

# Minutes

<b>1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:</b>	<b>2</b>
<b>2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE/DECLARATION OF INTEREST:</b>	<b>2</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:</b>	<b>2</b>
<b>4. PUBLIC QUESTION TIME:</b>	<b>2</b>
<b>5. APPLICATIONS FOR LEAVE OF ABSENCE:</b>	<b>2</b>
<b>6. PETITIONS/DEPUTATIONS/PRESENTATIONS:</b>	<b>3</b>
<b>7. CONFIRMATION OF MINUTES:</b>	<b>3</b>
7.1 ORDINARY MEETING HELD WEDNESDAY 21 NOVEMBER 2007 AT THE LEEMAN ADMINISTRATION CENTRE, LEEMAN	3
<b>8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION:</b>	<b>3</b>
<b>9. MATTERS FOR WHICH MEETING MAY BE CLOSED:</b>	<b>4</b>
<b>10. REPORTS:</b>	<b>5</b>
<b>10.1 CHIEF EXECUTIVE OFFICER:</b>	<b>5</b>
10.1.1 DRAFT DISCUSSION PAPER 2 – LOCATION OF ADMINISTRATION SERVICES OF THE SHIRE OF COOROW	5
<b>10.2 MANAGER COMMUNITY DEVELOPMENT:</b>	<b>24</b>
10.2.1 FAILURES OF LEGISLATION FOR THE CONTROL/MANAGEMENT OF ENZOOTIC DISEASE RISK	24
<b>10.3 MANAGER WORKS AND SERVICES:</b>	<b>29</b>
<b>10.4 MANAGER FINANCE AND ADMINISTRATION:</b>	<b>30</b>
10.4.1 ACCOUNTS FOR PAYMENT	30
10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – NOVEMBER 2007	35
10.4.3 PHOTOCOPIER LEASE	37
<b>11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:</b>	<b>41</b>
<b>12. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION:</b>	<b>41</b>
12.1 LATE ITEMS – APPROVAL TO CONSIDER	41
12.2 APPOINTMENT OF A CHIEF EXECUTIVE OFFICER	43
<b>13. MATTERS BEHIND CLOSED DOORS:</b>	<b>51</b>
13.1 SALE OF LOT 520 TUART STREET, LEEMAN	51
<b>14. DATE OF NEXT MEETING:</b>	<b>59</b>
14.1 PUBLIC COUNCIL FORUM	59
14.2 ORDINARY MEETING OF COUNCIL	59
<b>15. CLOSURE:</b>	<b>59</b>

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

The President, Cr Girando, welcomed those present and opened the meeting at 3.15pm.

## **2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE/DECLARATION OF INTEREST:**

Councillor M J Girando  
 Councillor A K Williams  
 Councillor M R Bothe  
 Councillor G George  
 Councillor B J McDonald  
 Councillor D B McTaggart  
 Councillor D A Rackemann  
 Councillor J K Waite

President  
 Deputy President

Mr G A Sherry  
 Mr J A Randall  
 Mr P D Gillis  
 Ms S Donohue

Chief Executive Officer  
 Manager Community Development  
 Manager Works and Services  
 Minutes Clerk

### **Leave of Absence**

Mr D J Alcock

Manager Finance and Administration

### **Declarations of Interest**

<b>Councillor/Officer</b>	<b>Item</b>	<b>Interest</b>	<b>Nature</b>
J A Randall		Proximity	In that he currently resides in the property at Lot 520 Tuart St Leeman.

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

Nil.

## **4. PUBLIC QUESTION TIME:**

Nil.

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

Cr Waite requested Leave of Absence from 15 December 2007 to 15 January 2008.

Cr Bothe requested Leave of Absence from 20 December 2007 to 20 January 2008.

**RESOLUTION:                    2007-210****Moved:** Williams                    **Seconded:** George*That Council grant:*

1. *Cr Waite Leave of Absence from 15 December 2007 to 15 January 2008; and*
2. *Cr Bothe Leave of Absence from 20 December 2007 to 20 January 2008.*

**CARRIED 8/0****6.        PETITIONS/DEPUTATIONS/PRESENTATIONS:**

Nil.

**7.        CONFIRMATION OF MINUTES:**

<b>7.1        ORDINARY MEETING HELD WEDNESDAY 21 NOVEMBER 2007 AT THE LEEMAN ADMINISTRATION CENTRE, LEEMAN</b>
--

<b>AUTHOR</b>	Gary Sherry
<b>DISCLOSURE OF INTEREST</b>	Nil
<b>DATE OF REPORT</b>	1 November 2007

**COMMENT:**

Nil.

**OFFICER RECOMMENDATION:**

That the Minutes of the Ordinary Meeting held on Wednesday 21 November 2007, at the Leeman Administration Centre, Leeman be confirmed as a true and correct record.

**RESOLUTION:                    2007-211****Moved:** Waite                    **Seconded:** Rackemann

*That the Minutes of the Ordinary Meeting held on Wednesday 21 November 2007, at the Leeman Administration Centre, Leeman 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.

The President, Cr Girando, recognized that this meeting was Chief Executive Officer, Mr Garry Sherry's last meeting with Council. Cr Girando thanked Mr Sherry for his 8 years of service with Council as Deputy Chief Executive Officer and Chief Executive Officer.

Cr Girando also recognised the service of the departing staff, Ms Robyne Porteous, Rates Officer and Mr David and Mrs Sonia Cherico, Plant Operator and Finance Officer.

Cr Girando also wished all Councillors and Staff a Merry Christmas and a happy and safe New Year.

## **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.

Items for which the meeting will be closed include:

13.1 Sale of Lot 520 Tuart Street Leeman.

**10. REPORTS:****10.1 CHIEF EXECUTIVE OFFICER:****10.1.1 DRAFT DISCUSSION PAPER 2 – LOCATION OF ADMINISTRATION SERVICES OF THE SHIRE OF COOROW**

<b>AUTHOR</b>	Gary Sherry
<b>DISCLOSURE OF INTEREST</b>	Nil
<b>DATE OF REPORT</b>	4 December 2007
<b>ATTACHMENT</b>	10.1.1 Draft Discussion Paper 2 – Location of Administration Services of the Shire of Coorow
<b>FILE</b>	A2 Administration

**SUMMARY:**

**Council consider release of draft Discussion Paper reviewing issues associated with the location of Administration Services in the Shire of Coorow.**

**BACKGROUND:**

At the April 2006 Meeting Council resolved the following:

- RESOLUTION:** 2006-067  
**Moved:** Eaton                      **Seconded:** O’Callaghan  
**That Council:**
1. prepare a Draft Strategic Plan and discussion papers to be presented at the June 2006 Ordinary Meeting of Council on the topics of:
    - a. Housing within the Shire of Coorow;
    - b. Administration Location Going Forward;
  2. prepare discussion papers to be presented at the October 2006 Ordinary Meeting of Council on the topics of:
    - a. Implications for the Shire of Coorow with the completion of Indian Ocean Drive;
    - b. Cash Reserves Strategy; and
    - c. Tidy Towns on the Coast;
  3. consider a policy to support a lesser speed limit on Indian Ocean Drive through Leeman and take actions to obtain a lesser speed limit including, but not limited to:
    - a. seek to have representatives from Main Roads WA attend a meeting of Council to explain the basis for the current speed limit;
    - b. lobby parliamentarians to implement the change;
  4. prepare a discussion paper on possible structural reforms alternatives that Council may wish to explore following the completion of the Carnamah Coorow Coastal Planning Strategy and the release of the Local Government Advisory Board’s Report into Structural Reform Local Government.

CARRIED 5/2

Council subsequently considered a released a Housing Discussion paper.

Council adopted the following after a Special Electors meeting held in Leeman on Wednesday 22 August 2007.

RESOLUTION: 2007-152  
Moved: Waite Seconded: Stacy

That in response to the decision of the Special Electors Meeting of Wednesday 22 August 2007, Council will fully consider:

1. the relocation of administration staff to the Leeman Administration Centre as part of the up coming strategic review of Council operations to ensure they are located at the most effective centre and that inefficiencies of operating dual facilities are minimised before June 2008; and
2. adopting a policy to allocate the proceeds of the future sale of any residential properties in Leeman be directed to a Council Leeman Administration Centre Reserve after reviewing the requirement for such works and alternative uses that the Community may regard more highly:
  - a. the cost of any extension works; and
  - b. alternative activities to provide additional office space in Leeman that Council and the Community may regard more highly.

CARRIED 6/2

Cr Waite requested that all votes be recorded.

Councillors Girando, Stacy, Rackemann, Waite, O'Callaghan and McDonald voted for the Motion.

Councillors Eaton and George voted against the Motion

In advertising for the position of Chief Executive Officer in November 2007, Council included the following text:

The opportunity to be involved and responsible for major change management by conducting a review of the proposal to move part or all of the Shire's administration staff from Coorow township to Leeman township on the coast.

**COMMENT:**

Included at Attachment 10.1.1 is a draft Discussion Paper that seeks to identify and explore issues relating to the location of administration services in the Shire of Coorow. In recent debates on this issue, a significant lack of understanding of the issues and Council's operations has been detected in the community. This paper seeks to redress this by providing information about Council's current operations.

It is anticipated that Council would use the Discussion Paper to promote informed debate in the community prior to Council considering the recommendations contained in the Discussion Paper prior to completing the 2008/09 Budget. This consideration of the recommendations will be guided by the community debate and Council may wish to allow for expenditure to complete further research such as;

- possible building alternatives and costing for the Leeman Administration Centre;
- the social impact of the changes to Coorow, Leeman and Green Head; or
- alternative uses for space in the Coorow Administration Centre.

It is unlikely Council will have the resources to complete this type of research and Council may wish to use an independent provider. Council may also wish to approach the Shire of Dandaragan for anecdotal advice on the issues.

**STATUTORY ENVIRONMENT:**

Nil.

**STRATEGIC IMPLICATIONS:**

Council also adopted the following key performance indicator in Council's Strategic Plan:

<b>Goal 1</b>	<b>LEADERSHIP</b>		
<b>1.1</b>	<b>Local Government Sustainability</b>	<b>Deadline</b>	<b>Responsibility</b>
1.1.5	Council review the operations to ensure they are located at the most effective centre and that inefficiencies of operating dual facilities are minimised	June 2008	CEO

**POLICY IMPLICATIONS:**

Nil at this time.

**FINANCIAL IMPLICATIONS:**

Council will incur minimal expense in publicising this discussion paper.

**PUBLIC CONSULTATION:**

The attached discussion paper provides information which will allow Council to provide some initial public consultation on this issue.

Council will be able to pursue these issues in the New Year at meetings in each of Council's communities.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council adopt the Discussion Paper included at Attachment 10.1.1 and publicise the Discussion Paper prior to further consideration of the recommendations included in the discussion paper by Council.

