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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The President, Councillor Girando, welcomed those present and opened the meeting at 3.21.

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

Councillor M J Girando
Councillor J M Stacy
Councillor G W Eaton
Councillor G George
Councillor B J McDonald
Councillor B J O'Callaghan
Councillor D A Rackemann

President
Deputy President

Mr G A Sherry
Mr D J Alcock
Mr J A Randall
Mr K L Bean
Miss S G Donohue

Chief Executive Officer
Manager Finance and Administration
Manager Community Development
Acting Manager Works and Services
Minutes Clerk

Leave of Absence

Cr J K Waite
Mr P D Gillis

Manager Works and Services

Declarations of Interest

Councillor/Officer	Item	Interest	Nature
Mr G A Sherry	10.1.6	Impartiality	Member of Coorow Latham Football Club.
Mr G A Sherry	10.1.8	Impartiality	Wife, Natalie Sherry, plays for Magpies basketball team in Carnamah
Mr G A Sherry	10.4.4	Impartiality	Member of Coorow Latham Football Club, Cricket Club and Maley Park Committee.
M J Girando	10.2.5	Direct Financial	Has submitted a tender for Tender 3/07.
M J Girando	10.4.4	Direct Financial	Has submitted a tender for Tender 4/07.
Mr K L Bean	10.1.9	Direct Financial	Is the Acting Manager Works and Services.
B J O'Callaghan	10.4.4	Impartiality	Member of the Maley Park Committee.
B J O'Callaghan	10.1.6	Impartiality	Member of the Maley Park Committee.
B J O'Callaghan	10.2.3	Proximity	Owner of a house adjacent to the Caravan Park in Grigson Street, Green Head.

Visitors

Mr Maurice Battilana
Lorraine Cliff
Heni Tracey
Peg Hodgson
Mary Hide
Jo Wann

CEO, Wildflower Country Regional Council

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Nil.

4. PUBLIC QUESTION TIME:

Ms Lorraine Cliff – Leeman Bowling Club

Ms Cliff thanked Council staff for help with the establishment of the new Leeman Bowling Green and ongoing Council support. With the construction of the new Leeman Bowling Green the club has received an upsurge of support, improving the Club's finances. The club may even be in a position to increase payments on Council's Self-Supporting Loan to the Club.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS:

6.1 WILDFLOWER COUNTRY REGIONAL COUNCIL STRATEGIC PLAN

Mr Maurice Battilana, Chief Executive Officer of the Wildflower Country Regional Council (WCRC) will make a presentation to Council regarding the WCRC Strategic Plan.

Mr Maurice Battilana, Chief Executive Officer of the Wildflower Country Regional Council (WCRC) made a presentation to Council regarding the WCRC Strategic Plan.

The WCRC Strategic Plan Presentation concluded at 4.20pm.

Meeting adjourned at 4.20pm.

Meeting resumed at 4.30pm.

7. CONFIRMATION OF MINUTES:

7.1 SPECIAL MEETING HELD WEDNESDAY 20 JUNE 2007 AT THE MALEY PARK FUNCTION CENTRE, COOROW

AUTHOR Gary Sherry
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 1 July 2007

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Special Meeting held on Wednesday 20 June 2007, at the Maley Park Function Centre, Coorow, be confirmed as a true and correct record.

RESOLUTION: 2007-113

Moved: Stacy **Seconded:** Eaton

That the Minutes of the Special Meeting held on Wednesday 20 June 2007, at the Maley Park Function Centre, Coorow, be confirmed as a true and correct record.

CARRIED 7/0

7.2 ORDINARY MEETING HELD WEDNESDAY 20 JUNE 2007 AT THE MALEY PARK FUNCTION CENTRE, COOROW

AUTHOR Gary Sherry
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 1 July 2007

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting held on Wednesday 20 June 2007, at the Maley Park Function Centre, Coorow, be confirmed as a true and correct record.

RESOLUTION: 2007-114**Moved:** Rackemann **Seconded:** Eaton

That the Minutes of the Ordinary Meeting held on Wednesday 20 June 2007, at the Maley Park Function Centre, Coorow, be confirmed as a true and correct record.

CARRIED 7/0**7.3 SPECIAL DRAFT BUDGET MEETING HELD WEDNESDAY 4 JULY
AT THE MALEY PARK FUNCTION CENTRE, COOROW**

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	5 July 2007

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Special Draft Budget Meeting held on Wednesday 4 July 2007, at the Maley Park Function Centre, Coorow, be confirmed as a true and correct record.

RESOLUTION: 2007-115**Moved:** Stacy **Seconded:** Rackemann

That the Minutes of the Special Draft Budget Meeting held on Wednesday 4 July 2007, at the Maley Park Function Centre, Coorow, be confirmed as a true and correct record.

CARRIED 7/0

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 announced a change in the order of business, that Agenda Item 10.4.4 be dealt with immediately following Item 10.2.5.

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:

Nil at this time.

10. REPORTS:

10.1 CHIEF EXECUTIVE OFFICER:

10.1.1 ILLEGAL REMOVAL OF VEGETATION ON COUNCIL PROPERTY

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 June 2007
FILE	R7 Reserves

SUMMARY:

Council is to consider a response to the unlawful removal of trees in Council Parks and Road Reserve.

BACKGROUND:

Council would be aware of past incidents of illegal removal of vegetation in Council Parks and Road Reserves. A summary of the most recent incidents includes:

18/19 November 2006

Three trees had been removed from Cliff Park during the weekend of 18-19 November 2006. The trees were cut down with a chain saw and taken away with no evidence left at the site apart from the tree stumps. Apparently six trees had been removed approximately six months prior to this.

25/26 May 2007

Three trees removed from Cliff Park probably on the weekend of 25-26 May 2007. It appeared that a chainsaw had been used and again, no evidence was left at the site. The lopped trees had been taken away.

3/4 June 2007

A number of Tuart Trees were removed from along Grigson Street. These trees had been identified for removal by Council some time ago and Council had considered their removal by contractors in several Council budgets, although Council had never allocated resources to the task.

All of the removed trees were left on the road verge presumably for Council to collect during the advertised Verge Collection.

4 June 2007

Five large trees were removed from Cliff Park in the early hours of Monday morning, 4 June 2007. It appears a chainsaw was used to cut them down and they were left on the road verge, presumably for Council to collect during the advertised Verge Collection.

Council is actively pursuing the person(s) who has been removing trees in Cliff Park. Nearby residents have been interviewed but unfortunately no-one could provide any helpful information. A mail out to residents on Ocean View Drive, Bryant Street and Farley Street requesting any information may assist the investigation.

COMMENT:

These instances of removal of vegetation highlight ongoing issues in Council's communities.

Certainly in all coastal communities, not just the Shire of Coorow, vegetation on public space intruding on private views is often an area of conflict. A number of instances exist in Green Head and Leeman where vegetation has been removed or prevented from regrowing by private citizens to maximise their private views. The removal of tall vegetation in Cliff Park is just the latest.

The removal of vegetation along Grigson Street Green Head on the same occasion was not authorised by Council. It would appear that this vegetation removal was done by people wishing to do a good turn and remove vegetation that they believed would result in a community benefit. It could also be assumed that these people taking matters into their own hands to remove trees may have prompted the further removal of trees in Cliff Park at the same time. However whatever their motives, the removal of trees in Cliff Park and Grigson Street contravene all the same Local Laws.

While Council has a number of avenues to pursue people who remove vegetation on public spaces, Council does need to provide a consistent message to landholders. Whilst the offenders who removed vegetation in Cliff Park are being rigorously pursued, those who completed the very similar matter in Grigson Street are not.

Similar issues arise with the planting of vegetation. Whilst trees planted on road reserves do not commence as an issue immediately on planting, they certainly can grow into issues over time. Council has ongoing issues, many in the rural area of the Shire, where trees and vegetation planted on public land without approval cause issues with road maintenance, road safety and growing into power lines a long time after the initial planting.

STATUTORY ENVIRONMENT:

Shire of Coorow

Local Government Property Local Law.

4.2 Behaviour detrimental to property

- (1) A person shall not behave in or on local government property in a way which is or might be detrimental to the property.
- (2) In subclause (1) – 'detrimental to the property' includes –
 - (a) removing any thing from the local government property such as a rock, a plant or a seat provided for the use of any person; and
 - (b) destroying, defacing or damaging any thing on the local government property, such as a plant, a seat provided for the use of any person or a building.

Prescribed Penalty - \$100

8.4 Liability for damage to local government property

- (1) Where a person unlawfully damages local government property, the local government may by notice in writing to that person require that person within the time required in the notice to, at the option of the local government, pay the costs of –
 - (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
 - (b) replacing that property.

STRATEGIC IMPLICATIONS:

Nil at this time.

POLICY IMPLICATIONS:

It would be reasonable to have Council consider applications from private landowners who wish to improve their road verge adjacent to their property, at their own expense. Issues in this matter include consideration by neighbours and the wider community over the impact of improvements.

However currently Council has no guidelines to assist landowners. Council can adopt Road Verge Guidelines as a planning policy of Council with legislative backing from Council's Town Planning Scheme.

FINANCIAL IMPLICATIONS:

Council has a significant financial burden in maintaining vegetation on public spaces, particularly road reserves.

PUBLIC CONSULTATION:

None to date.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. support efforts to identify and prosecute offenders for the removal of vegetation in Cliff Park Green Head in the early hours of Monday morning, 4 June 2007;
2. does not condone the removal vegetation along Grigson Street and will seek to identify and prosecute offenders should any further removal occur;

3. wish to consider Verge Treatment Guidelines that will provide a formula govern requirements for private land holders use of public land; and
4. advise landholders of the current requirement to have Council approval to plant or remove vegetation from public land.

