLICY NO. 4*

- (1) A *Caretaker's Dwelling* is not to be developed and /or occupied on a lot unless that lot has been developed and is being used in accordance with the Scheme;
- (2) only one *Caretaker's Dwelling* is permitted on a lot; for purposes of this clause "lot" excludes a strata lot or survey-strata lot created under the Strata Titles Act 1985;
- (3) a *Caretaker's Dwelling* is to have a total floor area that does not exceed 100m<sup>2</sup> measured from the external face of the walls;
- (4) positioning of a *Caretaker's Dwelling* on a lot shall be so that the *Caretaker's Dwelling* is located behind the front building line of the industrial building; and
- (5) open verandah's may be permitted but must not be enclosed by any means unless the total floor area remains within the 100m<sup>2</sup> referred to in paragraph (c).

**VOTING REQUIREMENTS:**

Simple majority.

**OFFICER RECOMMENDATION:**

That:

1. Planning Approval is not given to Mr. Wayne Mol of 101 Crawford Street East Cannington to develop kennels and a caretaker's dwelling on lot 648 Whistler Crescent Green Head as proposed in his Re-Application for Planning Approval dated 2nd September 2004.
2. Mr. Mol is to be advised that Council believes that the proposal is contrary to Council's intention as outlined in the Shire of Coorow Local Planning Policy No 4.

3. Mr Mol be advised that it is his legal right under the Town Planning and Development Act for him to appeal to the Minister for Town Planning and that the Minister's decision will be final.

**RESOLUTION: 2004-148**

**Moved:** *Beswick*                      **Seconded:** *Stacy*

1. *That Planning Approval is given to Mr. Wayne Mol of 101 Crawford Street East Cannington to develop kennels and a caretaker's dwelling on lot 468 Whistler Crescent Green Head as proposed in his Re-Application for Planning Approval dated 2nd September 2004, subject to compliance with the Shire of Coorow Local Planning Policy No 4.*
2. *That Council wishes to encourage businesses within the industrial area.*

**CARRIED 7/1**

Cr Stacy left the meeting at 4.08pm.

### **10.3 MANAGER WORKS AND SERVICES:**

#### **10.3.1 ERECTION OF TRAFFIC SIGNS AND DEVICES - R8.17**

|                        |  |
|------------------------|--|
| NAME OF APPLICANT      | Main Roads Western Australia   |
| AUTHOR                 | Peter Gillis   |
| DISCLOSURE OF INTEREST | Nil  |
| DATE OF REPORT         | 20 August 2004   |
| ATTACHMENT             | 10.3.1a Instrument of Authorisation<br>10.3.1b Code of Practice<br>10.3.1c Instrument of Authorisation |

#### **SUMMARY:**

**Council is required to sign and seal an Instrument of Authorisation from Main Roads Western Australia for Council to use traffic signs and devices to manage traffic during the construction and maintenance of Main Roads' controlled roads.**

#### **COMMENT:**

In 2001 Council was offered by Main Roads an Instrument of Authorisation to all Local Governments which, once executed, would enable them to use traffic signs and devices at roadworks without having to obtain further approvals from Main Roads, subject to conditions included at Attachment 10.3.1a.

At the 19 June 2001 Meeting of Council, Council may recall the following motion was moved:

***Moved: Ovens Seconded: Brittain***

*Authorisation by Main Roads to allow Council use of traffic signs and devices to manage traffic during the construction and maintenance of Main Roads Western Australia roads be endorsed and the President and Acting Chief Executive Officer be authorised to sign and seal the Authorisation.*

*CARRIED 8/0*

The version of the Instrument of Authorisation sent to Local Governments in 2001 required compliance with Main Roads 'Traffic Management Requirements for Works on Roads', which was a guideline outline Main Roads requirements for use of road signs and traffic control devices for works on roads in Western Australia. In consultation with the Institute of Public Works Engineering (WA Section), Main Roads has revised and retitled the above guidelines to create the new 'Traffic Management for Works on Roads – Code of Practice'. A copy of the revised Code of Practice for Councillor information is included at Attachment 10.3.1b.