**RESOLUTION:                    2007-212**

**Moved:** George

**Seconded:** Waite

*That Council adopt the Discussion Paper included at Attachment 10.1.1 and publicise the Discussion Paper prior to further consideration of the recommendations included in the discussion paper by Council.*

**CARRIED 8/0**





# *Shire of Coorow*

## **Discussion Paper 2**

# **Location of Administration Services of the Shire of Coorow**

## **Contents**

1	SUMMARY OF RECOMMENDATIONS.....	3
	6.1 EXECUTIVE STAFF ACCOMMODATION REQUIREMENTS.....	3
	6.2 LOCATION OF FUTURE MEETINGS OF COUNCIL.....	4
	6.3 BENEFITS AND COSTS OF LOCATING LIBRARIES AT COUNCIL ADMINISTRATION CENTRES.....	4
	6.4 REQUIREMENTS FOR THE STORAGE OF COUNCIL RECORDS.....	4
2	INTRODUCTION.....	5
3	COUNCIL STAFF.....	5
4	COOROW ADMINISTRATION CENTRE.....	6
5	LEEMAN ADMINISTRATION CENTRE.....	8
6	STRATEGIC DIRECTIONS.....	10
	6.1 EXECUTIVE STAFF ACCOMMODATION REQUIREMENTS.....	10
	6.2 LOCATION OF FUTURE MEETINGS OF COUNCIL.....	15
	6.3 BENEFITS AND COSTS OF LOCATING LIBRARIES AT COUNCIL ADMINISTRATION CENTRES.....	16
	6.4 REQUIREMENTS FOR THE STORAGE OF COUNCIL RECORDS.....	17

1 SUMMARY OF RECOMMENDATIONS

6.1 EXECUTIVE STAFF ACCOMMODATION REQUIREMENTS

**Recommendation:**

**That Council acknowledge that to meet Council's strategic goals, the Chief Executive Officer will be increasingly engaged in activities that have a greater coastal focus.**

**Recommendation:**

**That in the medium term the Manager Finance & Administration and Finance staff operate from the same location as the Chief Executive Officer**

**Recommendation:**

**That the Manager Community Development continues to operate from the Leeman Administration Centre in the longer term.**

**Recommendation:**

**That the Manager Works & Services continues to operate from the Coorow Administration Centre in the longer term.**

**Recommendation:**

**That Council:**

- 1. not provide short term additional office accommodation in the current floor area of the Leeman Library**
- 2. in the medium term, take steps to construct additional offices and a small meeting room in the existing Leeman Administration Centre.**

**Recommendation:**

**That Council commence planning to accommodate the Chief Executive Officer, Manager Finance & Administration and Finance staff in the Leeman Administration Centre in the medium term.**

**Recommendation:**

**That Council not construct additional executive housing in Coorow.**

**Recommendation:**

**That Council analyse options for residential accommodation for the Chief Executive Officer, Manager Finance & Administration in Leeman and Green Head.**

**6.2 LOCATION OF FUTURE MEETINGS OF COUNCIL**

**Recommendation:**

**That Council continues to hold meetings of Council at Coorow in Maley Park Recreation Centre until the refurbished Coorow District Hall becomes available.**

**Recommendation:**

**That Council continues to hold ordinary meetings of Council at Leeman in the Leeman Administration Centre Library with larger meetings being held in the Leeman Recreation Centre function area.**

**Recommendation:**

**That Council continues to hold ordinary meetings of Council at Green Head in the Green Head Community Centre Library.**

**6.3 BENEFITS AND COSTS OF LOCATING LIBRARIES AT COUNCIL ADMINISTRATION CENTRES**

**Recommendation:**

**That Council retain the Coorow library in its current format.**

**6.4 REQUIREMENTS FOR THE STORAGE OF COUNCIL RECORDS**

**Recommendation:**

**That Council's records archive:**

- 1. remain in storerooms in each Administration Centres for the present; and**
- 2. move to transportable building in the longer term**

## 2 INTRODUCTION

Council operates the Coorow Administration Centre (CAC) and the Leeman Administration Centre (LAC). Much of the staff structure is based on historical requirements that are no longer present.

These two buildings are struggling to cope with Council's expanding demand and a strategic vision of the future requirements needs to be finalised to allow for future Council investment.

## 3 COUNCIL STAFF

Council's executive staff currently includes:

- Chief Executive Officer (CEO) - direct responsibilities for Governance, Compliance and Economic Development - located at CAC. Currently executive support is provided to CEO through Customer Service (CSO) at CAC.

CEO provides supervision of Community & Economic Development Officer based at LAC.

- Manager Community Development (MCD) – direct responsibilities for Council Building, Health and Planning functions - located at LAC.

Much of Council's Building, Health and Planning requirement is located in Leeman and Green Head. The MCD supervises Council's Ranger and the new Building Health Officer. Both these staff are located in the LAC.

- Manager Works & Services (MWS) - responsibilities for Council Works & Services functions including roads, parks & gardens, street maintenance - located at CAC.

The MWS is the most mobile of all executive staff, regularly being at locations across the shire to monitor staff and issues. The eastern half of the shire has the larger road network although the growing coastal towns have a growing town maintenance requirement.

Council's Coorow Depot is significantly larger than Leeman, with Council's Mechanic and Apprentice Mechanic operating from this site. Council's road crew, based in Coorow, regularly camp at Leeman to maximise operational time when working in the west of the Shire.

- Manager Finance & Administration (MFA) - responsibilities for Financial and Recreation functions - located at CAC.

All Finance staff are located at CAC although MFA supervises LAC based Customer Service Staff. Currently CAC is the only Administration Centre that could accommodate all Finance staff. It would be unwise to separate sections of the Finance and Compliance in different locations for any considerable length of time.

#### 4 COOROW ADMINISTRATION CENTRE

The Coorow Administration Centre (CAC), opened in October 1967, has traditionally been and remains the centre of operations of the Shire of Coorow. The Centre currently houses three of Council's four senior Executive Staff, CEO, MFA and MWS. Three administration staff operate from the CAC, Finance officer completing payroll and debtor operations, Rates Officer managing Council's rates and creditor operations and Customer Service Operation providing customer service and secretarial support to the Executive Staff.

Currently the CAC provides the following services/operations;

- small meetings. Council has not held a meeting in the Coorow Council chambers since May 2005. The area of the Council Chambers were not of the required size to hold a Council meeting with eight Councillors, four staff, current technology and any visitors, deputations or public in an effective or comfortable manner.
- library services
- traffic licensing services
- BankWest super-agency service;
- Council archives in storeroom;
- TV and radio rebroadcast and Council emergency communications from communication mast. The non-local government services of police communication and wireless broadband are also provided from the communications mast;
- office/meeting room accommodation for local police to visit Coorow;
- office accommodation for Shire President;
- office accommodation for the Chief Executive Officer. The staff also provide secretarial support for the CEO, particularly preparation of the Council agenda and minutes;
- office accommodation for the Manager Finance and Administration and his direct control functions including payroll, rates and debtors and creditors management;
- office accommodation for the Manager Works and Services. Other Works and Services staff operate office accommodation from the Coorow Depot building;

Council has now completed the internal refit of the Coorow Administration Centre (CAC). The refit of the CAC has the goals of

- Updating the damaged, obsolete and unsafe furniture and fittings;
- Maximise the space allocated to work areas in the CAC;
- Complete repairs to the external areas of the CAC, particularly the western breezeway which was in very poor repair;
- Refurbishment of kitchen area; and
- Creation of Presidents office.

Year	Actual Expenditure	Total Current	Total Expected
2004/05	44,144		44,144
2005/06	44,178		44,178
2006/07	45,079		45,079
2007/08		15,000	15,000
	133,401	15,000	148,401

As part of this refit out Council has redeveloped the library, reception area, staff work areas and the offices of the Manager Works & Services, Manager Finance & Administration and Chief Executive Officer. A computer/technology room was constructed at the eastern end of the building in what was a breezeway.

Council has allocated \$15,000 to complete an external paint of the CAC in 2007/08.

Future issues relating to the CAC include:

1. requirements and options for the future storage of Council records;

Council's current records archive is located in the store to the rear of the Council chambers in the CAC. This could be re-located in a transportable building, such as a sea container, in Council's depot for a cost of \$5,000. Currently this would only need to be done if an alternative use was needed for the store room.

2. provision of parking facilities at the CAC;

It is in Council's interest to keep Council vehicles in as good as condition as possible and this is not assisted by the vehicles never being parked undercover. The previous CAC parking was beneath trees and was detrimental for Council vehicles.

Whilst Council has considered various options for sighting a covered car park at the CAC, existing sewerage and trees place restrictions. The works planned for 2007/08 do not include provision for covered parking facilities.

3. painting of CAC

Council will complete an external painting of the CAC in 2007/08. This will paint new brickwork completed in 2005/06 and revitalize the remainder of the CAC exterior.

4. benefits and costs of locating the library at the Coorow Telecentre;

The Library takes up significant space in the CAC. Council may wish to utilise the space in the library by having the library relocated to the Coorow Telecentre. The Coorow Telecentre would charge about \$10,000 per annum to provide this service. It should be noted that staff enjoy carrying out the library function, although it makes up a small percentage of their work duties.

5. location of future meetings of Council in Coorow.

The CAC does not meet Council's current requirements for Council meetings because it is too small.

6. Executive Housing in Coorow

Currently Council has three executive houses in Coorow with the youngest being eight years old and the others both over twenty years old. Council's stock of executive housing is currently well below the standard of executive housing provided by neighbouring rural Councils. The construction of an executive house would then provide the existing executive residence for use by another employee.

<b>5 LEEMAN ADMINISTRATION CENTRE</b>
---------------------------------------

The Leeman Administration Centre (LAC) was opened in April 1991, to service the growing demand for Council services in the west of the Shire, particularly the towns of Leeman and Green Head. Until this time Council services had been provided by the Deputy CEO operating from his vehicle.

The LAC currently houses the senior Executive Staff MCD, Council's ranger and two Customer Service Officers, one full time and one part time. The LAC currently has one spare office utilised as a meeting room or by visiting staff.

Currently the LAC provides the following services/operations;

- Council meetings. Council holds larger public meetings and Council Meetings in the Council Library. The library is only just of sufficient size to complete this task;
- library services;
- traffic licensing services;
- Council lot file archive;
- office accommodation for the Manager Community Development and his management of Building, Health and Planning portfolios. Staff provide secretarial support to this role as well as related consultants working from the LAC from time to time;
- office accommodation for Council's ranger.

The LAC was extended to provide additional office and storage space in 2003. Minor upgrades to records storage and office furniture will improve utilisation of space.

Future issues relating to the LAC include:

1. Office Accommodation for visiting staff/Meetings

Council has allocated funds for the commencement of a further employee in the Health Building Employee in 2007. This employee will occupy the spare office/meeting room used to occupy visiting staff.

Council have identified the desire to have executive staff operate from both Administration Centres from time to time. Once the new employee commences this will not be able to occur as effectively.

Staff currently conduct small meetings in the visiting office. This will also not be able to occur and Council can expect the library to be closed more often.

2. Office Accommodation for additional staff

With the employment of the additional staff member in September/October 2007, the LAC will have effectively again reached capacity.

A short term solution could be to separate a section of a section of the library area by constructing a partition wall in the Library. This would still allow the Library to operate and provide space for two offices. Council would be required to meet at an alternative venue, probably the Leeman Recreation Centre. To set up this scenario would cost in the region of \$25,000.

3. provision of parking facilities at the CAC;

It is in Council's interest to keep Council vehicles in as good as condition as possible and this is not assisted by the vehicles never being parked undercover. The current LAC parking is beneath trees and is detrimental for Council vehicles.



## 6 STRATEGIC DIRECTIONS

### 6.1 EXECUTIVE STAFF ACCOMMODATION REQUIREMENTS

The accommodation of Executive staff in a location depends on the following criteria:

1. The workload of Executive Staff in the immediate area;
2. The requirements for staff supervision by Executive Staff in a location;
3. The availability of Office Accommodation in the Administration Centres; and
4. The availability of housing for Executive Staff.