MOTION:

Moved: George

Seconded: McDonald

That Council:

1. *support efforts to identify and prosecute offenders for the removal of vegetation in Cliff Park Green Head in the early hours of Monday morning, 4 June 2007;*
2. *does not condone the removal vegetation along Grigson Street and will seek to identify and prosecute offenders should any further removal occur;*
3. *wish to consider Verge Treatment Guidelines that will provide a formula govern requirements for private land holders use of public land;*
4. *advise landholders of the current requirement to have Council approval to plant or remove vegetation from public land; and*
5. *research an increased maximum penalty for behaviour detrimental to property.*

AMENDMENT:

Moved: Eaton

Seconded:

That Points 1,3 and 5 be deleted from the motion.

Motion lapsed for lack of seconder

RESOLUTION: **2007-116**

Moved: George

Seconded: McDonald

That Council:

1. *support efforts to identify and prosecute offenders for the removal of vegetation in Cliff Park Green Head in the early hours of Monday morning, 4 June 2007;*

2. *does not condone the removal vegetation along Grigson Street and will seek to identify and prosecute offenders should any further removal occur;*
3. *wish to consider Verge Treatment Guidelines that will provide a formula govern requirements for private land holders use of public land;*
4. *advise landholders of the current requirement to have Council approval to plant or remove vegetation from public land; and*
5. *research an increased maximum penalty for behaviour detrimental to property.*

CARRIED 6/1

10.1.2 WALGA ANNUAL GENERAL MEETING

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2006
ATTACHMENT	10.1.2 Consideration of WALGA AGM Motions
FILE	W8 WALGA

SUMMARY:

Council to consider its position in relation to motions to be presented to the WALGA Annual General Meeting.

COMMENT:

Council's voting delegates to the Annual General Meeting (AGM) of WALGA are Cr's Girando and Waite. Cr Rackemann and the Chief Executive Officer will also attend the Local Government Week and the WALGA AGM.

Included in the Agenda package of Councillor's attending Local Government Week is an Agenda for the Annual General Meeting of WALGA. A copy of the agenda can be provided to interested Councillors electronically or in a printed form.

A copy of the motions to be debated at the Annual General Meeting of WALGA at Burswood Resort Convention Centre, Perth on Sunday 5 August 2007, are included at Attachment 10.1.2 with staff consideration and recommendation for a Council position for each motion.

STATUTORY ENVIRONMENT:

Nil or addressed in Attachments.

POLICY, FINANCIAL & STRATEGIC IMPLICATIONS:

Nil or addressed in Attachments.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council delegates to the Western Australian Local Government Association Annual General Meeting to be held at Burswood Resort Convention Centre, Perth, on Sunday 5 August 2007, be instructed and authorised to vote on the following Agenda items as follows:

- 2.1 Industry Benchmarking – Not Support
- 2.2 Frequency of Land Valuations by the Valuer Generals Office – Not Support
- 2.3 Pre-Selling Vacant Land – Support
- 2.4 Funding - Volunteer St John's Ambulance Services – Support Alternative Recommendation
- 2.5 State Water Reform Agenda – Concerns for Local Government – Support
- 2.6 Raising and Collection of the Domestic Refuse Rate – Support
- 2.7 Terms of Office for Zone Office Bearers Planning Functions – Not Support
- 2.8 Proposed Amendments to the Constitution of the Western Australian Local Government Association – Support

RESOLUTION: 2007-117**Moved:** George**Seconded:** Stacy

That Council delegates to the Western Australian Local Government Association Annual General Meeting to be held at Burswood Resort Convention Centre, Perth, on Sunday 5 August 2007, be instructed and authorised to vote on the following Agenda items as follows:

- 2.1 Industry Benchmarking – Not Support*
- 2.2 Frequency of Land Valuations by the Valuer Generals Office – Not Support*
- 2.3 Pre-Selling Vacant Land – Support*
- 2.4 Funding - Volunteer St John's Ambulance Services – Support Alternative Recommendation*
- 2.5 State Water Reform Agenda – Concerns for Local Government – Support*
- 2.6 Raising and Collection of the Domestic Refuse Rate – Support*
- 2.7 Terms of Office for Zone Office Bearers Planning Functions – Not Support*
- 2.8 Proposed Amendments to the Constitution of the Western Australian Local Government Association – Support*

Late Item WA Grain Freight Network Infrastructure Investment – Support

CARRIED 7/0

Attachment 10.1.2

Consideration of WALGA AGM Motions

No.	Proposed Motion	Comment
2.1	<p>Industry Benchmarking</p> <p>City of Gosnells to move:</p> <p>That the Western Australian Local Government Association seeks to improve the performance of the local government industry as a whole by lobbying the Minister for Local Government and Regional Development to implement industry wide performance benchmarking.</p>	<ul style="list-style-type: none"> • Industry benchmarking may improve financial sustainability • The Minister for Local Government & Regional Development has indicated support. • Previous “user pays” models for benchmarking have failed. • The Government should implement industry wide bench marking for Local Governments. <p>The implementation of industry wide performance benchmarking would be advantageous to all Council’s as a management tool.</p> <p>However for smaller Council’s, such as the Shire of Coorow, who currently do not collect such data the indirect costs of implementation would be prohibitive for the benefit gained.</p> <p style="text-align: right;">Not Support</p>
2.2	<p>Frequency of Land Valuations by the Valuer Generals Office</p> <p>Shire of Dardanup Delegate to move:</p> <p>That the Western Australian Local Government Association seek a commitment from the Minister for Land Information to review the frequency of land valuations provided by the Valuer General’s Office to standardize the frequency for each local government depending on the rate of development and past experience in the increase in land values.</p>	<ul style="list-style-type: none"> • Frequency of property valuations provided by the Valuer General. • Disparity in Valuer General providing UV Valuations yearly as opposed to GRV every 3/4 years. • Request standardized frequency of revaluations. • Request Government to increase funding to the Valuer Generals Office. <p>The timing of valuations makes little difference to this Council’s rating process. The annual changes in UV valuations do not result in a change to the relative rating burden of UV and GRV.</p>

	<p>If the change in timing of valuations is related to resources then request the government increase the funding available to the Valuer General's Office to provide a more effective service to the community.</p>	<p>Individual GRV properties who are constructed between GRV valuations, will have a slightly higher valuation than neighbouring properties should property values increase between valuations. This will not be significant.</p> <p>The greatest effect of this motion would be to increase valuation costs. An annual GRV would increase Council's annual valuation costs by \$4,000. A more appropriate motion would be to have the VGO prepare UV valuations on the same five year schedule as GRV.</p> <p style="text-align: right;">Not support.</p>
2.3	<p>Pre-Selling Vacant Land</p> <p>Shire of Gingin delegate to move:</p> <p>That the Western Australian Local Government Association make political representation to the State Government expressing concern at the implications arising from developers pre-selling land and seek its assistance in promulgating legislative reform which renders the practice of pre-selling, other than with a fixed contract, unlawful.</p>	<ul style="list-style-type: none"> • Current legislation enables land to be pre-sold of the plan. • Contract conditions may enable buyer or seller to cancel O&A contract. • New legislation could clarify the circumstances under which cancellations can occur. <p>Whilst the buyer and seller can pursue court action in certain circumstances, legislative clarity as to what circumstances sale contracts can be cancelled and what compensation should be paid would be a good outcome.</p> <p style="text-align: right;">Support.</p>
2.4	<p>Funding - Volunteer St John's Ambulance Services</p> <p>Shire of Perenjori Delegate to move:</p> <p>That the State Minister for Police and Emergency Services; Community Safety be requested to pursue whatever legislative changes are necessary to make funding from the Emergency Services Levy available to fund volunteer St John's Ambulance Services.</p>	<ul style="list-style-type: none"> • Under the terms of the Fire and Emergency Services Act (2002) St Johns Ambulance is not entitled to the ESL funding • Need to review and increase funding for volunteer Ambulance Services. <p>There are a number of issues to allow St John Ambulance, a private provider, to access ESL funds.</p> <p>The pressing local issues would appear to relate to volunteer availability</p>

	<p>Alternative Recommendation</p> <p>That the Association write to the State Minister of Health and State Minister for Police and Emergency Services; Community Safety requesting that the current legislation and funding mechanism for volunteer St Johns Ambulance Services be reviewed.</p>	<p>and not funding.</p> <p>Support Alternative Recommendation.</p>
2.5	<p>State Water Reform Agenda – Concerns for Local Government</p> <p>South West Zone Delegate to move:</p> <p>That the Western Australian Local Government Association seek a meeting with the Minister for Water Resources to consider the implications of the implementation of the blueprint for water reform on landowners and local government with particular reference to:</p> <ul style="list-style-type: none"> • The use of proposed water reform legislation to dictate land use over riding the powers and autonomy of local governments, in particular the quarantine of irrigation land from alternative land uses. • The cost implications to farmers for administration of the new legislation and subsequent licensing requirements and provision of metering equipment. • Clarification of how the control of the water use and trading on the land is to be administered if the water is owned under license by a different company/individual and how local government may be drawn in to issues relating to town planning and other issues in terms of activities on the land. • The cost of developing water management plans and the implication to farmers that have funded the construction of on farm water supplies and will now be required to be answerable to a community management group. 	<ul style="list-style-type: none"> • The proposed water reform legislation will impact on the planning powers of local government. • Here are a number of equity issues including increased cost and local control of the resource • Clarification is needed on how the system of water use and trading will operate • Consultation with users has been insufficient. <p>Given the scale of the water rights issues and the importance to the community as a whole, the recommendation which seeks to establish the implications of reform and to hear community groups is important.</p> <p>Support</p>