With the publication of the new Code of Practice, Main Roads is taking the opportunity to clarify the delegation to erect traffic signs and devices at roadworks by issuing a revised Instrument of Authorisation. The Instrument of Authorisation is included at Attachment 10.3.1c. All Local Governments are requested to execute this new Instrument of

Authorisation which, once fully executed, will replace any previous authorisation under the Road Traffic Code 2000.

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

**STATUTORY ENVIRONMENT:**

**Standing Order Local Law 1999 Section 16.1.2:**

*The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.*

**STRATEGIC, POLICY & FINANCIAL IMPLICATIONS:**

There do not appear to be strategic, policy or financial implications in this matter.

**OFFICER RECOMMENDATION:**

That the President and Chief Executive Officer be authorised to sign and seal the Instrument of Authorisation by Main Roads to allow Council use of traffic signs and devices to manage traffic during the construction and maintenance of Main Roads Western Australia controlled roads as included at Attachment 10.3.1c.

**RESOLUTION: 2004-149**

**Moved:** McDonald      **Seconded:** Ovens

*That the President and Chief Executive Officer be authorised to sign and seal the Instrument of Authorisation by Main Roads to allow Council use of traffic signs and devices to manage traffic during the construction and maintenance of Main Roads Western Australia controlled roads as included at Attachment 10.3.1c.*

**CARRIED 7/0**



**10.3.2 TENDER 8/04 – SUPPLY ONE 6x4 PRIME MOVER - T4.7**

|                               |                              |
|-------------------------------|------------------------------|
| <b>AUTHOR</b>                 | Peter Gillis                 |
| <b>DISCLOSURE OF INTEREST</b> | Nil                          |
| <b>DATE OF REPORT</b>         | 8 September 2004             |
| <b>ATTACHMENT</b>             | 10.3.2 Tender Specifications |

**SUMMARY:**

**Council is to consider tenders for the supply of a new 6x4 Prime Mover.**

**BACKGROUND:**

Tenders were called on Wednesday 11 August 2004 for the supply of a new 6x4 Prime Mover.

Tenders closed at 12.00 noon on Wednesday 8 September 2004, with four companies tendering and five tenders being received.

Two tenderers did not comply, only tendering on a body. One individual tendered for the outright purchase of the trade prime mover.

Tenders were opened at 1.05 p.m. on Wednesday 8 September 2004 by the Chief Executive Officer in the presence of Manager for Works and Services, Manager Finance and Administration and Mr John Cortese (Council Mechanic).

**COMMENT:**

Evaluation to Specifications:

Purcher International Pty Ltd (2 Options)

Option 1

- Iveco MP4500 met all specifications
- Cummins ISX-450 (450hp) engine, 15 litre
- Manufacturer's Base Warranty – 12 months/unlimited kilometre
- Offer 7 days a week service and parts backup

Option 2

- Iveco MP4500 met all specifications.
- Iveco Cursor (480hp) engine, 12.9 litre
- Manufacturer's Base Warranty – 12 months/unlimited kilometre
- Offer 7 days a week service and parts backup

Scania Australia

- Scania DC16 02, 480 met all specifications.
- 480hp engine, 16 litre
- 12 month/500,000 km full warranty

- 24 month/500,000 km driveline warranty

**FINANCIAL IMPLICATIONS:**

Council budgeted a changeover of \$170,000.00 for the purchase of a new prime mover, to be funded by a loan.

| Company               | Model                | Purchase Price | Trade         | Change Over    |
|-----------------------|----------------------|----------------|---------------|----------------|
| Purcher International | Iveco MP4500 (450hp) | 182,250        | 48,000        | 134,250        |
|                       | Iveco MP4500 (480hp) | 176,680        | 48,000        | 128,680        |
| Scania Australia      | Scania R164GA        | 205,154        | 40,909        | 164,245        |
| M B O'Callaghan       |                      |                | 45,455        |                |
| <b>Budget</b>         |                      | <b>210,000</b> | <b>40,000</b> | <b>170,000</b> |

All Prices GST Exclusive.

**CONSIDERATION:**

The Iveco MP4500 (450hp) is the same vehicle that our most recent Iveco purchase which has proved to be a very reliable vehicle. The Cummins engine can be easily altered to achieve higher power specifications and is expected to last considerably longer than the Iveco Cursor engine.