#### 1. The Workload of Executive Staff in the Immediate Area

While it is possible using modern technology to conduct work using remote offices the ability to be on site does still provide advantages. Travel, particularly in the Shire of Coorow where mobile telephone coverage is not strong, is dead time when not a lot of work can be completed.

Increasingly the workload of the Chief Executive Officer will also have a coastal focus. Key aspects of the strategic direction of Council:

- Lobbying for the provision of public infrastructure;
- Moving to make the available residential land for future development;
- actively encouraging the development of facilities and services by others; and
- assisting and lobbying the development within the shire of new industries such as tourism and power generation;

involve activities that are more linked to the coastal region of the Shire of Coorow.

Similarly, Council should recognise that in time the coastal population will grow with the continued development of residential land. Council, and the majority of Council's ratepayers, will increasingly expect that Council will locate its administrative centre close to largest population centres.

The location of the Chief Executive Officer at the LAC will not change the CEO's requirement for travel. The requirement of the CEO to attend meetings in neighbouring towns and Coorow will still involve extensive travel. However the LAC is closer to Geraldton, a similar distance from Mingenew, Mullewa, but further from Three Springs, Perenjori, Carnamah and Moora. Significantly the CEO will be able to have a greater role in Council and community meetings in Leeman, Green Head and Jurien Bay.

Distance will still be a factor in the management of the Shire of Coorow. Certainly a working relationship between a president and Chief Executive Officer would be difficult if located at separate ends of the Shire.

The Chief Executive Officer and the Manager of Finance & Administration work particularly closely together in completing the key planning and administration of the Shire of Coorow. Examples of such close cooperation include the preparation and publication of the:

- annual Council budget;
- annual financial statements, audit and Annual Report;
- Plan for the Future of the District;
- Statutory compliance return;

Therefore in the medium term, it is in Council's interest to locate the Chief Executive Officer and Manager Finance & Administration at a similar location.

It is important to remember that while the Manager Finance & Administration and the finance staff could work from the LAC, Council would still need to maintain two full time staff at the CAC to provide Council's BankWest Agency service. Therefore in moving finance positions to the LAC, only one position currently based at the CAC would disappear, although the job description of all positions would change. At the LAC two full time positions would be created and one part time position would, although all position description and job duties would change.

Therefore with the transfer of the CEO, MFA and finance staff, although jobs would relocate

While certainly not all the workload of the MCD, Council's Planning, Building and Health portfolios, is largely located in the coastal location adjacent to the LAC.

The ability to inspect of buildings, being able to discuss planning applications on site and an understanding strategic planning issues would recommend that the MCD operate from the LAC in the longer term. The MCD would need to be mobile to service the eastern section of the Shire with visits to the CAC as required.

**Recommendation:**

**That Council acknowledge that to meet Council's strategic goals, the Chief Executive Officer will be increasingly engaged in activities that have a greater coastal focus.**

**Recommendation:**

**That in the medium term the Manager Finance & Administration and Finance staff operate from the same location as the Chief Executive Officer**

**Recommendation:**

**That the Manager Community Development continues to operate from the Leeman Administration Centre in the longer term.**

2. The Requirements for Staff Supervision by Executive Staff in a Location

The requirements of staff supervision requires a regular presence by Executive Staff. With diverse requirements there is no substitute for monitoring staff like being regularly on site. The requirement to supervise staff operating in a range of different locations means the MWS is the most mobile of all executive staff.

Council's Coorow Depot is significantly larger than Leeman, with Council's Mechanic and Apprentice Mechanic operating from this site. All of Council's significant maintenance is conducted from this site, with only regular or minor maintenance being conducted remotely.

Council's Works Supervisor and Road Crew of seven employees is based in Coorow but work across the Shire. Council maintains a number of Council houses to permit this. The Road Crew do regularly camp at Leeman to maximise operational time when working in the west of the Shire.

Some road maintenance staff and equipment could be located at a coastal location to maximise road maintenance grading in the western half of the Shire. These staff would also need to operate from Coorow on occasions.

Council's town maintenance crews include three employees based in Leeman and one in Coorow. There is obviously a growing requirement for services in Leeman and Council has restructured the requirement for services at waste disposal sites.

The MWS works across the shire and will need to be increasingly mobile. However given that the majority of Works staff are located in Coorow, to allow competent supervision, the MWS should also be based in Coorow.

**Recommendation:**

**That the Manager Works & Services continues to operate from the Coorow Administration Centre in the longer term.**

3. The Availability of Office Accommodation in the Administration Centres

Currently there is little opportunity for increased accommodation in either the CAC or LAC. While there is little need for increased accommodation in the CAC with the employment of a new staff member to be based in Leeman, Council has an immediate requirement for an office for visiting executive staff in the LAC.

A short term solution to increase accommodation would be to separate a section of a section of the library area by constructing a partition wall in the Library. This would still allow the Library to operate and provide space for two offices or a meeting space. Such works would restrict the operation of the Leeman Library to some degree and Council would be required to meet at an alternative venue, probably the Leeman Recreation Centre. To set up this scenario would cost in the region of \$25,000

Alternative short term solutions include the possibility of using office space in the Leeman Recreation Centre or hiring space at the Leeman Telecentre. These options would not be preferred.

Alternative accommodation increases would require significant expansion of the current LAC. Such a construction project would be extensive and costs could be expected to reach at \$250,000. Such a project to increase office floor space

in a northerly and westerly direction would need to provide a meeting room and at least four new offices.

A drawback of such extension projects are that offices become poorly planned “rabbit warrens” and architectural services should be obtained prior to construction to limit this effect.

**Recommendation:**

**That Council:**

- 1. not provide short term additional office accommodation in the current floor area of the Leeman Library**
- 2. in the medium term, take steps to construct additional offices and a small meeting room in the existing Leeman Administration Centre.**

**Recommendation**

**That Council commence planning to accommodate the Chief Executive Officer, Manager Finance & Administration and Finance staff in the Leeman Administration Centre in the medium term.**

4. The Availability of Housing for Executive Staff

Currently Council has three executive houses in Coorow with the most modern being nine years old and the others both over twenty five years old. Council’s stock of executive housing in Coorow is well below the standard of executive housing provided by neighbouring rural Councils. This is not a current issue for Council, but will arise when Council seeks to source new executive staff to be located in Coorow.

Unlike the coastal towns, Council is not able to source housing in Coorow from the private rental market. Council would be able to lease a range of housing for staff in Leeman and Green Head in the private market. The attraction of being able to purchase housing in Leeman or Green Head may be an attraction to staff operating from the coast.

Council has a requirement for staff housing of an improved standard for Council’s other staff located in Coorow. Constructing new executive housing in Coorow or relocating executive staff to the coast would provide additional and improved housing for Works Staff in Coorow.

Given Council’s recent experience in sourcing more moderate staff housing the construction of an executive house in Coorow could be expected to cost in the region of \$450,000 to \$500,000. This cost would be prohibitive when Council could access alternative rental/leased housing in Leeman or Green Head.

The cost of providing housing, particularly executive standard housing, in Coorow will increasingly make the option of constructing additional office accommodation at the LAC a more appropriate alternative. The requirement for expenditure to provide additional accommodation would cost some \$25,000 in the short term to accommodate the MFA and one finance staff and \$250,000 to accommodate the CEO and all finance staff.

**Recommendation:**

**That Council not construct additional executive housing in Coorow.**

**Recommendation:**

**That Council analyse options for residential accommodation for the Chief Executive Officer, Manager Finance & Administration in Leeman and Green Head.**

**6.2 LOCATION OF FUTURE MEETINGS OF COUNCIL**

Council currently uses four different venues for formal meetings. Council holds its own meetings in Coorow at the Maley Park Recreation Centre, in Leeman in the Library at the LAC and in Green Head at the Green Head Community Centre. Council also hosts meetings of the Wildflower Country Regional Council at the Leeman Recreation Centre. Since none of these venues are dedicated Council chambers, they have shortcomings in hosting meetings.

Council identified the strategic requirement to hold meetings within all of our communities and staff are now adept at packaging requirements for meetings for transportation to various locations. The installation of wireless broadband into our communities will assist in the ease of holding meetings in different locations.

**Recommendation:**

**That Council continues to hold meetings of Council in different venues in the communities across the Shire of Coorow.**

Coorow

Extensions to the CAC have been investigated but were considered too expensive. In 2006/07 Council converted the existing chambers to office accommodation.

Maley Park is far from a perfect meeting venue. Problems with this space for holding Council meetings include the shared use of the facility with the wider community, problems with heating, light and noise. However the space is large enough to hold Council meetings with visitors and other functions and ceremonies such as citizenship and the toilet and kitchen facilities are excellent.

Alternatively the soon to be refurbished Coorow District Hall could also satisfy Council's requirements for meeting facilities. The main body of the hall will, after the refurbishment, be a large space that is air-conditioned and heated, with some carpet, private, connected to wireless broadband and near to toilets and the CAC.

**Recommendation:**

**That Council continues to hold meetings of Council at Coorow in Maley Park Recreation Centre until the refurbished Coorow District Hall becomes available.**

Leeman

The LAC library is sufficiently large to adequately hold meetings of Council in some comfort. There is insufficient space for many visitors and citizenship ceremonies are

very crowded. Toilet and kitchen facilities are adequate, but there is insufficient room to improve the standard of furniture and facilities past what is currently provided.

The larger Wildflower Country Regional Council Meetings are too large for the LAC library and Council will hold these meetings in the Leeman Recreation Centre function area. This area has little furniture or kitchen facilities, is not air-conditioned and the toilet facilities are some distance from the function area.

**Recommendation:**

**That Council continues to hold ordinary meetings of Council at Leeman in the Leeman Administration Centre Library with larger meetings being held in the Leeman Recreation Centre function area.**

Green Head

The Green Head Community centre is a good sized meeting area with excellent kitchen and toilet amenities. There is some minor conflict with other users of this public space, the building would need a wireless broadband connection and the furniture is not suited to longer meetings.

**Recommendation:**

**That Council continues to hold ordinary meetings of Council at Green Head in the Green Head Community Centre Library.**

**6.3 BENEFITS AND COSTS OF LOCATING LIBRARIES AT COUNCIL ADMINISTRATION CENTRES**

Council provides a WA State Library service in the three communities of Coorow, Leeman and Green Head. The Leeman and Coorow library service is provided from Council's LAC and CAC by Council staff and operates during normal office hours. The Green Head library service is operated by community volunteers who operate three times per week for a total of six hours.

The service is not widely used in our communities, but for those people who do use the service, it is particularly valued. In general terms the library service caters to largely the older and to the families with pre-school aged children in our community.

The library service operated from Council's CAC and LAC is not particularly demanding on staff time or Council resources. Each library completes a monthly exchange of books which require six hours of uninterrupted staff time. The library service is particularly popular with Council's administration staff. They form strong relationships with the users and take pride in the appearance and service provided by their library.

Council does not invest or expend significantly in the library service. Council has allocated funds in 2007/08 to computerize the book lending system in each library. This is estimated to cost up to \$2,000 for each library for software and hardware to install. Currently Council is one of the few remaining library services without an automated lending system.

The one area that the library services are particular demanding of Council investment is in the space required to operate. A significant area in the LAC and CAC are devoted to the library service.