	<ul style="list-style-type: none"> That the people directly affected by the proposed reforms be directly consulted and their concerns heard and considered before any new legislation is adopted by government. 	
2.6	<p>Raising and Collection of the Domestic Refuse Rate</p> <p>City of Wanneroo Delegate to move:</p> <ol style="list-style-type: none"> That the Western Australian Local Government Association again lobbies the State Government to consider the further expansion of the Pensioner/Senior Concession arrangements to allow the concession to extend to the Domestic Refuse Charge consistent with its application to the Emergency Services Levy; and Notes that the City of Wanneroo will be writing to the Deputy Premier, requesting that consideration be given to the further expansion of the Pensioner/Senior Concession arrangements to allow the concession to extend to the Domestic Refuse Charge consistent with its application to the recently introduced Emergency Services Levy. 	<ul style="list-style-type: none"> To consider the impact of the Rates and Charges (Rebates and Deferments) Act 1992 on separately raised Domestic Refuse Charges To again lobby the State Government to consider further expansion of the Pensioner/ Senior Concession arrangements to include the Domestic Refuse Charge – consistent with its application to the Emergency Services Levy <p>Council currently funds its own discounted Domestic Refuse charge to Pensioners.</p> <p>Council could have the State Government Pensioner Rate Rebate Scheme fund Council's Pensioner Refuse collection charge by including the general refuse charge into general Council rates. The State Government would then pay 50% of the increased charge.</p> <p style="text-align: right;">Support.</p>
2.7	<p>Terms of Office for Zone Office Bearers</p> <p>Shire of Bridgetown Greenbushes Delegate to move:</p> <p>That the Association's Constitution be amended to provide for the term of Zone office bearers to expire in line with Local Government elections. (Special Majority Required)</p>	<ul style="list-style-type: none"> Shire of Bridgetown-Greenbushes has proposed amending the Association's Constitution to align the term of Zone office bearers with the Local Government elections. Association's Constitution requires notice of proposed amendments to be preceded by 90 days notice to Ordinary Members. With the exception of Zone representatives and deputy representatives to State Council, the Association's Constitution does not incorporate terms for Zone office bearers. Amendments made to the Association's Constitution in 2004 realigned the terms for representatives and deputy representatives to

		<p>State Council with the biennial election cycle.</p> <p>This should be a matter for individual zones and not be included in the WALGA constitution.</p> <p style="text-align: right;">Not Support</p>
2.8	<p>Proposed Amendments to the Constitution of the Western Australian Local Government Association</p> <p>Executive Member to move: That subclause 14(10) of the Association's Constitution be deleted and the following new subclause 14(10) be inserted:</p> <p>(10) "A Zone may, from time to time, resolve to admit an Ordinary Member or Associate Member of the Association from outside their existing membership as an Associate Member of their Zone. In considering whether to admit an Ordinary Member or an Associate Member of the Association as an Associate Member of a Zone, the Zone shall give regard to the significance of communities of interest between the existing membership of the Zone and the Ordinary Member or Associate Member of the Association that is seeking to become an Associate Member of the Zone." (Special Majority Required)</p>	<ul style="list-style-type: none"> • Constitutional amendments seeks to permit Zones to admit Associate Members of WALGA as Associate Members of their Zone where the Zone is believes that there is sufficient commonality of interest between the Ordinary Members of the Zone and the proposed Associate Member. • Subclause 5(7) precludes Associate Members from voting at any meeting of the Association (General Meetings and Special Meetings). • Proposed constitutional amendments were endorsed by State Council at its meeting on 6 June 2007. <p>To allow zones to include Regional Councils and other organisations is appropriate.</p> <p>To not allow these groups to vote in WALGA AGM's or meetings protects the democratic vote of all Council's</p> <p style="text-align: right;">Support</p>

10.1.3 REVIEW OF DELEGATION REGISTER

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2007
ATTACHMENT	10.1.3 Current Delegation Register
FILE	A2 Administration - General

SUMMARY:

Council is required to review Council's Delegation Register.

COMMENT:

Included at Attachment 10.1.3 is a copy of Council's current delegations approved at the July 2006 Ordinary Meeting of Council with recommended amendments identified as changes. Inclusions are written in bold, omissions are struck through.

Relatively insignificant amendments have been recommended to some delegations, including spelling, formatting, removing names of employees and other such changes.

Minor amendments have been recommended to be made to following delegations:

- 2.1.2 Authorisation to Purchase Goods and Services
- 2.1.3 Authorisation to Call Tenders

The following more significant changes include:

- 10.2.1 Vehicle Tender With legislative change to tender thresholds makes the requirement for this delegation obsolete.

STATUTORY ENVIRONMENT:**5.42. Delegation of some powers and duties to CEO**

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;

- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
“**conditions**” includes qualifications, limitations or exceptions.

5.46. Register of, and records relevant to, delegations to CEO's and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

POLICY & FINANCIAL IMPLICATIONS:

There appear to be no further implications in this regard.

STRATEGIC IMPLICATIONS:

Council's Policies and Delegations have been very stable for some period of time and some are now very dated in their approach. A wide ranging review of Council's Policies and Delegations would be appropriate.

PUBLIC CONSULTATION:

Nil required.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council adopt and endorse the delegations included in Attachment 10.1.3 Delegation Register for the 2007/2008 financial year.

RESOLUTION: 2007-118

Moved: Stacy

Seconded: O'Callaghan

That Council adopt and endorse the delegations included in Attachment 10.1.3 Delegation Register for the 2007/2008 financial year with the amendment of adding the new delegation 6.6.1 Planning Matters and deleting 6.6.1 Home Occupation Renewal and 6.6.3 Development Applications as adopted by Council with Resolution 2006-272 of 13 December 2006.

CARRIED 7/0

Attachment 10.13

DELEGATED AUTHORITY MANUAL

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DELEGATED AUTHORITY - MEMBERS OF COUNCIL

Sub Section:	General
Policy Number:	1.1.1
Policy Subject:	Press Statement/Media Interviews
Delegation:	Statements to the media on Policy matters and resolutions of Council can only be made in accordance with the requirements of the Local Government Act 2.8.1(d).
Objectives:	To ensure factual press statements are made which clearly define council decisions and policies
Guidelines:	<p>The President speaks on behalf of the Local Government (LGA 2.8(1)(d))</p> <p>In his/her absence, the Deputy President has this right/duty (LGA 2.9)</p> <p>One of the CEO's functions is to speak on behalf of the Local Government if the President agrees (LGA 5.41(f))</p> <p>See attached Media Authorisation for Authority to Chief Executive Officer</p>
Resolution No:	2004-075
Resolution Date:	23 June 2004
On Delegation:	Shire President to Chief Executive Officer
Source:	Shire President
Date of review:	June Annually
Review Responsibility:	Shire President

DELEGATED AUTHORITY - COUNCIL STAFF

Sub Section: Staff General

Policy No: 2.1.1

Policy Subject: **Appointment and Termination of Staff**

Delegation: The appointment and termination of Council employees can only be confirmed by:

<u>Position</u>	<u>Office</u>
Chief Executive Officer	Council
Manager Finance and Administration	Chief Executive Officer on recommendation to Council
Manager Works and Services	Chief Executive Officer on recommendation to Council
Manager Community Development	Chief Executive Officer on recommendation to Council
Administrative Staff	Chief Executive Officer
Swimming Pool Manager	Chief Executive Officer
Ranger	Chief Executive Officer
Outside Staff	Chief Executive Officer

Objectives: Clearly define each party's role and level of authority

Guidelines: Comply with Local Government Act 1995 Section 5.37(1)(2)

Resolution No:

Resolution Date: 17 June 1997

On Delegation: Outside Staff - from Chief Executive Officer to Manager Works and Services (still in consultation with Chief Executive Office)

Source:

Date of Review: June Annually

Review Responsibility: Chief Executive Officer

DELEGATED AUTHORITY - COUNCIL STAFF

Sub Section:	Staff General
Policy Number:	2.1.2
Policy Subject:	Authorisation to purchase Goods and Services
Delegation:	The Chief Executive Officer is permitted to issue orders and undertake purchases of all authorised expenditure on Council's behalf.
Objectives:	
Guidelines:	
Resolution No:	2004-064, 2004-208, 2005-092
Resolution Date:	17 June 1997, 19 May 2004, 15 December 2004, 15 June 2005, 21 September 2005
On Delegation:	<p>Chief Executive Officer to as follows:</p> <ol style="list-style-type: none">1. Manager Finance & Administration all authorised expenditure up to \$50,000;2. Manager Works and Services all authorised expenditure up to \$50,000;3. Manager Community Development all authorised expenditure up to \$50,000 with other expenditure in consultation with the Chief Executive Officer;4. Customer Services Officer Mrs Glenda Mackenzie, Customer Services Officer Mrs Brenda Johnson, Administration Officer Ms Sonia Cherico, and Customer Services Officer Ms Stacey Donohue office expenditure up to \$200;5. Mechanic Mr John Cortese authorised expenditure up to \$2,5006. Works Supervisor Kelvin Bean authorised expenditure up to \$1,000; and7. Leeman Leading Hand Gary Roberts authorised expenditure up to \$500.
Source:	Council and Chief Executive Officer
Date of review:	June Annually, 20 June 2000, 19 June 2001, 21 May 2002, June 2002, 15 April 2003, 19 May 2004, 15 December 2004, 15 June 2005, 21 September 2005
Review Responsibility:	Council and Chief Executive Officer