**VOTING REQUIREMENTS:**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council accept the tender from Purcher International for the supply of an Iveco MP4500 (450hp) for \$182,250 (GST Exclusive) and the sale of Council's Volvo FL10 for \$48,000 (GST Exclusive), being a changeover of \$134,250 (GST Exclusive).

**RESOLUTION: 2004-150**

**Moved:** McTaggart      **Seconded:** Ovens

*That Council accept the tender from Purcher International for the supply of an Iveco MP4500 (450hp) for \$182,250 (GST Exclusive) and the sale of Council's Volvo FL10 for \$48,000 (GST Exclusive), being a changeover of \$134,250 (GST Exclusive).*

**CARRIED 7/0**

## **10.4 MANAGER FINANCE AND ADMINISTRATION**

### **10.4.1 MONTHLY FINANCIAL REPORT – F8.05**

|                               |  |
|-------------------------------|--|
| <b>AUTHOR</b>                 | Dacre Alcock   |
| <b>DISCLOSURE OF INTEREST</b> | Nil  |
| <b>DATE OF REPORT</b>         | 7 September 2004   |
| <b>ATTACHMENTS</b>            | 10.4.1a Statement of Financial Position<br>10.4.1b Operating Statement – Function & Activity<br>10.4.1c Operating Statement – Nature and Type<br>10.4.1d Cash Flow Graph |

#### **SUMMARY:**

**In accordance with the Local Government (Financial Management) Regulations 1996, Regulation 34 requires that a local authority is to prepare monthly financial reports in such a form, as the local authority considers appropriate.**

#### **COMMENT:**

The form of the Monthly Financial Statements presented to Council is Statement of Financial Position, Operating Statement Function and Activity, Operating Statement Nature and Type, Cash Flow Graph and Plant Cost Recovery.

Due to computer problems the Plant Cost Recovery Report is not included. This report will be provided before Council's meeting if possible or at the next possible meeting of Council.

A copy of the remaining reports are attached for the month ended 31 August 2004.

Council can amend the form of Council's financial information as required.

#### **STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulations 1996.*

#### **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) subject to subregulation (1a), either -
    - (i) quarterly financial reports for the periods ending on 30 September, 31 December, 31 March and 30 June; or
    - (ii) triannual financial reports for the periods ending on 31 October, 28 February and 30 June,
- (1a) A local government need not prepare a quarterly or triannual report for the period ending on 30 June in any year if, before that date, the council resolves\* that such a report is not necessary.

*\*Absolute majority required.*

- (2) A monthly, quarterly or triannual 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 the council after that meeting; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- (3) A quarterly or triannual report may be presented to a local government in lieu of a monthly report.

**FINANCIAL, STRATEGIC AND POLICY IMPLICATIONS:**

Nil.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council accepts the Monthly Financial Report as presented for the period ended 31 August 2004.

**RESOLUTION: 2004-151**

**Moved:** Waite

**Seconded:** McDonald

*That Council accepts the Monthly Financial Report as presented for the period ended 31 August 2004.*

**CARRIED 7/0**

**10.4.2 POLICY 2.1.16 – LONG SERVICE AND ANNUAL LEAVE**

|                               |   |
|-------------------------------|---|
| <b>AUTHOR</b>                 | Dacre Alcock                                  |
| <b>DISCLOSURE OF INTEREST</b> | Nil   |
| <b>DATE OF REPORT</b>         | 7 September 2004                              |
| <b>ATTACHMENT</b>             | 10.4.2 Draft Policy 2.1.16 – Accrual of Leave |

**SUMMARY:**

**Council to consider a policy on Long Service and Annual Leave.**

**COMMENT:**

Council's leave liability has increased significantly in recent years. This has mainly occurred due to Council having a stable workforce. Council's Long Service Leave liability is high due to this, as once an employee reaches seven (7) years continuous employment the probability of the liability to Council reaches 100%.

However Council's leave liability would reduce if staff were required to take their leave in a certain time span.