Local governments have outsourced their library services to capitalize on space within their offices. There are 21 examples statewide of Telecentres providing library services for a financial contribution to the Telecentre for the local government, including Cunderdin, Goomalling, Dowerin, Kellerberrin, Pingelly, Williams and Wongan Hills. Another example is the joint venture between the Education Department exist in the Shire of Boddington. Under this arrangement, the Shire of Boddington provides staff, the Education department provide the site and the resources of the two libraries, school and Council, are joined.

The Coorow Telecentre Committee have enquired about Council's position in providing library services. Council has indicated that at this time Council has not wished to pursue the matter. The Leeman Telecentre is probably not in a position, space wise, to host a Council library.

**Recommendation:**

**That Council retain the Coorow library in its current format.**

<b>6.4 REQUIREMENTS FOR THE STORAGE OF COUNCIL RECORDS</b>
--

Council currently holds most records in storage inside the CAC and LAC. This could be re-located in a transportable building, such as a sea container, in Council's depot for a cost of \$5,000. Currently this would only need to be done if an alternative use was needed for the store rooms. Such a transportable could be moved to alternative locations should there be a requirement to do so.

**Recommendation:**

**Council's records archive:**

- 1. remain in storerooms in each Administration Centres for the present; and**
- 2. move to transportable building in the longer term**

## **10.2 MANAGER COMMUNITY DEVELOPMENT:**

### **10.2.1 FAILURES OF LEGISLATION FOR THE CONTROL/MANAGEMENT OF ENZOOTIC DISEASE RISK**

<b>AUTHOR</b>	John Randall
<b>DISCLOSURE OF INTEREST</b>	Nil.
<b>DATE OF REPORT</b>	6 December 2007
<b>FILE</b>	A17/R21

#### **SUMMARY:**

**Council is to consider approaching the Minister of Health and the Minister of Agriculture & Food to advise of the lack of legislative coverage requiring an appropriate level of responsibility on the owner of stock to prevent or take appropriate measures to prevent stock from being exposed to risk that could result in an outbreak of disease of significance to the livestock industry and human health.**

#### **BACKGROUND:**

A number of issues relating to the approach taken by the Department of Agriculture and Food in dealing with the straying of pigs onto the Coorow Refuse Site have identified weaknesses in current legislation requiring that the owners of stock take an appropriate level of direct responsibility for ensuring that they do not expose their animals to risk of exposure to enzootic diseases and pathogens of importance in the human food chain.

Council support is sought to take this matter up with the Minister of Health and the Minister of Agriculture & Food. This action is required, because despite attempts by staff to have the Department of Agriculture and Food accept or even acknowledge that such a problem may exist, has failed.

The current legislative position in this state is that it is illegal to feed swill (food scrap) to pigs, but it is not illegal by acts of commission or omission to allow pigs to have access to swill or carrion within a farm paddock. The Department of Agriculture and Food seems to indicate that this level of control is adequate.

Council should note that the prohibition on feeding swill to pigs in place is because, where meat scraps are involved and that meat is sourced from overseas, there is a risk of exposure of the animal to a number of enzootic diseases, foot and mouth in particular. In addition there is potential exposure of the animal to a number of diseases that may be of importance to the human food chain.

The ongoing position represented by the Department of Agriculture and Food to Council, the industry is that current legislation is adequate because alternative legislation exists at a Local Government level to deal with straying stock, and Council under its licence with the Department of Environment and Conservation (DEC) is required to fence the tip workings.



Council staff have continuously represented to the Department of Agriculture and Food that the primary responsibility, in this matter should rest, with the owner/keeper of the stock to keep and take all reasonable measures to prevent his stock from being exposed to risk. Whereas the Department of Agriculture and Food does not, or can not, accept this position and as far as I can ascertain has taken no action to ensure legislation is in place to apply an appropriate level of responsibility on the owner/keeper of the stock.

The responsibility on the owner of stock should extend to reporting risk exposures where they may occur, taking appropriate actions to ensure that stock that have been exposed to a disease risk are appropriately managed to quarantine and otherwise managing the exposed stock from extending the risk to other stock and the human food chain.

Many communications, initially verbally, and then in the form of e-mail with Department of Agriculture and Food, with the DEC included as recipient, have been entered into on this matter without what I would consider appropriate response on a matter of such importance.

In researching this issue I have established that the weakness in Western Australian Legislation does not exist to the same level in other states.

In Queensland appropriate legislation exists to control this matter in relation to all stock:

Queensland Stock Act - Section 39A

A person shall not feed, **or allow stock to feed on** any thing the persons knows or ought to reasonably know, has the potential to cause the stock to become infected with an enzootic disease

I would assume the phrase "**allow stock to feed on**" places a higher level of responsibility on the stock owner to ensure that his fencing was stock proof when located near a refuse site.

Incidentally the legislation quoted is also general in its application and addresses matters that could relate to the risk of Mad Cow Disease and not just restricted to the feeding of pigs swill. Mad Cow Disease risk could result from allowing cattle access to dog kibble or similar product.

#### **COMMENT:**

Without appropriate legislative onus on the owner of stock the industry the consumer is not afforded the level of protection that is appropriate and that they should be able to expect.

Staff take the position that the sample Queensland legislation quoted above does not go far enough in that it should also include consideration of human health requirements in the case of food animals and also include other obligations as follows:

- Where the owner of stock becomes aware that his stock has become exposed to or potentially has fed on material that he ought to reasonably know has the potential to cause the stock to become infected with an enzootic disease or in the case of food animals, a disease of human health significance, the owner of the

stock shall report such instances to appropriate authorities. Appropriate penalties to be identified for failure to report.

- The owner of stock shall take all actions that are stipulated by the authority to which he has reported the incident of exposure of his stock to enzootic disease or in the case of food animals a disease of human health significance. Appropriate penalties should apply for non-compliance with appropriate direction. Such action can be holding stock in some level of quarantine for an appropriate period or the slaughter of stock within a given time frame or other such action as is assessed given the level of assessed risk resulting from the exposure.

Of course, any legislative approach at this level would require careful consideration to allow appropriate defences, such as where exposure to risk is beyond the control of the owner of the stock, but the reporting action, and response to requirements issued as a result of report should be required without exception.

### **CONSIDERATION:**

It is my firm belief that if the industry is to receive the level of protection that it seeks with regard to enzootic disease and the health of the community is to be protected, it is appropriate that such levels of onus be placed on the owner of stock.

The fact that the Department of Agriculture and Food does not seem to wish to debate the issue, and is unwilling to even provide written confirmation that there is weakness in existing legislative controls and it will consider addressing the same, is bewildering at best.

Certainly, I have sufficient commitment to the issues concerned to continue to follow them up as a member of the community, even if Council does not accept the position reflected in this report.

### **STATUTORY ENVIRONMENT:**

There is no legislation to put appropriate onus on the owner of stock to prevent them being exposed to enzootic disease risk or in the case of food animals, a disease of human health significance.

### **FINANCIAL IMPLICATIONS:**

Nil.

### **POLICY IMPLICATION:**

The matter has been pursued with the Department of Agriculture and Food to this point with the belief that as Council's Environmental Health Officer I have responsibilities to ensure that issues of general community health interest are pursued, and on other levels I have duty to Council to ensure that it does not suffer adverse consequences from the inappropriate application of legislation by others.

**STRATEGIC IMPLICATIONS:**

Unless the Department of Agriculture and Food or somebody on their behalf takes appropriate steps to ensure legislative controls are in place to address the issues outlined in this report, the interest of the livestock industry and the community at large will not be appropriately protected.

**VOTING REQUIREMENTS:**

Simple Majority.

**OFFICER RECOMMENDATION:**

That Council advise the Minister for Health and the Minister for Agriculture and Food:

- a) of Council's concern that there appears to be no legislation applying an appropriate level of onus on the owner of stock to prevent that stock from being exposed to enzootic disease or, in the case of food animals, a disease of human health significance;
- b) that in such legislation it would be appropriate to include obligation on the owner of stock to report to appropriate authorities any exposure to such risk and take all steps required to prevent other stock being exposed to such risk such as pigs accessing farm tips or eating carrion in paddocks and from cattle eating dog kibble; and
- c) that such controls will enable an appropriate authority to act directly against the owner of stock where serial neglect is exhibited rather than seeking control of risk on important animal and human health risks through oblique means and through unrelated legislation.

**RESOLUTION:                      2007-213**

**Moved:** Waite

**Seconded:** Williams

*That Council advise the Minister for Health and the Minister for Agriculture and Food:*

- a) *of Council's concern that there appears to be no legislation applying an appropriate level of onus on the owner of stock to prevent that stock from being exposed to enzootic disease or, in the case of food animals, a disease of human health significance;*
- b) *that in such legislation it would be appropriate to include obligation on the owner of stock to report to appropriate authorities any exposure to such risk and take all steps required to prevent other stock being exposed to such risk such as pigs accessing farm tips or eating carrion in paddocks and from cattle eating dog kibble; and*

- c) *that such controls will enable an appropriate authority to act directly against the owner of stock where serial neglect is exhibited rather than seeking control of risk on important animal and human health risks through oblique means and through unrelated legislation.*

**CARRIED 8/0**

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

Nil.

## **10.4 MANAGER FINANCE AND ADMINISTRATION:**

### **10.4.1 ACCOUNTS FOR PAYMENT**

<b>AUTHOR</b>	Dacre Alcock
<b>DISCLOSURE OF INTEREST</b>	Nil
<b>DATE OF REPORT</b>	1 December 2007
<b>ATTACHMENT</b>	10.4.1 Accounts Due and Submitted To Council Meeting 12 December 2007

#### **SUMMARY:**

**Council approval is required for payment of accounts made within the months of November 2007 and December 2007 and to approve payments of accounts due in December 2007.**

#### **COMMENT:**

Approval is sought for the following list of payments of accounts made since Council's last meeting on 21 November 2007 and of accounts that are now due.

A list of all payments submitted for approval is contained at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 12 December 2007.

#### **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;

**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 10.4.1 Accounts Due and Submitted to Council Meeting on 12 December 2007 including:

1. EFT712 to EFT765, Vouchers 17525 to 17526, 17540 to 17546, 17548 to 17565 DD71121107 to DD72291107 PRES, MFA, CEO, MCD, MWS VISA CARDS totalling \$451,388.77 from Council's Municipal Fund; and
2. Vouchers 52 to 54 totalling \$1,819.65 from Council's Trust Fund; be authorised and passed for payment.