DELEGATED AUTHORITY - COUNCIL STAFF

Sub Section:	Staff General
Policy No:	2.1.3
Policy Subject:	Authorisation to Call Tenders
Delegation:	The Chief Executive Officer is permitted to call tenders for all authorised expenditure in excess of \$50,000 100,000 on Council's behalf.
Objectives:	To permit the Chief Executive Officer to call Tenders without firstly referring the matter to Council for authority.
Resolution Date:	21 March 2000
On Delegation:	N/A
Source:	Council and Chief Executive Officer
Date of Review:	June Annually
Review Responsibility:	Council and Chief Executive Officer

DELEGATED AUTHORITY - COUNCIL STAFF

Sub Section:	Staff General
Delegation No:	2.1.4
Delegation Subject:	Acting Chief Executive Officer
Delegation:	That the Chief Executive Officer be authorised to appoint any of the Senior Executive Managers to be Acting Chief Executive Officer during the absence of the Chief Executive Officer as and when required subject to the Council being provided with prior notice when possible, or as soon as practicable.
Objectives:	This delegation will enable the Chief Executive Officer to select the most appropriate officer at the time to be Acting Chief Executive Officer, taking into account the workload at the time and availability of the Managers.
Guidelines:	<p>In the event that the Chief Executive Officer cannot delegate the appointment of the Acting Chief Executive Officer position, Council will authorise the appointment.</p> <p>The appointment by the Chief Executive Officer or Council is to be in writing.</p>
Resolution No:	2003-144
Resolution Date:	19 November 2003
On Delegation:	N/A
Source:	Council
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - COUNCIL STAFF

Sub Section: Staff General

Policy No: 2.1.5

Policy Subject: **Enforcement and Legal Proceedings**

Delegation: The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions on behalf of Council under the

- Building Regulations (1989);
- Bush Fires Act 1954;
- Caravan Parks and Camping Grounds Act (1995);
- Council's Local Laws.
- Health Act (1911) and regulations promulgated thereunder;
- Food Standards Code;
- Local Government Act (1995); and
- Local Government (Miscellaneous Provisions) Act (1960);

Further, the Chief Executive Officer is delegated authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions as specified by the Chief Executive Officer. The appointments being those referred to in Section 9.10 of the Local Government Act 1995.

Objectives: To permit the Chief Executive Officer to allow the Chief Executive to appoint qualified people to best represent Council to take the appropriate legal action to achieve Council's policy intentions.

Resolution Date: 18 February 2004 – 2004-004

On Delegation: N/A

Source: Council and Chief Executive Officer

Date of Review: June Annually

Review Responsibility: Council and Chief Executive Officer

DELEGATED AUTHORITY - COUNCIL STAFF

Sub Section:	Staff General
Policy No:	2.1.6
Policy Subject:	Legal Advice
Delegation:	Subject to provision being made in the budget for legal expenses, the Chief Executive Officer is delegated authority to obtain from an appropriate solicitor such legal advice and opinions as is deemed necessary in the exercise of the management of the local government.
Objectives:	To permit the Chief Executive Officer to be advise Council of Council's appropriate legal position on matters of Council.
Resolution Date:	18 February 2004
On Delegation:	N/A
Source:	Council and Chief Executive Officer
Date of Review:	June Annually
Review Responsibility:	Council and Chief Executive Officer

DELEGATED AUTHORITY - ADMINISTRATION, FINANCE & BORROWINGS

Sub Section:	Finance
Policy Number:	3.2.1
Policy Subject:	Rates Recovery - Instalment Payments
Delegation:	That Council delegate authority to the Chief Executive Officer to provide Ratepayers experiencing financial difficulty, the opportunity to make acceptable instalment payments to extinguish their rate debts.
Objectives:	To assist Ratepayers who are experiencing difficulty in meeting their rate payments and alleviate the need to bring each individual application to Council's attention.
Guidelines:	<ol style="list-style-type: none">1) Letters confirming an instalment procedure program should accompany each application2) Rates Department personnel to ensure that Ratepayers meet their commitments to instalment programs.
Resolution No:	Full Council
Resolution Date:	17 June 1997, 21 May 2002, June 2002, 15 April 2003, 17 March 2004
On Delegation:	Chief Executive Officer to Manager Finance & Administration
Source:	Manager Finance & Administration
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ADMINISTRATION, FINANCE & BORROWING

Sub Section: Finance

Policy Number: 3.2.2

Policy Subject: **Payment of Accounts**

Delegation: All payments must be signed/authorised by Chief Executive Officer and either the Manager Finance & Administration, Manager Community Development or Manager of Works and Services.

Objectives:

Guidelines:

Resolution No: Full Council, 2004-075

Resolution Date: 10 October 1999, 21 May 2002, June 2002, 18 March 2003, 15 April 2003, 17 March 2004, 23 June 2004

On Delegation: N/A

Source:

Date of review: June Annually

Review Responsibility: Chief Executive Officer

DELEGATED AUTHORITY - ADMINISTRATION/FINANCE & BORROWINGS

Sub Section:	Finance
Delegation No:	3.2.3
Delegation Subject:	Waiving of Fees and Charges for Council Facilities
Delegation Statement:	The Chief Executive Officer is permitted to waive Fees and Charges for Council facilities if certain criteria are met.
Objectives:	To provide guidelines for the Chief Executive Officer to waive fees and charges for the use of Council's facilities.
Guidelines:	<p>Fees and Charges for Council facilities will be waived if the following criteria are met;</p> <ol style="list-style-type: none">1. That the organisation hiring the Council facility is a local not for profit community organisation;2. No alcohol or food is being served or prepared at the Council facility; and3. An application is made in writing 28 days before the Council facility is hired. <p>The following organisations are exempt from the criteria up to annual cost of \$250:</p> <ul style="list-style-type: none">• Leeman Parents and Citizens Association• Coorow Parents and Citizens Association• Green Head Community Association• Coorow Townscape Committee• Leeman Ratepayers and Progress Association• St John Ambulance Leeman Green Head Sub Centre• St John Ambulance North Midlands Sub Centre• Coorow Christmas Tree
Resolution No:	2006-119
Resolution Date:	21 June 2007
On Delegation:	Chief Executive Officer
Source:	Manager Finance and Administration
Date of Review:	June Annually
Review Responsibility:	Council and Chief Executive Officer

DELEGATED AUTHORITY - LAW ORDER AND PUBLIC SAFETY

Sub Section:	Fire Prevention
Policy Number:	4.1.1
Policy Subject:	Infringement Notices
Delegation:	Only persons authorised to do so by the Shire may issue Infringement Notices for Offences under the Bush Fires Act and that authority once given, shall remain in force until such time as it is revoked by the Shire.
Objectives:	
Guidelines:	Chief Executive Officer is the authorised officer
Resolution No:	Full Council, 2005-236
Resolution Date:	17 June 1997, 21 May 2002, June 2002, 15 April 2003, 17 March 2004, 16 February 2005, 14 December 2005
On Delegation:	Chief Executive Officer to Manager Finance & Administration and Manager Works and Services and Ranger in consultation with Chief Executive Officer
Source:	Chief Executive Officer
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - LAW ORDER AND PUBLIC SAFETY

Sub Section:	Bushfire Control
Delegation No:	4.1.2
Policy Subject:	Transfer of Control of Bushfires to FESA
Delegation:	<p>Under provisions of the Bushfire Act (1954) Council authorises, where Council's volunteer bush fire brigades believe they cannot effectively or safely manage a bush fire incident that Council will transfer control of that incident to FESA. Council will support FESA's management of any incident with:</p> <ul style="list-style-type: none">• At least one and preferably more senior shire bushfire control officers will be a member of the IMT to provide local knowledge and facilitate effective liaison with local fire fighting resources.• Shire bush fire fighting resources, including appliance and volunteers remain at the incident and assist in suppression activities as determined by the Incident Controller.
Objectives:	To ensure safe and effective management of severe bush fire incidents within the Shire of Coorow.
Resolution No:	2004-208
Resolution Date:	15 December 2004
On Delegation:	Chief Executive Officer to Chief Bushfire Control Officer and Deputy Chief Bushfire Control Officers
Source:	Council and Chief Executive Officer
Date of Review:	June Annually
Review Responsibility:	Council and Chief Executive Officer

DELEGATED AUTHORITY - LAW ORDER AND PUBLIC SAFETY

Sub Section:	Animal Control
Policy Number:	4.2.1
Policy Subject:	Dog Administration
Delegation:	The Chief Executive Officer be delegated authority to proceed with the prosecution of dog attacks and report to the Council on the matter at the next available Council Meeting
Objectives:	
Guidelines:	
Resolution No:	Full Council, 2005-236
Resolution Date:	17 June 1997, 21 May 2002, June 2002, 15 April 2003, 16 February 2005, 15 June 2005, 14 December 2005
On Delegation:	Chief Executive Officer to Manager Finance and Administration, Manager Community Development and Ranger in consultation with Chief Executive Officer
Source:	Chief Executive Officer, Manager Community Development and Ranger
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - LAW ORDER AND PUBLIC SAFETY