Such is the amount of Long Service Leave due to staff that over the next three years the outside workforce will effectively be short one employee as long service leave comes due. Council may wish to employ casual staff over this period and funds from the Leave Reserve would be used to fund that extra expenditure.

**STATUTORY ENVIRONMENT:**

Local Government Officers (WA) Award 1999

Municipal Employees (WA) Award 1999

This draft policy has been reviewed by Council's Industrial Relations consultant.

**STRATEGIC & FINANCIAL IMPLICATIONS:**

Council is required to maintain cash backed reserves equal to the value of Council's current Leave Liability. A reduction in Council's Leave Liability would be financially beneficial, as the liability decreases so will the leave reserve.

**POLICY IMPLICATIONS**

Should Council adopt this policy, it will become part of Council's Policy Manual. This manual is reviewed annually in June.

**VOTING REQUIREMENT**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council adopt the Policy contained at Attachment 10.4.2 Policy 2.1.16 Accrual of Long Service Leave and Annual Leave.

**RESOLUTION: 2004-152**

**Moved:** Beswick

**Seconded:** O'Callaghan

*That Council adopt the Policy contained at Attachment 10.4.2 Policy 2.1.16 Accrual of Long Service Leave and Annual Leave.*

**CARRIED 7/0**

**Cr Stacy returned to the meeting at 4.16pm.**

#### 10.4.3 ACCOUNTS FOR PAYMENT

|                               |  |
|-------------------------------|--|
| <b>AUTHOR</b>                 | Dacre Alcock   |
| <b>DISCLOSURE OF INTEREST</b> | Nil  |
| <b>DATE OF REPORT</b>         | 9 September 2004   |
| <b>ATTACHMENT</b>             | 10.4.3 Accounts Due and Submitted To Council Meeting 15 September 2004 |

#### **SUMMARY:**

**Council approval is required for payment of accounts made within the months of August 2004 and September 2004 and to approve payments of accounts due in September 2004.**

#### **COMMENT:**

Approval is sought for the following list of payments of accounts made since Council's last meeting on 18 August 2004 and of accounts that are now due.

A list of all payments submitted for approval is contained at Attachment 10.4.3 Accounts Due and Submitted To Council Meeting on 15 September 2004.

As at 8 September 2004 accounts are on hand to the value of \$0.

#### **STATUTORY ENVIRONMENT:**

*Local Government (Financial Management) Regulations 1996*

#### **13 Lists of Accounts**

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

of that amount is to be presented to the council at the meeting referred to in subregulation (3) (a).

**FINANCIAL, POLICY & STRATEGIC IMPLICATIONS:**

There are no financial, policy or strategic implications regarding this matter.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION:**

That payments listed at Attachment 10.4.3 Accounts Due and Submitted To Council Meeting on 15 September 2004 including:

1. vouchers 14259 to 14366 and payments CEOVISA, MWSVISA, DCEOVISA, MCDVISA, PRESVISA, DD49 to DD51, T110804C to T080904L totalling \$330,645.49 from Council's Municipal Fund be authorised and passed for payment.
2. Vouchers 1942 to 1944 totaling \$740.00 from Council's Trust Fund be authorised and passed for payment.

**RESOLUTION: 2004-153**

**Moved:** Ovens

**Seconded:** McTaggart

*That payments listed at Attachment 10.4.3 Accounts Due and Submitted To Council Meeting on 15 September 2004 including:*

1. *vouchers 14259 to 14366 and payments CEOVISA, MWSVISA, DCEOVISA, MCDVISA, PRESVISA, DD49 to DD51, T110804C to T080904L totalling \$330,645.49 from Council's Municipal Fund; and*
2. *Vouchers 1942 to 1944 totaling \$740.00 from Council's Trust Fund; be authorised and passed for payment.*

**CARRIED 8/0**



**11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

Nil.

**12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:**

Nil.

**13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION:**

Nil.

**14. MATTERS BEHIND CLOSED DOORS**

Nil.

**15. DATE OF NEXT MEETING:**

Ordinary Meeting of Council  
3pm, Wednesday 20 October 2004 at the Coorow Administration Centre.

**16. CLOSURE:**

There being no further business, the President, Councillor Girando closed the meeting at 4.22pm.