**RESOLUTION:                      2007-214**

**Moved:** McTaggart                      **Seconded:** George

*That payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 12 December 2007 including:*

1. *EFT712 to EFT765, Vouchers 17525 to 17526, 17540 to 17546, 17548 to 17565 DD71121107 to DD72291107 PRES, MFA, CEO, MCD, MWS VISA CARDS totalling \$451,388.77 from Council's Municipal Fund; and*
2. *Vouchers 52 to 54 totalling \$1,819.65 from Council's Trust Fund; be authorised and passed for payment.*

**CARRIED 8/0**

No	Name	Description	Trust	Municipal	Total
52	BCITF	BCITF LEVY REFUND	1,293.25		1,293.25
53	SHIRE OF COOROW	BCITF TRANSACTION FEES	26.40		26.40
54	GREGORY JOHN TOBIN	KERBING DEPOSIT REFUND	500.00		500.00
EFT712	GIRANDO SJ& MJ	EMPLOYEE HOUSE		95,634.00	95,634.00
EFT713	IE & HR HUNT	EMPLOYEE RENTAL		1,200.00	1,200.00
EFT714	MOORA HOME FURNISHINGS	CARPET HALL		2,926.60	2,926.60
EFT715	GIRANDO SJ& MJ	CHANGEROOM CONSTRUCT		109,175.00	109,175.00
EFT716	AMA SERVICES (WA) PTY LTD	MEDICAL CENTRE EXPENSE		59.54	59.54
EFT717	AUSSIE TREE SERVICES	TREE LOPPING		5,830.00	5,830.00
EFT718	BLACKWOODS ATKINS	PARTS		361.40	361.40
EFT719	BILLEROO NOMINEES PTY LTD	TYRE REPAIR		27.50	27.50
EFT720	BOC GASES	CONTAINER SERVICE		161.07	161.07
EFT721	BOUNCE AWAY	COOROW XMAS TREE		1,799.00	1,799.00
EFT722	BT EQUIPMENT	PARTS AND LABOUR		529.38	529.38
EFT723	COOROW ROADHOUSE	FUEL AND REFRESHMENTS		170.00	170.00
EFT724	COURIER AUSTRALIA	COURIER COSTS		466.83	466.83
EFT725	COVENTRY GROUP LTD	SUNDRY MATERIAL		1,096.61	1,096.61
EFT726	CJD EQUIPMENT PTY LTD	PARTS		233.72	233.72
EFT727	COOROW HOTEL	COUNCILLOR FUNCTION		2,409.10	2,409.10
EFT728	DRUMMOND JOE ELECTRICS	POWER-CLIFF PARK		495.00	495.00
EFT729	DR Y INOUE	SURGERY EXPENSES		6,507.81	6,507.81
EFT730	DEC	LICENCE COASTAL TIP		1,108.24	1,108.24
EFT731	FARMWORKS	HARDWARE ITEMS		467.49	467.49
EFT732	GREEN HEAD PLUMBING	REPAIRS		216.15	216.15
EFT733	GERALDTON TV & RADIO	REPAIR TO TRANSCEIVER		542.30	542.30
EFT734	GREENHEAD OUTDOOR SERVICES	MEMORIAL EARTH WORKS		3,190.00	3,190.00
EFT735	HERSEY JR & A PTY LTD	DEPOT STORES		1,318.42	1,318.42
EFT736	IMAGE EMBROIDERY	UNIFORMS POOL MANAGER		116.60	116.60
EFT737	ITT FLYGT LIMITED	GRUNDFOS GUIDE RAIL		420.42	420.42
EFT738	LEEMAN HARDWARE	ERECTION OF GAZEBO		6,726.34	6,726.34
EFT739	LANDMARK	FENCING GEAR		1,057.72	1,057.72
EFT740	ML COMMUNICATIONS	PHONE RENTAL		246.25	246.25
EFT741	MIDVALE DISCOUNT TYRES	TYRES		16,230.00	16,230.00
EFT742	NORTH MIDLANDS MOTORS	SERVICE AIR CONS		3,661.70	3,661.70
EFT743	O'BRIEN M & S	EXCESS ON INSURANCE		600.00	600.00
EFT744	OFFICEWORKS BUSINESS DIRECT	STATIONARY		222.87	222.87
EFT745	PEERLESS JAL PTY LTD	CLEANING MATERIALS		74.03	74.03
EFT746	PERRELLA AUTO ELECTRICS	ALTERNATOR		379.50	379.50
EFT747	PURCHER-INTERNATIONAL	PARTS		798.75	798.75
EFT748	PAPER PLUS OFFICE NATIONAL	STATIONARY		177.48	177.48
EFT749	RBC-RURAL	METER PLAN		234.27	234.27
EFT750	RICOH FINANCE	COPIER LEASE		968.77	968.77
EFT751	SNAG ISLAND ROADHOUSE	POSTAGE		39.80	39.80
EFT752	SEASIDE SUPPLIES	REFRESHMENTS		74.42	74.42
EFT753	STAR TRACK EXPRESS	FREIGHT		1,069.16	1,069.16
EFT754	RELIANCE PETROLEUM	DIESEL		9,138.24	9,138.24



No	Name	Description	Trust	Municipal	Total
EFT755	SEASIDE SUPPLIES LEEMAN -	FREIGHT CHARGES		83.93	83.93
EFT756	TRUCKLINE	PARTS		268.40	268.40
EFT757	VALUER GENERAL'S OFFICE	MINING TENEMENT CHARGE		42.80	42.80
EFT758	VISIMAX	BUSH FIRE PERMIT BOOK		110.30	110.30
EFT759	WALGA	ELECTION ADVERTISING		2,388.79	2,388.79
EFT760	WALTONS STORES	PARTS		305.94	305.94
EFT761	WESTRAC EQUIPMENT	PARTS		1,355.82	1,355.82
EFT762	WINCHESTER INDUSTRIES	WASHED STONE		19,844.33	19,844.33
EFT763	W A TREASURY CORPORATION	LOAN PAYMENTS		41,739.16	41,739.16
EFT764	WESTERN POWER	CLIFF PARK POWER		500.00	500.00
EFT765	WCRC	UNIQCO PLANT REVIEW		3,542.00	3,542.00
17525	SHIRE OF COOROW	PETTY CASH RECOUP		153.75	153.75
17526	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		200.00	200.00
17540	CUSTOM QUIP ENGINEERING	2007 TANDEM AXLE DOLLY		19,184.00	19,184.00
17541	SHIRE OF COOROW	VEHICLE LICENSES		799.80	799.80
17542	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		210.00	210.00
17543	PAYROLL DEDUCTION - SUPER	SPUPER CONTRIBUTIONS		22,508.72	22,508.72
17544	PAYROLL DEDUCTION - CSA	PAYROLL DEDUCTIONS		608.06	608.06
17545	ST JOHN AMBULANCE AUSTRALIA	DONATION		1,000.00	1,000.00
17546	GREGORY JOHN TOBIN	CROSS OVER SUBSIDY		150.00	150.00
17548	COOROW TELECENTRE	PHONE BOOKS		10.00	10.00
17549	JOHN COPE	CLEANING		66.00	66.00
17550	DPI	ANNUAL JETTY LICENCE		30.00	30.00
17551	GRAHAM WILLIAM EATON	MEETING FEES		240.00	240.00
17552	FITZGERALD STRATEGIES	RECRUITMENT OF CEO		4,499.99	4,499.99
17553	FRANK GILMOUR PEST CONTROL	PEST INSPECTION/TREATMENT		5,892.00	5,892.00
17554	GREEN HEAD COMMUNITY CENTRE	CLEANING		100.00	100.00
17555	GERALDTON FLORAL STUDIO	GH MEMORIAL OPENING		160.00	160.00
17556	LEEMAN PRIMARY SCHOOL	DONATION		100.00	100.00
17557	OCALLAGHAN BETTY	MEETING FEES		180.00	180.00
17558	PAULS SALES & SERVICE	PARTS		277.20	277.20
17559	PORTER W & E	COOROW XMAS TREE		900.00	900.00
17560	SHIRE OF CARNAMAH	WINCHESTER CEMETARY FEES		1,594.30	1,594.30
17561	STACY JOHN	TRAVEL FEES		171.86	171.86
17562	SYNERGY	ELECTRICITY SUPPLY		5,342.90	5,342.90
17563	SUNNY BRUSHWARE SUPPLIES	TRACTOR BROOMS		3,577.20	3,577.20
17564	TELSTRA	TELEPHONE		20.00	20.00
17565	RSL	POPIES GH MEMORIAL		22.50	22.50
71091107	TRANSPORT DEPT OF	TRANS LICENSING		851.25	851.25
71121107	TRANSPORT DEPT OF	TRANS LICENSING		91.45	91.45
71131107	TRANSPORT DEPT OF	TRANS LICENSING		554.75	554.75
71141107	TRANSPORT DEPT OF	TRANS LICENSING		777.65	777.65
71151107	TRANSPORT DEPT OF	TRANS LICENSING		419.40	419.40
71161107	TRANSPORT DEPT OF	TRANS LICENSING		856.90	856.90
71191107	TRANSPORT DEPT OF	TRANS LICENSING		969.70	969.70
71201107	TRANSPORT DEPT OF	TRANS LICENSING		1,325.45	1,325.45

No	Name	Description	Trust	Municipal	Total
71211107	TRANSPORT DEPT OF	TRANS LICENSING		2,523.65	2,523.65
71221107	TRANSPORT DEPT OF	TRANS LICENSING		555.95	555.95
71231107	TRANSPORT DEPT OF	TRANS LICENSING		326.30	326.30
71261107	TRANSPORT DEPT OF	TRANS LICENSING		198.80	198.80
71271107	TRANSPORT DEPT OF	TRANS LICENSING		941.05	941.05
71281107	TRANSPORT DEPT OF	TRANS LICENSING		151.00	151.00
71291107	TRANSPORT DEPT OF	TRANS LICENSING		46.65	46.65
71301107	TRANSPORT DEPT OF	TRANS LICENSING		799.80	799.80
72081107	TRANSPORT DEPT OF	TRANS LICENSING		2,533.35	2,533.35
72091107	TRANSPORT DEPT OF	TRANS LICENSING		1,100.15	1,100.15
72121107	TRANSPORT DEPT OF	TRANS LICENSING		1,294.65	1,294.65
72131107	TRANSPORT DEPT OF	TRANS LICENSING		475.95	475.95
72131107	TRANSPORT DEPT OF	TRANS LICENSING		324.05	324.05
72141107	TRANSPORT DEPT OF	TRANS LICENSING		774.45	774.45
72151107	TRANSPORT DEPT OF	TRANS LICENSING		722.30	722.30
72161107	TRANSPORT DEPT OF	TRANS LICENSING		1,058.15	1,058.15
72191107	TRANSPORT DEPT OF	TRANS LICENSING		2,668.40	2,668.40
72201107	TRANSPORT DEPT OF	TRANS LICENSING		1,626.90	1,626.90
72211107	TRANSPORT DEPT OF	TRANS LICENSING		685.45	685.45
72221107	TRANSPORT DEPT OF	TRANS LICENSING		4,243.15	4,243.15
72231107	TRANSPORT DEPT OF	TRANS LICENSING		536.55	536.55
72261107	TRANSPORT DEPT OF	TRANS LICENSING		1,417.75	1,417.75
72271107	TRANSPORT DEPT OF	TRANS LICENSING		1,057.65	1,057.65
72281107	TRANSPORT DEPT OF	TRANS LICENSING		105.50	105.50
72291107	TRANSPORT DEPT OF	TRANS LICENSING		710.50	710.50
92301107	BANKWEST	CEO VISA CARD PURCHASES		97.45	97.45
93301107	BANKWEST	MFA VISA CARD PURCHASES		529.30	529.30
94301107	BANKWEST	MCD VISA CARD PURCHASES		241.10	241.10
95301107	BANKWEST	MWS VISA CARD PURCHASES		1,455.04	1,455.04
			1,819.65	451,388.77	453,208.42

## 10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – NOVEMBER 2007

<b>AUTHOR</b>	Dacre Alcock
<b>DISCLOSURE OF INTEREST</b>	Nil
<b>DATE OF REPORT</b>	1 December
<b>ATTACHMENT</b>	10.4.2 Statement of Financial Activity to 30 November 2007
<b>FILE</b>	F8.06 – Finance - 2007/08

### **SUMMARY:**

**In accordance with the Local Government (Financial Management) Regulations 1996, regulation 34 stipulates that a local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month.**

### **COMMENT:**

The form of the Monthly Financial Statements presented to Council is a Statement of Financial Activity, which also includes supplementary information including an Operating Statement Function and Activity, Balance Sheet, Cash Flow Graph and Plant Cost Recovery Report. A copy of the Statement of Financial Activity for the month ended 30 November 2007 is included at Attachment 10.4.2 for Councillor's information.