Sub Section:	Ranger Services
Policy Number:	4.3.1
Policy Subject:	No Camping - Coastal Area
Delegation:	The Chief Executive Officer be authorised to enforce Council's No Camping Policy on Council's coastal reserves.
Objectives:	Council is to provide support for local coastal tourism businesses by not allowing camping on Council's coastal reserves.
Guidelines:	Camping is not permitted in the coastal strip of the Coorow Shire unless the camper is within a Registered Caravan Park.
Resolution No:	Full Council, 2005-236
Resolution Date:	17 June 1997, 21 May 2002, 16 February 2005, 15 June 2005, 14 December 2005
On Delegation:	Chief Executive Officer to Manager Community Development and Ranger subject to consultation with Chief Executive Officer
Source:	Manager Community Development
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - LAW ORDER AND PUBLIC SAFETY

Sub Section:	Ranger Services
Policy Number:	4.3.2
Policy Subject:	RSPCA Special Constable
Delegation:	That Council's Ranger be nominated for appointment as a Special Constable for the RSPCA for the Shire of Coorow
Objectives:	That an Officer of Council be required to carry out animal welfare activities as requested by the community on behalf of the RSPCA.
Guidelines:	The RSPCA provides any required guidance, information and backup to these activities.
Resolution No:	Full Council, 2005-236
Resolution Date:	16 September 1997, 16 February 2005, 14 December 2005
On Delegation:	
Source:	Manager Community Development
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - EDUCATION, HEALTH AND WELFARE

Sub Section:	Other Health Services
Policy Number:	5.5.1
Policy Subject:	Lease Agreements with Entities Providing Health Services from Council Controlled Health Facilities
Delegation:	Council delegate to the Chief Executive Officer its powers and duties to enter into lease agreements with entities providing health services from Council controlled facilities.
Objectives:	To provide guidelines for agreements between entities providing health services and Council that maximise the provision of health services to our communities from Council controlled facilities.
Guidelines:	The Chief Executive Officer follow the guidelines of Policy 5.5.1 Provision of Health Services by Entities from Council Controlled Health Facilities.
Resolution No:	
Resolution Date:	
Source:	Chief Executive Officer
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - HOUSING AND COMMUNITY AMENITIES

Sub Section:	Town Planning and Regional Development
Policy Number:	6.6.1
Policy Subject:	Home Occupation Approval - Renewal
Delegation:	<p>Council delegate to the Chief Executive Officer its powers under its Town Planning Scheme No 2 to annually renew Home Occupation approvals in circumstances where the business is operating within conditions of approval, and no complaints have been received in relation to the business.</p> <p>In cases where conditions of approval are breached, or complaints against the business are received, the matter is to be referred to Council for further consideration.</p>
Objectives:	To facilitate the renewal of approvals in cases where no valid reason for refusal exists.
Guidelines:	
Resolution No:	
Resolution Date:	21 May 2002, 15 June ;2005
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Manager Community Development
Date of Review:	
Review Responsibility:	Chief Executive Officer and Manager Community Development

DELEGATED AUTHORITY – HOUSING AND COMMUNITY AMENITIES

Sub Section:	Town Planning and Regional Development.
Delegation Number:	6.6.3
Delegation Subject:	Development Applications
Delegation:	<p>The Chief Executive Officer is delegated authority, following consultation with appropriate managerial and technical staff, to:</p> <ol style="list-style-type: none">i) Approve development applications where proposals comply with the Town Planning and Development Act, Council's Planning Scheme, Policies and Codes except where:<ul style="list-style-type: none">• an advertised development application has received a submission by way of objection, other than an objection which can be satisfied by conditions of consent;• the proposed development, although not advertised, is considered by the Chief Executive Officer to be of a contentious nature;• matters requiring concurrence of the Minister.ii) Approve development applications, where such applications vary only to a minor extent from Council's Planning Scheme, Policies or Codes.iii) Refuse development applications which are prohibited under Council's Town Planning Scheme and which do not comply with Council policies.
Objective:	To facilitate the effective administration of provisions of the Town Planning Scheme.
Guidelines:	
Resolution Number:	2004-039
Resolution Date:	21 April 2004
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Manager Community Development.
Date of Review:	Annually.
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY – HOUSING AND COMMUNITY AMENITIES

Sub Section:	Town Planning and Regional Development
Policy No:	6.6.4
Policy Subject:	Town Planning and Legal Proceedings
Delegation:	The Chief Executive Officer is delegated authority to: <ul style="list-style-type: none">a) Institute prosecution proceedings under the Town Planning and Development Act, in the Court in its summary jurisdiction.b) Represent Council, or appoint appropriate representatives, where necessary at prosecutions, appeals and enquiries pertaining to the enforcement of the provisions of the Town Planning and Development Act and the implementation of Council's Town Planning Scheme.
Objectives:	To permit the Chief Executive Officer to take the appropriate legal action to achieve Council's policy intentions in a timely manner.
Resolution Date:	18 February 2004
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Council and Chief Executive Officer
Date of Review:	June Annually
Review Responsibility:	Council and Chief Executive Officer

DELEGATED AUTHORITY - RECREATION AND CULTURE

Sub Section:	Parks and Gardens
Policy Number:	7.3.1
Policy Subject:	Establishment and Maintenance of Playground Equipment
Delegation:	<p>All playground equipment purchased by Council, donated or supplied on a joint venture basis and constructed on Council owned or controlled land shall be according to the Australian Standards Association (1924, Part 1, 1981) Playground Equipment for Parks, Schools and Domestic Use. (ASA 2155 - 1982 and 2555 - 1982)</p> <p>The Chief Executive shall order the immediate removal of any items of equipment that, in his opinion, is not confirming and dangerous and shall have the authority to remove any item of play equipment and have it placed in the Council's depot if the order for its removal is disregarded.</p>
Objectives:	To ensure that playground equipment under the control of the Engineering Department is maintained to the highest standard possible.
Guidelines:	To be established for the ongoing inspection by Council's staff such as Chief Executive Officer if necessary.
Resolution No:	Full Council
Resolution Date:	17 June 1997, 21 May 2002, 15 June 2005
On Delegation:	Chief Executive Officer to Manager Works and Services and Manager Community Development
Source:	Manager Works and Services and Manager Community Development
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - RECREATION AND CULTURE

Sub Section:	Parks and Gardens
Policy Number:	7.3.2
Policy Subject:	Permission to Consume Alcohol Council Reserves and Streets
Delegation:	The Chief Executive Officer is delegated to give permission for the consumption of alcohol on Council Reserves and Streets
Objectives:	To ensure all organisations, clubs, groups etc apply in writing to the Chief Executive Officer for permission to consume alcohol on all reserves and streets under Council control
Guidelines:	<p>Applications must be in writing addressed to the Chief Executive Officer some seven (7) days prior to the proposed function, event etc and comply with all statutory and other requirements – Office of Liquor and Gaming, Local Police permission, Health, Noise etc.</p> <p>Also detailing all relevant information as to date, place, time, responsible organisation/person, control measures, public liability, etc.</p> <p>Also, comply with Council Local Law relating to Parks, Gardens and Reserves. Refer Delegation Authority – “Recreation and Culture” 7.3.2 to Chief Executive Officer.</p>
Resolution No:	
Resolution Date:	16 June 1998, 21 May 2002, 17 March 2004, 15 June 2005
On Delegation:	Chief Executive Officer to Manager Finance & Administration and Manager Community Development
Source:	Council
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - RECREATION AND CULTURE

Sub Section:	Parks and Gardens
Policy Number:	7.3.3
Policy Subject:	Permission to Conduct Activities on Council Property
Delegation:	The Chief Executive Officer is delegated authority to grant permission to conduct activities on Council Property.
Objectives:	To ensure that individuals, organisations, clubs, groups etc receive timely service in seeking Council Permission to conduct activities that are in line with Council policy and are regulated by Council's Local Government Property Local Law.
Guidelines:	<p>Applications must be in writing addressed to the Chief Executive Officer at least seven (7) days prior to the proposed function, event etc and comply with all statutory and other requirements. Applications that require Council approval should be submitted prior to the Council meeting preceding the activity.</p> <p>The application should detail all relevant information as to date, place, time, responsible organisation/person, control measures, public liability insurance cover, etc.</p>
Resolution No:	2004-034
Resolution Date:	17 March 2004, 15 June 2005
On Delegation:	Chief Executive Officer and Manager Community Development
Source:	Council
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - TRANSPORT/ENGINEERING

Sub Section: Road Train Permits

Policy Number: 8.1.1

Policy Subject: **Issuing of Road Train Permits**

Delegation: That delegated authority be given to the Chief Executive Officer to approve applications for Road Train Permits applied for in between meeting subject to the usual Council conditions being applicable (refer Policy 8.1.3).

Objectives:

Guidelines:

Resolution No: Full Council

Resolution Date: 17 June 1997, 21 May 2002

On Delegation: Chief Executive Officer to Manager Works and Services (refer Policy 8.1.3 for conditions)

Source: Manager Works and Services

Date of review: June Annually

Review Responsibility: Chief Executive Officer

DELEGATED AUTHORITY - TRANSPORT/ENGINEERING

Sub Section:	Road Train Permits
Policy Number:	8.1.2
Policy Subject:	Closing of Roads
Delegation:	That delegated authority be given to the Chief Executive Officer to close Council roads when road conditions require.
Objectives:	To ensure Council can act promptly to close roads to traffic when road conditions require.
Guidelines:	This delegation will be used in line with the Council Policy 8.1.4 Road Closures.
Resolution No:	2003-170
Resolution Date:	17 December 2003
On Delegation:	Chief Executive Officer to Manager Works and Services
Source:	Manager Works and Services
Date of review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - TRANSPORT / ENGINEERING

Sub Section:	Street and Road Signage
Policy Number:	8.5.1
Policy Subject:	School Bus Signs
Delegation:	In all instances where a School Bus Sign is requested - all materials and labour to erect the sign must be supplied by Council. The location of the sign on the road reserve is to be determined by Chief Executive Officer.
Objectives:	
Guidelines:	Refer Policy 8.6.1
Resolution No:	Full Council
Resolution Date:	17 June 1997, 21 May 2002
On Delegation:	Chief Executive Officer to Manager Works and Services
Source:	Manager Works and Services
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.1
Policy Subject:	Authorised Persons
Delegation:	That Council's Manager Community Development be appointed by Council as an "Authorised Person" under the provisions of Section 17 of the Caravan Parks and Camping Grounds Act, 1995.
Objectives:	
Guidelines:	<ol style="list-style-type: none">1) The Chief Executive Officer of the Department or a local government:<ol style="list-style-type: none">a) may appoint such persons to be authorised persons for the purpose of this Act as the Chief Executive Officer or the local government considers necessary; andb) must issue each person appointed under paragraph (a) with an identity card, in the prescribed form, certifying that the person is an authorised person under this Act2) An authorised person is to produce identity card referred to in subsection (1)(b) whenever required to do so by any person in respect of whom the authorised person has exercised, or is about to exercise, any of the powers of an authorised person under this Act3) Production of an identity card referred to in subsection (1)(b) is <i>prima facie</i> evidence that the person to whom the identity card relates is an authorised person for the purposes of this Act4) Every member of the Police Force is, if so requested by an authorised person, to aid and assist the authorised person enforcing compliance with this Act and has, while so aiding and assisting, all the powers and authorities of an authorised person
Resolution No:	Full Council, 2004-075
Resolution Date:	16 September 1997, 23 June 2004, 15 June 2005
On Delegation:	
Source:	Manager Community Development
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.2
Policy Subject:	Demolition Licences
Delegation:	The Chief Executive Officer is Delegated Authority to approve the issue of a demolition licence Local Government (Miscellaneous Provisions) Act 1960 Section 374A to take down a building or part of a building and such licence may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.
Objectives:	To allow the timely handling of applications for Demolition Licences.
Guidelines:	Local Government (Miscellaneous Provisions) Act 1960 Section 374A Demolition Licences
Resolution No:	2003-171
Resolution Date:	17 December 2003, 15 June 2005
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Manager Community Development
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.3
Policy Subject:	Building Licences
Delegation:	<p>That pursuant to Section 374(1b) of the Local Government (Miscellaneous Provisions) Act 1960, the Manager Community Development (Building Surveyor) is delegated authority to approve or refuse to approve plans and specifications, but where a plan and specification so submitted conforms to the:</p> <ol style="list-style-type: none">1. All Local Laws and Regulations in force in the district or part of the district in respect of building matters, and the Council's predetermined policy in respect of building matters; and2. All Local Law and schemes in force in the district or part of the district in respect of town and regional planning matters, and the Council's predetermined policy in respect of town and regional planning matters. <p>The Manager Community Development (Building Surveyor) shall not refuse to approve that plan or those specifications without first obtaining the consent of Council.</p> <p>Furthermore the issuing of a building licence under Section 374(1) of the Local Government (Miscellaneous Provisions) Act 1960 may be subject to such conditions as the Manager Community Development (Building Surveyor) considers necessary.</p>
Objectives:	To allow the timely handling of applications for Building Licences.
Guidelines:	Local Government (Miscellaneous Provisions) Act 1960 Section 374 Plans of Buildings to be Approved by Local Government
Resolution No:	2003-171
Resolution Date:	17 December 2003
On Delegation:	
Source:	Manager Community Development (Building Surveyor)
Date of Review:	June Annually
Review Responsibility:	Manager Community Development (Building Surveyor)

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.4
Policy Subject:	Building Licences – Extension of time to complete
Delegation:	That in accordance with Section 374(1a) of the Local Government (Miscellaneous Provisions) Act 1960 Council's Manager Community Development (Building Surveyor) is delegated authority to approve of an extension of time where it was not possible to complete the building within the period specified in the building licence, subject to the payment of any additional building licence fee.
Objectives:	To allow the timely handling of applications for and extension of time to complete works under an already issued Building Licences.
Guidelines:	Local Government (Miscellaneous Provisions) Act 1960 Section 374 Plans of Buildings to be Approved by Local Government
Resolution No:	2003-171
Resolution Date:	17 December 2003
On Delegation:	
Source:	Manager Community Development (Building Surveyor)
Date of Review:	June Annually
Review Responsibility:	Manager Community Development (Building Surveyor)

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.5
Policy Subject:	Section 401 Notices
Delegation:	The Chief Executive Officer is delegated authority to issue notices pursuant to Section 401 of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.
Objectives:	<p>To allow the timely handling of issuing of notices to where the Local Government should require alterations to a building under construction to:</p> <ul style="list-style-type: none">• render the building safe; and• comply with plans and specifications approved by the local government.
Guidelines:	Local Government (Miscellaneous Provisions) Act 1960 Section 401 Notice of Required Alterations.
Resolution No:	2003-171
Resolution Date:	17 December 2003, 15 June 2005
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Manager Community Development
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.6
Policy Subject:	Section 401A Notices
Delegation:	<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none">1. issue stop work notices pursuant to Section 401A of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice2. withdraw stop work notices pursuant to Section 401A of the Local Government (Miscellaneous Provisions) Act 1960 where the breach for the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.
Objectives:	To allow the timely handling of issuing of notices to where illegal building work is be conducted.
Guidelines:	Local Government (Miscellaneous Provisions) Act 1960 Section 401A Stopping Unlawful Work.
Resolution No:	2003-171
Resolution Date:	17 December 2003, 15 June 2005
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Manager Community Development
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.7
Policy Subject:	Issue of Section 403 Notices
Delegation:	<p>The Chief Executive Officer is delegated the authority to carry out the following functions as provided in Section 403 of the Local Government (Miscellaneous Provisions) Act 1960:</p> <ol style="list-style-type: none">1. Issue a certificate which states that the subject building is in a dangerous state.2. Shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger;3. Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.
Objectives:	To allow the timely handling of issuing of notices where the Local Government should require the owner or occupier to take action to a building to render the building safe in the interests of the safety of the public.
Guidelines:	Local Government (Miscellaneous Provisions) Act 1960 Section 403 Survey to be made of Dangerous Buildings.
Resolution No:	2003-171
Resolution Date:	17 December 2003, 15 June 2005
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Manager Community Development
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Policy Number:	9.4.8
Policy Subject:	Issue of Section 408 and Section 409 Notices
Delegation:	The Chief Executive Officer is delegated authority to serve upon the owners and occupiers of neglected and dilapidated buildings the written notices required by Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960.
Objectives:	To allow the timely handling of issuing of notices where the Local Government should require the owner or of a neglected building to remove that building or renovate that building.
Guidelines:	Local Government (Miscellaneous Provisions) Act 1960 Section 408 removal of neglected buildings; and Local Government (Miscellaneous Provisions) Act 1960 Section 409 Power to compel renovation of Dilapidated Buildings.
Resolution No:	2003-171
Resolution Date:	17 December 2003, 15 June 2005
On Delegation:	Chief Executive Officer to Manager Community Development
Source:	Manager Community Development
Date of Review:	June Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY – OTHER PROPERTY & SERVICES

Sub Section: ~~Plant Operation/Vehicles~~

Delegation Number: ~~10.2.1~~

Delegation Subject: ~~Vehicle Tenders~~

Delegation: ~~Unless otherwise specified, the Chief Executive Officer is delegated authority to accept a tender for the purchase of vehicles when:~~

- ~~• the consideration involved does not exceed \$60,000; and~~
- ~~• appropriate provision has been made on Council's Budget.~~

Objectives: ~~This delegation will allow Council to purchase vehicles of values between \$50,000 and \$60,000, where pricing received in a tender process is in line with Council's budget, in a timely manner.~~

Guidelines: ~~The Delegation is only to be exercised for the purchase of vehicles.~~

Resolution No: ~~2003-143~~

Resolution Date: ~~19 November 2003~~

On Delegation: ~~Nil~~

Source: ~~Council~~

Date of review: ~~June Annually~~

Review Responsibility: ~~Chief Executive Officer~~

Shire of Coorow



Media Authorisation

I, Moira Jean Girando being duly appointed President of the Shire of Coorow hereby delegate to Gary Sherry being the Chief Executive Officer, the authority to speak on behalf of and represent the views of the Council of the Shire of Coorow to the media and other third parties as appropriate.

This authority is granted through delegation in accordance with Section 5.41(f) of the Local Government Act 1995 and is current until 30 June 2006.

Cr M J Girando, JP

July 2007

10.1.4 COUNCIL WCRC REPRESENTATION

AUTHOR Gary Sherry
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 7 July 2007
FILE W14

SUMMARY:

Council to review its representatives to the WCRC.

BACKGROUND:

Following an Extraordinary Election, at the October 2006 Meeting, Council selected delegates to the respective committees or organisations on which Council is represented.