Council is required to prepare the Statement of Financial Activity as per Local Government (FM) Reg 36, but can resolve to have supplementary information included 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 each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of the month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
  - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;

- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) according to nature and type classification;
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be -
- (a) presented to the council -
    - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
    - (ii) if the statement is not prepared in time to present it to the meeting referred to in 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.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

**FINANCIAL, STRATEGIC AND POLICY IMPLICATIONS:**

Nil.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the period ended 31 November 2007.

**RESOLUTION:                      2007-215**

***Moved:* Rackemann                      *Seconded:* Bothe**

*That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the period ended 31 November 2007.*

**CARRIED 8/0**

**Council adjourned the meeting at 4.20pm.**

**Council resumed the meeting at 4.35pm.**

**10.4.3 PHOTOCOPIER LEASE**

<b>AUTHOR</b>	Dacre Alcock
<b>DISCLOSURE OF INTEREST</b>	Nil
<b>DATE OF REPORT</b>	1 December 2007
<b>FILE</b>	O1.1 Office Equipment

**SUMMARY:**

**Council is to consider leasing two new photocopiers.**

**BACKGROUND:**

Council's current photocopier lease with Ricoh Finance expires on 19 April 2008. That lease was a five year lease @ \$880.70 per month for a new black and white photocopier at the Coorow Administration Centre and an existing black and white photocopier at the Leeman Administration Centre.

During 2006 Council's Agendas were being printed in both administration centres to enable timely delivery of the Council Agenda to Councillors. This initiative became unworkable due to the photocopier at the Leeman Administration Centre not being able to complete the task. This photocopier has since broken down and been replaced by a loan photocopier from RBC Rural. RBC Rural are a company based in Gingin that carry out the servicing of Ricoh photocopiers.

Council currently has colour printers in each office. The annual cost of ink for these two printers is approximately \$2,000 per annum.

The Leeman photocopier costs \$0.02 per copy and the Coorow photocopier costs \$0.01 per copy.

**COMMENT:**

The photocopiers at both the Coorow and Leeman Administration Centres have now reached the end of their useful life and it is time to replace them. In the past Leeman has had a photocopier with a lower capacity than Coorow, which until recently met requirements. However due to increased staffing levels at the Leeman Administration Centre and the desire to prepare the Council Agenda in both offices, two identical photocopiers need to be obtained.

Colour photocopiers have reduced considerably in price over the past 5 years and are now considered the standard photocopier.

Quotes have been sought for Ricoh, Toshiba and FujiXerox for the supply of two new colour photocopiers. Toshiba have not supplied a quote. The following quotes were received:

**Fuji Xerox**

- Supply 2 x ApeosPort 5540i Colour Photocopier including delivery, training and installation.
- 3 year lease \$1,176 per month ex GST
- 4 year lease \$944 per month ex GST
- 55 black and white copies per minute
- 40 colour copies per minute
- 3,250 sheet capacity
- Colour prints \$0.11
- Black prints \$0.008
- 5 year service warranty inclusive of parts, labour and preventive maintenance.
- Council's that use FujiXerox copiers are city based Council's
- Geraldton Business Machine would carry out the servicing of the machines.

**RBC Rural**

- Supply 2 x Ricoh MPC 4500 Colour Photocopier including delivery, training and installation.
- 3 year lease \$890 per month ex GST
- 4 year lease \$696 per month ex GST
- 45 black and white copies per minute
- 40 colour copies per minute
- 3,000 sheet capacity
- Colour prints \$0.16
- Black prints \$0.012
- 5 year service warranty inclusive of parts, labour and preventive maintenance.
- The Shires of Three Springs and Morawa use this copier.

Council currently uses approximately 250,000 photocopies/prints per annum. For the purposes of evaluating the photocopier quotes 300,000 photocopies was used as the annual usage, 270,000 black and 30,000 colour. The actual usage of colour prints is difficult to ascertain, but 30,000 is considered a best guess.

The expected useful life of current photocopiers is 5 years.

	Current Lease	RBC Rural 3 year lease	Fuji Xerox 3 year lease	RBC Rural 4 year lease	Fuji Xerox 4 year lease
Annual lease charges	10,568.40	10,680.00	14,112.00	8,352.00	11,328.00
Black copies @ 270,000	3,000.00	3,240.00	2,160.00	3,240.00	2,160.00
Colour copies @ 30,000	2,000.00	4,800.00	3,600.00	4,800.00	3,600.00
Total annual cost	15,568.40	18,720.00	19,872.00	16,392.00	17,088.00

**CONSIDERATION:**

The lease from RBC Rural is significantly cheaper compared to FujiXerox quote. This is the reverse when considering the cost of copies as FujiXerox is significantly cheaper compared to RBC Rural's quote. Overall RBC Rural is cheaper on both the 3 and 4 year leases.

In regards to servicing of the machines RBC Rural servicing was of a lesser standard until recently when a new technician, the previous owner of the business, was employed. Now the servicing is of a high standard. The Shire of Morawa indicated that Geraldton Business Machines servicing was of a good standard.

The FujiXerox copier is a slightly superior machine as it does 10 more black copies per minute. Ultimately both machines are suitable for the job required by the Shire of Coorow.

Staff have recommended to lease two Ricoh MPC4500 photocopiers due to overall operating costs being slightly cheaper and the belief that the backup service will be of a high standard.

Staff have recommended to lease the copier for 4 years as this equates to only a slight overall increase in operating costs.

**STATUTORY ENVIRONMENT:**

Nil.

**STRATEGIC IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Council will incur a slight increase in operating costs of between \$1,000 to \$4,000 per annum depending on which copier Council chooses and the term of the lease.

**VOTING REQUIREMENTS:**

Simple Majority

**OFFICER RECOMMENDATION:**

That Council leases two MPC 4500 photocopiers from RBC Rural on a four year lease at a monthly cost of \$696 per month GST exclusive.

**RESOLUTION:                      2007-216**

**Moved:** Williams

**Seconded:** Bothe

*That Council leases two MPC 4500 photocopiers from RBC Rural on a four year lease at a monthly cost of \$696 per month GST exclusive.*

**CARRIED 8/0**



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

Nil.

## **12. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION:**

### **12.1 LATE ITEMS – APPROVAL TO CONSIDER**

<b>AUTHOR</b>	Gary Sherry
<b>DISCLOSURE OF INTEREST</b>	Nil
<b>DATE OF REPORT</b>	11 December October 2007
<b>FILE:</b>	S7.11 Staff – Chief Executive Officer

#### **SUMMARY:**

**Council is requested to consider a Late Agenda Items to consider aspects of the appointment of a Chief Executive Officer.**

#### **COMMENT:**

Staff are attempting to have the Agenda prepared at least a week before each Council Meeting. In completing this schedule, business of an urgent nature will arise from time to time in particular where commercial activities within the district would be delayed by Council not considering the item.

#### **STATUTORY ENVIRONMENT:**

#### **Shire of Coorow – Standing Orders Local Law 1999**

#### **Section 2.10:**

In cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.

#### **10.7 Council (or Committee) to Meet Behind Closed Doors - Effect of Motion**

- (1) Subject to any deferral under clause 3.7 or other decision of the Council or committee, this motion, if carried, causes the general public and any officer or employee the Council or committee determines, to leave the room.
- (2) While a decision made under this clause is in force the operation of clause 9.5 limiting the number of speeches a member of the Council may make, is suspended unless the Council decides otherwise.
- (3) Upon the public again being admitted to the meeting the person presiding, unless the Council or committee decides otherwise, is to cause the motions passed by the Council or committee whilst it was proceeding behind closed doors to be read out including the vote of a member or members to be recorded in the minutes under section 5.21 of the Act.

- (4) A person who is a Council member, a committee member, or an employee is not to publish, or make public any of the discussion taking place on a matter discussed behind closed doors, but this prohibition does not extend to the actual decision made as a result of such discussion and other information properly recorded in the minutes. Penalty \$5,000

**FINANCIAL, POLICY AND STRATEGIC IMPLICATIONS:**

There appear to be no implications in this regard.

**OFFICER RECOMMENDATION 1:**

That the Late Agenda Item, to consider aspects of the appointment of a Chief Executive Officer be raised without notice and decided by the meeting.

**OFFICER RECOMMENDATION 2:**

That Council Meet behind closed doors.

**RESOLUTION:                      2007-217**

***Moved:*** George                      ***Seconded:*** Williams

*That the Late Agenda Item, to consider aspects of the appointment of a Chief Executive Officer be raised without notice and decided by the meeting.*

**CARRIED 8/0**

**RESOLUTION:                      2007-218**

***Moved:*** George                      ***Seconded:*** McTaggart

*That Council Meet behind closed doors.*

**CARRIED 8/0**

**Mr Peter Gillis, Mr John Randall and Ms Stacey Donohue left the meeting at 4.37pm.****12.2 APPOINTMENT OF A CHIEF EXECUTIVE OFFICER**

<b>AUTHOR</b>	Gary Sherry
<b>DISCLOSURE OF INTEREST</b>	The author is the retiring Chief Executive Officer
<b>DATE OF REPORT</b>	20 November 2007
<b>FILE</b>	S7.11 Staff – Chief Executive Officer
<b>ATTACHMENT</b>	12.2 Shire of Coorow – CEO - Information Notes In Relation To The Selection Process

**SUMMARY:**

**Council is to discuss aspects of the process of appointing a Chief Executive Officer.**

**BACKGROUND:**

Council's incumbent Chief Executive Officer, Mr Gary Sherry, tendered his resignation on 23 October 2007. Under the terms of Council's employment contract with Mr Sherry, this resignation is effective on 23 January 2008.

Council met to decide on the process of appointing a new Chief Executive Officer and made the following decisions at a Special Meeting of Council on Monday 5 November 2007:

**RESOLUTION:** 2007-191  
**Moved:** Waite **Seconded:** McDonald  
**That:**  
1. the new CEO when appointed revise the CEO Position Description to bring it into alignment with Council's Strategic Plan; and  
2. any revision is made having regard to statutory obligation.

CARRIED 8/0

**RESOLUTION:** 2007-192  
**Moved:** Williams **Seconded:** Rackemann  
**That:**  
1. Council adopt the Draft Performance Criteria for the CEO; and  
2. the CEO liase with Council to include specific criteria relating to implementation of goals set in Council's Strategic Plan.

CARRIED 8/0

**RESOLUTION:** 2007-193  
**Moved:** George **Seconded:** Williams  
**That:**  
1. the CEO's contract include a housing item in the 'Remuneration' Clause reflecting Council's resolution to offer Lot 29 Spain St Coorow was the CEO's residence; and  
2. a rental value of \$250 per week be attributed to this residence.

CARRIED 8/0

**RESOLUTION:** 2007-194  
**Moved:** George **Seconded:** Rackemann  
**That:**

1. household relocation reimbursement be negotiated with the successful applicant;
2. the President and Deputy President be authorised to negotiate the reimbursement on relocation expenses for relocation from within Australia; and
3. that 50% of relocation expenses be reimbursed upon presentation of a suitable tax invoice and the remaining 50% upon completion of 12 months service.

CARRIED 8/0

RESOLUTION: 2007-195

Moved: Williams Seconded: Rackemann

That the total reward package be advertised to include a cash component of between \$90,000 - \$110,000.

CARRIED 8/0

RESOLUTION: 2007-196

Moved: McTaggart Seconded: Bothe

That the CEO position be advertised on Council's website and in the West Australian on Saturday 10 November 2007 in the professional appointments section.

CARRIED 8/0

RESOLUTION: 2007-197

Moved: Waite Seconded: McDonald

That the selection process be:

1. a shortlist of applicants compiled by the President, Deputy President and FitzGerald Strategies;
2. the whole of Council participate in the interview process;
3. that FitzGerald Strategies conduct interviews;
4. that the President and Deputy President be authorised to negotiate the package with the successful applicant assisted by FitzGerald Strategies;
5. applications to close 4pm Friday 23 November 2007; and
6. interview to be conducted at the Coorow Administration Centre on Saturday 8 December 2007 with interviews to be at 10am, 11.30am and 2pm.

CARRIED 8/0

Council commenced the process of appointing a Chief Executive Officer on Saturday 10 November 2007 and the period for receiving applications closed on Friday 23 November 2007.

At the November 2007 Ordinary Meeting, Council resolved in the following manner:

Mr D J Alcock declared an Impartiality Interest in Item 13.1 being that he is a possible candidate for the position of Chief Executive Officer and left the meeting at 4.44pm.

Mr Gary Sherry, Mr John Randall, Mr Peter Gillis and Ms Stacey Donohue left the meeting at 4.44pm.

RESOLUTION: 2007-209

Moved: Waite Seconded: McDonald

That Council authorise the President and Deputy President, assisted by FitzGerald Strategies to:

1. readvertise the position of Chief Executive Officer, without amending the package; and
2. reschedule times and dates for:
  - a. the close of applications; and
  - b. for conducting interviews.

CARRIED 7/0

Mr Gary Sherry, Mr Dacre Alcock, Mr John Randall, Mr Peter Gillis and Ms Stacey Donohue returned to the meeting at 4.59pm.

Cr Girando and Cr Williams, in conjunction with the consultant Fitzgerald Strategies, completed a short list of applicants for interview. Cr's Girando, Williams, Waite, McDonald and Bothe conducted interviews on Saturday 8 December 2007, interviewing only one applicant, Mr Mark Hook. The two other short listed applicants withdrew from the selection process prior to interview.

**COMMENT:**

Council needs to decide a result of the current selection process. Council has the options to:

1. to make an offer of employment to the only remaining short listed candidate Mr Mark Hook;

Councillors who participated in the interview process may wish to comment on the acceptability of Mr Hook for the position as Chief Executive Officer.

Should Council wish to offer the position to Mr Hook, Council will need to negotiate an employment contract and remuneration schedule. A draft contract and a schedule of remuneration parameters has been provided to applicants and adopted by Council previously. This information is provided at Attachment 12.2. Council should use Fitzgerald Strategies to undertake this negotiation and make the normal background checks on Mr Hook.

Given Council has accepted a range of remuneration for this position at their Special Meeting of 5 November 2007 and the draft contract included at Attachment 12.2 widely accepted in the local government industry and has been put together by consultant Fitzgerald Strategies, Council should provide delegated authority to Cr's Girando and Williams to accept a negotiated contract of employment within these guidelines. Alternatively Council can meet through December or January to formally accept a negotiated contract.

The information included at Attachment 12.2 includes at clause four of the draft employment contract information that suggests a five year contract may be acceptable to Council. Council should separately consider there approach to this aspect of the contract and the expectations of the Mr Hook.

2. interview additional applicants who were not initially short listed prior to making a further decision; or

Cr's Girando and Williams may wish to comment on the acceptability of the other candidates who were not short listed.

3. Re-advertise the position.

In re-advertising the position as Chief Executive Officer, Council should note that currently similar positions are available in the Shires of Irwin, Wagin, Lake Grace, Laverton, Ravensthorpe, Broome, Coolgardie and Mt Magnet. Council may not receive any additional applicants and may need to plan for an extended period without a permanent Chief Executive Officer.

In planning for an extended period without a permanent Chief Executive Officer, Council may wish to consider appointing an Acting Chief Executive Officer or employ additional resources while current staff act in the role. Of these two options the second is the preferred option because Council has a capable option to appoint as Acting Chief Executive Officer and defined tasks completed by contractors will be a more beneficial to Council operations than an Acting Chief Executive Officer.

#### **STRATEGIC IMPLICATIONS:**

Council's appointment of a Chief Executive Officer is the most significant decision made by a Council in any term.

#### **STATUTORY ENVIRONMENT:**

Local Government Act 1995

##### **5.36. Local government employees**

- (1) A local government is to employ —
  - (a) a person to be the CEO of the local government; and
  - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (2) A person is not to be employed in the position of CEO unless the council —
  - (a) believes that the person is suitably qualified for the position; and
  - (b) is satisfied\* with the provisions of the proposed employment contract.

\* *Absolute majority required.*

- (3) A person is not to be employed by a local government in any other position unless the CEO —
  - (a) believes that the person is suitably qualified for the position; and
  - (b) is satisfied with the proposed arrangements relating to the person's employment.
- (4) If the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
- (5) For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.

**5.39. Contracts for CEO's and senior employees**

- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.
- (1a) Despite subsection (1) —
  - (a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and
  - (b) a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.
- (2) A contract under this section —
  - (a) in the case of an acting or temporary position, cannot be for a term exceeding one year;
  - (b) in every other case, cannot be for a term exceeding 5 years.
- (3) A contract under this section is of no effect unless —
  - (a) the expiry date is specified in the contract;
  - (b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and
  - (c) any other matter that has been prescribed as a matter to be included in the contract has been included.
- (4) A contract under this section is to be renewable and subject to subsection (5), may be varied.
- (5) A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section.
- (6) Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.
- (7) A report made by the Salaries and Allowances Tribunal, under section 7A of the *Salaries and Allowances Act 1975*, containing recommendations as to the remuneration to be paid or provided to a CEO is to be taken into account by the local government before entering into, or renewing, a contract of employment with a CEO.

## Local Government Administration Regulations (1995)

**18A. Advertisement for position of CEO or senior employee — s. 5.36(4) and 5.37(3)**

- (1) If a position of CEO, or of senior employee, of a local government becomes vacant, the local government is to advertise the position —
  - (a) on a notice board exhibited to the public at the local government's offices, if the position is —
    - (i) to be filled on a part time basis by a person who is also employed by another local government; or
    - (ii) an acting position for a term not exceeding one year; or
  - (b) otherwise, in a newspaper circulating generally throughout the State.
- (2) An advertisement referred to in subregulation (1) is to contain —
  - (a) the details of the remuneration and benefits offered;
  - (b) details of the place where applications for the position are to be submitted;
  - (c) the date and time for the closing of applications for the position;
  - (d) the duration of the proposed contract;

- (e) contact details for a person who can provide further information about the position; and
- (f) any other information that the local government considers is relevant.

**18B. Matters to be included in contracts for CEO's and senior employees — s. 5.39(3)(c)**

For the purposes of section 5.39(3)(c), a contract governing the employment of a person who is a CEO, or a senior employee, of a local government is to provide for a maximum amount of money (or a method of calculating such an amount) to which the person is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of —

- (a) the value of one year's remuneration under the contract; or
- (b) the value of the remuneration that the person would have been entitled to had the contract not been terminated.

**18C. Selection and appointment process for CEO's**

The local government is to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised.

**18D. Local government to consider performance review on CEO**

A local government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.

**18E. Offence to give false information in application for employment with local government**

A person must not, in connection with an application for the position of CEO of a local government —

- (a) make a statement, or give any information, as to academic, or other tertiary level, qualifications held by the applicant that the person knows is false in a material particular; or
- (b) make a statement, or give any information, as to academic, or other tertiary level, qualifications held by the applicant which is false or misleading in a material particular, with reckless disregard as to whether or not the statement or information is false or misleading in a material particular.

Penalty: \$5 000.

**18F. Remuneration and benefits of CEO to be as advertised**

The remuneration and other benefits paid to a CEO on the appointment of the CEO are not to differ from the remuneration and benefits advertised for the position under section 5.36(4).

**FINANCIAL IMPLICATIONS:**

The remuneration schedule advertised by Council is outlined below. Council is required to keep within the parameters of this schedule without re-advertising the position.

Description of Benefit	Minimum Value	Maximum Value
------------------------	---------------	---------------



Cash Salary	\$90,000	\$110,000
Annual Leave Loading	\$1,514	\$1,851
Private Use of Motor Vehicle	\$20,000	\$20,000
Rental Subsidy	\$13,000	\$13,000
Superannuation	\$14,400	\$17,600
Clothing Allowance	\$750	\$750
Communication Allowance	\$750	\$750
<b>TOTAL</b>	<b>\$140,414</b>	<b>\$163,951</b>

**POLICY IMPLICATION:**

Nil

**PUBLIC CONSULTATION:**

None required.

**VOTING REQUIREMENTS:**

Absolute Majority for Officer Recommendation.

Simple Majority for Alternative Recommendation.

**OFFICER RECOMMENDATION:**

That Council:

1. offer the position of Chief Executive Officer to Mr Mark Hook;
2. authorise the President and Deputy President, assisted by FitzGerald Strategies, to negotiate an employment contract, including remuneration, within the boundaries of the draft employment contract and remuneration schedule, included at Attachment 12.2, for a term of three years;
3. authorise the President and Chief Executive Officer to sign and seal the negotiated employment contract;
4. appoint Mr Dacre Alcock as Acting Chief Executive Officer from 23 January 2007 until the appointment of a Chief Executive Officer

**ALTERNATIVE RESOLUTION:**

That Council:

1. will not appoint a Chief Executive Officer from the current list of applicants;
2. readvertise the position of Chief Executive Officer, without amending the package; and
3. appoint Mr Dacre Alcock as Acting Chief Executive Officer from 23 January 2007 until the appointment of a Chief Executive Officer;
4. will provide resources to ensure the capability of operations of the Shire of Coorow is not significantly impacted whilst Mr Alcock operates as Acting Chief Executive Officer.

**RESOLUTION:                      2007-219**

**Moved:** George

**Seconded:** Williams

*That Council:*

1. *offer the position of Chief Executive Officer to Mr Mark Hook;*
2. *authorise the President and Deputy President, assisted by FitzGerald Strategies, to negotiate an employment contract, including remuneration, within the boundaries of the draft employment contract and remuneration schedule, included at Attachment 12.2, for a term of three years;*
3. *appoint Mr Dacre Alcock as Acting Chief Executive Officer from 23 January 2007 until the appointment of a Chief Executive Officer.*

**CARRIED 8/0**

**Mr Gillis and Mr Randall entered the meeting at 5.15pm.**

### **13. MATTERS BEHIND CLOSED DOORS:**

#### **13.1 SALE OF LOT 520 TUART STREET, LEEMAN**

<b>LOCATION</b>	Lot 520 Tuart Street, Leeman
<b>AUTHOR</b>	John Randall
<b>DISCLOSURE OF INTEREST</b>	The author is currently residing in this residence
<b>DATE OF REPORT</b>	5 December 2007
<b>ATTACHMENT</b>	13.1 Councils request for proposal
<b>FILE</b>	L520

#### **SUMMARY:**

**Council is to approve the sale of Council's property at Lot 520 Tuart Street, Leeman.**

#### **BACKGROUND:**

In setting this years budget Council budgeted for the sale of Lot 520 Tuart Street, Leeman for a minimum sale price of \$600,000. This price was established after a real estate appraisal on the premises indicated a market price of around \$720,000. This appraisal was done early in 2007. The budgeted sale price was considered a prudent reduction from the appraisal due to the slowing real estate market and was generally thought appropriate at the time of setting the budget.