RESOLUTION: 2006-220
Moved: McDonald **Seconded:** O'Callaghan
That Council:

1. disband the Building Management Committee; and
2. appoint the following as members of Committee's of Council and as delegates of Council to the respective committee or organisation as included in the following table:

No	Committee	Member/Delegate(s)	Proxy Member/Delegate
1	Audit Committee	All Councillors	Nil
2	Chief Executive Officer Performance Review Committee	All Councillors	Nil
3	Central Coast Planning and Coordinating Committee	Cr Girando and CEO	Cr Eaton
4	Waddy Forest LCDC	Cr Waite	Cr O'Callaghan
5	Central Coast Health Advisory Group	Cr George	Cr McDonald
6	North Midlands Sub-Regional Road Group	Cr Girando and MWS	Cr Waite
7	Agriculture Protection Board Regional Advisory Committee	Cr Waite	Cr McDonald
8	Wildflower Country Regional Council	Cr Girando	Cr Stacy
9	Northern Country Zone of WA Local Government Association	Cr Girando and Cr Stacy	Cr O'Callaghan and Cr Eaton
10	Moore River Catchment Council	Cr Waite	Cr O'Callaghan
11	Leeman/Green Head Local Emergency Management Advisory Committee	Cr McDonald and MCD	Cr Rackemann

12	Carnamah Local Emergency Management Advisory Committee	Cr Waite	Cr O'Callaghan
13	Coorow School Bus Committee	MWS	CEO
14	Carnamah District High School Bus Committee	MWS	CEO
15	Winchester Cemetery Management Committee	Cr O'Callaghan, MWS and Ms Alison Doley (Community Rep)	
16	CALM Fire Advisory Committee	MWS, John Browne, Chief BFCO	CEO
17	Small Business Centre Central Coast	Cr McDonald	Cr Rackemann
18	Leeman Jetty Committee	Cr Rackemann	Cr George
19	Green Head Jetty Committee	Cr George	Cr McDonald
20	Coorow Land Conservation District Committee	Cr Stacy	Cr O'Callaghan
21	Coorow Townscape Committee	Cr Stacy	Cr O'Callaghan
22	North Midlands Medical Practice Management Committee	Cr O'Callaghan and CEO	Cr Girando and MFA
23	Wildflower Country Tourism Steering Committee	Cr McDonald	Cr Eaton
24	Marchagee Buntine Recovery Catchment Group	Cr Stacy	Cr Girando
25	Watheroo LCDC	Cr Stacy	Cr Girando
26	Bush Fire Advisory Committee Chair	Cr Waite	Cr Girando

CARRIED BY ABSOLUTE MAJORITY 7/0

COMMENT:

The Wildflower Country Regional Council (WCRC) are conducting a corporate discussion with its Councillors, Deputies who attend and CEO.

Councillors of member WCRC local governments who are not Councillors or deputies of the WCRC, do not have a legal standing with the WCRC and will not be permitted to attend the corporate discussion.

Councillor Waite has attended several meetings of the WCRC and is eager to continue to attend in the future. Cr Waite will not be permitted to attend the WCRC corporate discussions.

Councillor Stacy, Council's current appointed Deputy Member of the WCRC, has agreed to stand down.

STATUTORY ENVIRONMENT:

Local Government Act 1995

5.10. Appointment of committee members

- (1) A committee is to have as its members -
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish -
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11. Tenure of committee membership

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until -
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
 - (b) the person resigns from membership of the committee;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until -
 - (a) the term of the person's appointment as a committee member expires;
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
 - (c) the committee is disbanded; or

- (d) the next ordinary elections day,
whichever happens first

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

Nil Required.

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION:

That Council:

1. accept the resignation of Cr Stacy from the position as Council's Deputy member of the Wildflower Country Regional Council; and
2. appoint Cr Waite to the position the position as Council's Deputy member of the Wildflower Country Regional Council.

RESOLUTION: 2007-119

Moved: Eaton

Seconded: George

That Council:

1. *accept the resignation of Cr Stacy from the position as Council's Deputy member of the Wildflower Country Regional Council; and*
2. *appoint Cr Waite to the position the position as Council's Deputy member of the Wildflower Country Regional Council.*

CARRIED 7/0

10.1.5 DIGITAL CONVERSION OF SELF-HELP TV RETRANSMISSION SITES

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	9 July 2007
FILE	T3 Television & Radio - Services

SUMMARY:

Council to consider comment on Federal Government plans to move to Digital TV Retransmission.

BACKGROUND:

Council has three TV and Radio Retransmission sites in Leeman, Green Head and Coorow, rebroadcasting a range of television and radio channels. They are:

- Leeman rebroadcasts GWN, WIN and SBS television and 2 radio channels;
- Green Head rebroadcasts ABC, GWN, WIN and SBS television and 3 radio channels; and
- Coorow rebroadcasts ABC, GWN, WIN and SBS television and 1 radio channel.

All these rebroadcast television and radio signals are in an analogue format.

COMMENT:

Council has received a discussion paper, *Digital Conversion Of Self-Help Television Transmission Sites*, released by the Federal Department of Communications, Information Technology and the Arts seeking comment on the conversion of the existing self help analogue terrestrial television retransmission sites to a digital environment.

The discussion paper, considers the technical, financial and timing issues for the conversion and possible alternative options in some areas of direct to home satellite reception.

There are three ways television and radio signals are provided into regional and remote Australia.

- Metropolitan And Regional Self-Help Retransmission Facilities.

These sites deliver an infill service in metropolitan and regional areas and extend coverage to areas removed from main transmission sites. These sites receive off air feeds from the analogue terrestrial transmitter of local broadcasters. The 33 metropolitan sites serve a population of 100,000 and 153 regional sites serve an estimate population of 140,000. These sites provide local content and not the homogenous satellite content.

- Remote Area Analogue Terrestrial Self Help Retransmission Sites.

Council is three of 468 self-help analogue terrestrial retransmission sites in remote Australia servicing a population of 70,000. Currently there are approximately 74,000 households who have Direct to Home satellite reception.

- Reception Of Satellite Delivered Services Through Direct To Home (DTH) Equipment

Viewers residing outside self help retransmission sites can access government and commercial satellite delivered television services. Approximately 74,000 household receive this type of service. Many households, outside the town sites of the Shire of Coorow would utilise this service.

The Discussion paper identifies the following issues:

Conversion of Analogue Self-Help Television Retransmission Facilities to Digital

A threshold issue is whether it would be technically viable for local communities, Indigenous communities or local councils to operate and maintain digital retransmission facilities under self-help arrangements.

Individual Digital Transmitters

This option requires the installation of an individual digital transmitter and decoder for each service. Sites with existing basic infrastructure such as power, equipment housing, air-conditioning and antenna masts may be able to be incrementally upgraded to support digital transmissions. A cost of \$125,000 plus for each remote site could be expected.

An alternative conversion option is to install on-site multiplexing equipment at the self-help retransmission site. Multiplexers combine digital transmissions received from different television services into a single unit. This would reduce the number of digital transmitters/decoders required at each site, although it is not clear whether overall conversion costs would be more or less for the use of individual transmitters.

Because of their greater technical sophistication, multiplexers have greater technical and other demands than do individual digital transmitters. For example, multiplexing equipment can be more susceptible to variations in temperature and the intrusion of dust.

Comment is sought on the following issues:

Whether the use of individual digital transmitters for each service or the use of multiplexers, would be the most effective option for converting existing analogue self-help retransmission sites to digital in relation to:

- technical viability;
- costs of conversion, operation and maintenance; and
- any other options for the digital conversion of self-help television retransmission sites.

Suggested Council Comment:

1. Council does have the technical viability to operate individual digital transmitters. Councils experience in operating such equipment over a long period is proven.
2. The increased technical requirements for multiplexing equipment, located outside easy reach of technical assistance may be beyond the capabilities Council. Particularly the increased cost of maintenance of equipment in harsh environments.

Direct To Home Reception of Satellite Television

Another key issue is to determine the relative costs of converting existing self-help retransmission sites to digital transmission. This is compared with the installation of DTH facilities in individual households to access satellite-delivered remote digital television services.

The DTH option requires a new receiving dish, smartcard and decoder. The total cost could be in the order of \$550 to \$1,200 installed.

Where populations are below 500, the installation of DTH equipment may prove to be a more economical option than converting existing analogue terrestrial retransmission facilities to digital terrestrial television reception.

Non-cost factors would also need to be considered. Changes may occur from time to time in satellite transmission arrangements for remote television services arising from technological developments and/or changes in commercial arrangements. This may require the replacement of existing DTH reception equipment. There is an issue as to who would bear the costs of such changes over time.

Comment is sought on the following issue:

Whether the DTH option for viewers residing in remote areas of Australia where the population is less than 500 should be adopted, rather than converting existing self-help retransmission sites from analogue to digital.

Suggested Council Comment:

3. Council would strongly favour the implementation of digital retransmission equipment into communities with at least 100 people. Significant other non technical or financial issues need to be considered, including:
 - The amenity provided by a retransmission system that allows viewing of multiple radio and television services concurrently in a single household. DTH allows viewing of only one signal, radio or television, at one time;
 - the amenity of large satellite dishes located in every house in a town site;
 - the expectation of growth of communities over the longer term may see communities exceed the 500 population limit; and
 - costs of transient users television (ie. Holiday homes, for installing transient workers etc.).

Timing of Implementation

Metropolitan and Regional Self-Help Television Retransmission Sites

Metropolitan and regional self-help retransmission sites typically receive their analogue television signals by terrestrial feeds from broadcaster-operated terrestrial transmission sites. Arrangements for the operation of such sites in a digital environment will,

therefore, need to be implemented prior to the planned switch-off of the analogue televisions services feeding the self-help sites in 2010-12.

Remote Self-Help Television Retransmission Sites

Remote self-help retransmission sites and DTH receive their analogue services by satellite-feed. There is no immediate requirement to convert these self-help sites to digital as long as there is satellite delivery of the remote area analogue television services.