Certain expenditures committed to in the budget process relate directly to the funds that would be realised as a result of the premises sale.

To proceed Council approached four real estate firms, being Professionals Jurien Bay, 3L, Harcourts and Ray White to submit a proposal for the sale of the premises.

Council's request for proposals from these agents are included at Attachment 13.1.

Responses were received from three firms, 3L, Professionals and Ray White.

#### **3L Real Estate**

3L Real Estate indicated that it was not generally their practice to deal non-exclusively with properties. They also indicated any exclusive sale agreement should be for a period of not less than four months rather than the two months indicated as it was felt that the property may take some time to sell in current market conditions.

Their commission was indicated to be 3% of the sales price inclusive of GST and no fees will be charged for cost associate with the property sale.

Apart from the above, I must indicate that the local sales representative for the company indicated apprehension in dealing with the sale of this property to me

personally - indicating that as so many people in the community were opposed to the sale they did not need the grief.

### Professionals

Professionals Jurien Bay indicated that the service provided would include:

- property signage,
- colour advert in shops in Jurien Bay, Green Head, and Leeman
- lodgement of property detail on six websites
- Link on Leeman/Green Head Promotional Website
- Some general advertsing in the West Australian and the Sunday Times
- Advertising in the SIN and Cray Tales
- Local Professional News Letter

Fees on a non-exclusive basis would include all the above at \$21,000 (incl GST). Fees for exclusive including all the above services - \$17,000 (incl GST)

In advising the above they also advised that:

- the lease back rental offered in the proposal was low for the value placed on the property (at \$210 per week and if property sold at asking price rental return pa would be 1.7% of capitalization. Investors would likely consider the return inadequate. Current budget for principal and loan repayments in the vicinity of \$350 per week. It is intended to increase the offered lease back rental (at least initially) to \$255 per week;
- in the current market they considered the asking price may be on the high side;
- the request for sharing valuation may not be able to be met due to the specifics of the requirements of lending institutions that seek such valuation to support loan considerations.

### Ray White

Ray White submitted their proposal after the close date. Their proposal could not be read at the time of writing this report as e-mail content was not readable. If possible the information contained in their proposal will be summarised at the Council meeting.

### **COMMENT:**

Since the sale of the premises was initially discussed, the real estate market conditions have changed dramatically. Whereas twelve months ago two to three sales were occurring on a weekly basis, sale activity is more like one or two a month.

In preparation for fulfilling the requirements of section 3.58 of the Local Government Act, a formal valuation was sought on the premises. The valuation indicated a market value of \$500,000. A valuation was sought on Lot 64 Nairn Street at the same time and that valuation indicated that that premises had the same value, probably as sewer in now close and therefore the prospect to develop to R50 is a greater potential.

If Council does not proceed with the sale Lot 520 Tuart Street as envisaged, the variance from Council's budgeted position will be extremely significant.

To allow the sale to proceed the Council will have to attend on the following issues:

- Appointment of an agent to deal with the property sale;
- Delegation of authority to the CEO to enter into a sale contract for the premises to a minimum sales price of \$600,000, currently delegations only deal with the purchase of items not disposal; and
- Delegate authority to the CEO to enter into a lease back arrangement for the premises over the terms indicated in the sale proposal to the maximum provision of the current budgeted (principal and interest) loan repayments; and

### **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 local 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) other disposition that is excluded by regulations from the application of this section.

#### **FINANCIAL IMPLICATIONS:**

Failure to sell this premises will have major budgetary implications. Funds from the sale of Lot 520 Tuart Street were to be expended in the following manner:

1.	Payout of loan purchase of Lot 5 Tuart Street	\$210,000
2.	Payout of Loan – for purchase of Lot 64 Nairn Street	\$110,000
3.	Purchase of Lot 50 Nairn Street	\$200,000
4.	Transfer to Building Reserve	<u>\$ 80,000</u>
		\$600,000

The transfer to Council's Building Reserve will increase that reserve to \$220,000 from which Council has allocated \$200,000 for the construction of the residence at Lot 123 Commercial Street, Coorow.

Of the transactions listed above only the payout of the loan for Lot 5 Tuart Street and the purchase of Lot 49 Nairn Street are possible optional transactions for Council.

#### **POLICY IMPLICATION:**

Nil

#### **STRATEGIC IMPLICATIONS:**

Council has been proceeding down the line of leasing rather than owning property to accommodate staff on the coast.

#### **VOTING REQUIREMENTS:**

Simple Majority.

#### **OFFICER RECOMMENDATION:**

That Council:

1. appoint the Professionals, Jurien Bay as the exclusive agent to deal with the sale of Lot 520 Tuart Street, Leeman for a period not exceeding two months with an option to extend subject to satisfactory service for the first two month period with the initial listing price of the premises being \$662,000;
2. offer to lease back the premises at \$255 per week for at least three years with an option to renew lease for a further three years, rental increases to be 2% per annum or CPI which ever is greater, and the lease to be based on the standard GEHA lease agreement;
3. delegate authority to the CEO to enter into a sale contract for Lot 520 Tuart Street, Leeman at a minimum sales price of \$600,000; and
4. delegate authority to the CEO to enter into a lease back arrangement for the premises over the terms indicated in the sale proposal to the maximum of \$350 per week.

**RESOLUTION:                      2007-220**

***Moved:* McDonald                      *Seconded:* Bothe**

*That Council:*

5. *appoint the Professionals, Jurien Bay as the exclusive agent to deal with the sale of Lot 520 Tuart Street, Leeman for a period not exceeding two months with an option to extend subject to satisfactory service for the first two month period with the initial listing price of the premises being \$662,000;*
6. *offer to lease back the premises at \$255 per week for at least three years with an option to renew lease for a further three years, rental increases to be 2% per annum or CPI which ever is greater, and the lease to be based on the standard GEHA lease agreement;*
7. *delegate authority to the CEO to enter into a sale contract for Lot 520 Tuart Street, Leeman at a minimum sales price of \$600,000; and*
8. *delegate authority to the CEO to enter into a lease back arrangement for the premises over the terms indicated in the sale proposal to the maximum of \$350 per week.*

**VOTE TIED 4/4**

**CARRIED WITH THE CASTING VOTE OF THE PRESIDENT 5/4**

***Councillors Williams, George Rackemann and McTaggart requested their vote against the motion be recorded.***

**Request for a sales proposal for Lot 520 Tuart Street, Leeman**

The Council is looking to sell the above premises. It is interested in receiving proposals from real estate agents for sales of the premises by 4.00pm Monday 3 December, 2007.

Proposals are to address the options of Sale by an non-exclusive agency agreement, and sale by exclusive agency agreement not to exceed two months:

**1. PROPOSAL FOR NON-EXCLUSIVE SALE AGREEMENT IS TO ADDRESS:**

Commission arrangements if sales is to be on a non-exclusive agency basis, the services that will be offered on the basis of commission for sale basis, and any additional services that may be on a fee for service basis to assist with the sale of the premises

The content of any legal agreement that would need to be executed to support an non-exclusive agency contract for sale of the premises

**2. PROPOSAL FOR EXCLUSIVE SALE AGREEMENT FOR NO MORE THAN TWO MONTHS IS TO ADDRESS:**

Commission arrangements on an exclusive sales arrangement for a period not to exceed two months, with details of the services which will provided free of charge as part of the exclusive sales agreement and any additional services that may be on a fee for service basis to assist with the sale of the premises.

The content of any legal agreement that would need to be executed to support an exclusive agency contract for sale of the premises

Attached is a draft lease that could be executed with the Shire of Coorow in the event of a lease back arrangement - the content and structure is based on the lease agreement used by GEHA to rent properties to on rent to Government Employees.

Proposals can be forwarded to the: CEO,  
Shire of Coorow,  
PO Box 42,  
Coorow WA 6515

To the above by Fax 08 9953 0300

By e-mail to [garys@coorow.wa.gov.au](mailto:garys@coorow.wa.gov.au)



**IMPORTANT ASPECTS TO NOTE REGARDING PROPOSED SALE OF PREMISES**

The Council is seeking to sell the above premises as **unencumbered freehold** or with a **leaseback arrangement**:

1. The initial asking price for the premises should not be less than \$645,000 plus any commission that may be charged on sale
2. **Issues to note regardless of Sale as Unencumbered Freehold or on Leaseback Arrangement** - will be subject to section 3.58 of the Local Government Act which requires Council to advertise, invite public comment, and consider such comment prior to selling property. An extract of the relevant section of the Local Government Act 1995 is provided for your general information. It is required that the any person dealing in the sale of the premises fully understands the time implications of the Act and further it must be understood that in dealing with any offer for the premises the Shire will be required to deal with these provisions in its consideration of any offer.

Please note, that to support the property sale process it will be necessary for a valuation of the property to be obtained. Where the purchaser proposes to raise funds for purchase of premises through loan, it is suggested that when such valuation is to be obtained then the cost could be shared with the same valuation action supporting the requirements of the lending body and the Council's advertising requirement.

3. The sale of the premises as an **unencumbered entity** will be subject to the Council being able to lease premises for the purposes of housing an employee for a period of at least three months from the date of acceptance of any offer to purchase the premises for a weekly rental of \$210.00 to apply from the date of property settlement.
4. The sale of the premises with a lease back arrangement will have a lease executed on the premises similar to that attached or as otherwise agreed for a weekly rental starting at \$210.00 per week (an alternate rental figure can be quantified in any offer to purchase to be considered a part of an offer)
5. Timing of submission of formal offers for the purchase of the premises will likely to be on nominated dates and times, particularly if non-exclusive sale agreement is used, to enable all offer to be considered at discreet points in time. These timing arrangement will be further determined with the sale(s) agents selected.

**Details on the property are as follows:**

- Please see copy of title (attached)
- The property itself is zoned Residential R15, with the lot area of 1000m<sup>2</sup>. Recent amendment of the Town Planning Scheme Gives

Council discretion to approved grouped development to R20 on this size lot subject to the following considerations extract from the Town Planning Scheme

- 5.2.4 Notwithstanding clause 5.2.3 the Council, may at its discretion, approve a development for grouped housing or a vacant strata development to a density of R20, subject to the land in question being provided with a connection to deep sewer.

Any development application would need the applicant to prepare a Detailed Area Plan (see attached for general requirements for DAP's), and further need to comply with the development requirements for R20 as described by the Residential Design Codes (R-codes). The DAP would be required to substantially demonstrate compliance with the R-codes through designation to development and/or building envelopes.

- Please see copy of floor plans and site plans of the respective houses (attached)
- Please see photographs of premises

**14. DATE OF NEXT MEETING:**

**14.1 PUBLIC COUNCIL FORUM**

2.00pm Wednesday 20 February 2007 at the Leeman Administration Centre, Leeman.

**14.2 ORDINARY MEETING OF COUNCIL**

3.00 pm Wednesday 20 February 2007 at the Leeman Administration Centre, Leeman.

**15. CLOSURE:**

There being no further business, the President, Councillor Girando closed the meeting at 5.52 pm.