As indicated above, the remote area broadcasters are currently considering long-term arrangements for the satellite delivery of their digital television services. The Government considers that future satellite transmission arrangements should continue to permit access by DTH households to a full suite of remote television services intended for an area using a single satellite reception dish and decoder.

Final decisions regarding the digital conversion of satellite-fed self-help television retransmission sites is not possible until future satellite transmission arrangements for digital television are finalised.

Comment is sought on the following issue:

Any views regarding the timing of digital conversion of self-help retransmission sites.

Suggested Council Comment:

4. Council would urge a prompt resolution of satellite transmission arrangements to allow for a timely transfer to satellite digital television service. Once mainstream analogue service is turned off, it can be expected that new analogue television and radio receivers will not be available. This will severely impact residents in areas receiving analogue satellite transmissions.

Council may wish to provide the following general comment:

5. The Discussion paper makes no mention of the provision of radio services. The Federal government needs to address the provision of these rebroadcasted services in the digital age.

STATUTORY ENVIRONMENT:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Council initially installed the television and radio rebroadcasting infrastructure using a one off levy on the community and grant funding through the Television Black Spot Program (TVBSP). All of these original services have been upgraded and expanded through further TVBSP funding, special SBS funding and private radio operators looking to expand their service.

Council continues to recover the maintenance of all of the television and radio rebroadcasting infrastructure with a service charge on all ratepayers living in Council's town sites.

PUBLIC CONSULTATION:

No public consultation has been conducted.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

That Council makes a submission to the Federal Department of Communications, Information Technology and the Arts on the content of their Discussion Paper *Digital Conversion of Self-Help Television Transmission Sites*, highlighting the following issues:

1. The increased technical requirements for multiplexing equipment, located outside easy reach of technical assistance may be beyond the capabilities Council. Particularly the cost of maintenance of equipment in harsh environments.
2. Council does have the technical viability to operate individual digital transmitters. Councils experience in operating such equipment over a long period is proven.
3. Council would strongly favour the implementation of digital retransmission equipment into communities with at least 100 people. Significant other non technical or financial issues need to be considered, including:
 - The amenity provided by a retransmission system that allows viewing of multiple radio and television services concurrently in a single household. DTH allows viewing of only one signal, radio or television, at one time;
 - the amenity of large satellite dishes located in every house in a town site;
 - the expectation of growth of communities over the longer term may see communities exceed the 500 population limit; and
 - costs of transient users television (ie. Installation in Holiday homes)

4. Council would urge a prompt resolution of satellite transmission arrangements to allow for a timely transfer to satellite digital television service. Once mainstream analogue service is turned off, it can be expected that new analogue television and radio receivers will not be available. This will severely impact residents in areas receiving analogue satellite transmissions.
5. The Discussion paper makes no mention of the provision of radio services. The Federal government needs to address the provision of these rebroadcasted services in the digital age.

RESOLUTION: **2007-120**

Moved: George

Seconded: O'Callaghan

That Council makes a submission to the Federal Department of Communications, Information Technology and the Arts on the content of their Discussion Paper Digital Conversion of Self-Help Television Transmission Sites, highlighting the following issues:

1. *The increased technical requirements for multiplexing equipment, located outside easy reach of technical assistance may be beyond the capabilities Council. Particularly the cost of maintenance of equipment in harsh environments.*
2. *Council does have the technical viability to operate individual digital transmitters. Councils experience in operating such equipment over a long period is proven.*
3. *Council would strongly favour the implementation of digital retransmission equipment into communities with at least 100 people. Significant other non technical or financial issues need to be considered, including:*
 - *The amenity provided by a retransmission system that allows viewing of multiple radio and television services concurrently in a single household. DTH allows viewing of only one signal, radio or television, at one time;*
 - *the amenity of large satellite dishes located in every house in a town site;*
 - *the expectation of growth of communities over the longer term may see communities exceed the 500 population limit; and*
 - *costs of transient users television (ie. Installation in Holiday homes)*
4. *Council would urge a prompt resolution of satellite transmission arrangements to allow for a timely transfer to satellite digital television service. Once mainstream analogue service is turned off, it can be expected that new analogue television and radio receivers will not be*

available. This will severely impact residents in areas receiving analogue satellite transmissions.

- 5. The Discussion paper makes no mention of the provision of radio services. The Federal government needs to address the provision of these rebroadcasted services in the digital age.*

CARRIED 7/0

Cr O'Callaghan declared an Impartiality Interest in that she is a member of Maley Park Committee.

Cr McDonald declared an Impartiality Interest in that she is a member of Coorow Latham Football Club.

Mr Gary Sherry, Chief Executive Officer, declared an Impartiality Interest in Item 10.1.6 in that he is a member of the Coorow Latham Football Club.

10.1.6 MALEY PARK ELECTRIC POWER SUPPLY

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	7 July 2007
FILE	R7.4 Recreation - Maley Park

SUMMARY:

Council is to review the electricity supply issues at Maley Park Coorow.

BACKGROUND:

Council's recreation facilities at Maley Park, Coorow, have gradually grown over the last thirty years. A further addition to these facilities in 2007/08 will be the construction of new change room facilities.

At times the facilities have grown to take advantage of current opportunities, without taking stock of the long term costs involved. An example of this growth is the current state of electrical power supply to Maley Park and the football training lights.

COMMENT:

In terms of electrical power, currently Maley Park is now operating at its absolute maximum.

An inspection by an electrician has found that the existing mains cable is the border line of being undersized. In the electrician's opinion, the mains run should be upgraded to 70mm cable and this will stop the volt drop being created at the moment. At times approaching maximum supply, the 440 volt supply, drops as low as 396 volt on some circuits. To upgrade the cable, conduit, switch boxes etc, is estimated at a cost of \$54,000. This amount does not include trenching costs which could be completed by Council.

The drop in voltage risks damage to equipment utilising this electrical supply. The electrician offered a short term solution to Council by better balancing the load of each phase. Currently each of the three 65 amp phases have an estimated load of 58 amps, 50 amps and 44 amps. This work has an estimated cost of between \$15,000 and \$30,000. This cost is likely to be nearer the lesser amount but the exact nature of the labour content in this exercise is unknown. This work can be completed in conjunction with the construction of the new change rooms at Maley Park.

When he was conducting his inspection of the electrical services, the electrician noted that the electrical wiring in the gardener's storage shed, known as the "white elephant", is substandard and dangerous. This wiring, including the basketball/netball court lighting, will need to be upgraded urgently. This should not be a high cost, since Council has little requirement for power inside the building and little new wiring would need to be connected, rather old, unsafe wiring disconnected.

Council also received the following correspondence from the Coorow Latham Football Club:

I am writing on behalf of the Coorow/Latham football club to request a repair job be organised for the southern set of training lights at the football oval at Maley Park. These lights have not worked now for an extended period of time and are seriously hampering training conditions for the players of the football club. We have recently been forced to use the tennis court lights in their current position to provide enough light at the northern end of the ground to be able to conduct a meaningful training session.

The football club is an integral part of the Coorow community and being able to promote and conduct meaningful training sessions is of vital importance to the on and off-field success of the club and the well-being of the community.

The football club trusts that this matter can be left in your hands and the request will be passed on to the appropriate people to ensure repairs are carried out as soon as possible.

The football training lights have two spotlights located on each wooden pole. Investigating the failure of the southern set of lights has found that whilst one light may have a blown globe, the other light now only works intermittently suggesting other power issues.

Upon further investigation the wiring for those poles may be less than required. There is anecdotal evidence that the old wiring was re-used when the lights were upgraded when the wood poles were installed.

The wood poles upon which the lights are located, were installed very cheaply by Western Power some ten or fifteen years ago. These 12/15 metre high poles significantly restrict access to the lights. New poles, such as those at Wann Park, Leeman, are split steel poles which fold in half for easy light maintenance. Maintenance of the existing Coorow lights, such as changing globes, is a very complex exercise just in gaining access to the lights.

To complete the currently required maintenance, a 12 metre cherry picker is attempting to be sourced from a Carnamah business. Because this cherry picker is not mobile Council's low loader will need to bring it on site. The only alternative would be to hire a cherry picker from Geraldton or Perth. There is also some doubt about the existence of the required safety qualifications available locally to use this equipment to affect these repairs.

Given the difficulties outlined above, the football training lights have not been fully operational for some years. When the electrical load testing was conducted only three

of the four football lights were operational. Since the football lights draw between 6 to 8 amps each, when all the lights are operational, it must be expected that this will worsen the power shortage to the remainder of Maley Park and increase the risk of further damage to lights or other electrical equipment.

Council has been informally approached by the Coorow Latham Football Club about improving the lighting at Maley Park. While Council has responded, these works would only be able to occur, after upgrading all of the electricity supply to Maley Park.

STATUTORY ENVIRONMENT:

Local Government Act (1995)

6.8 Expenditure From Municipal Fund Not Included In Annual Budget

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

STRATEGIC IMPLICATIONS:

Council will continue to have problems with power supply at Maley Park, until all the outstanding issues are resolved.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The financial implication of improving electricity supply to Maley Park is outlined below in decreasing order of importance of each component.

Component of Upgrade	Cost Estimate \$	In-kind Works \$	Total	Cumulative \$
Upgrade of Gardeners Shed	3,000		3,000	3,000
Balancing Load	20,000		20,000	23,000
Main Line Upgrade	54,000	15,000	69,000	92,000
Replace Existing Football Light Poles	33,050		33,050	125,050
Replace Existing Football Lights	12,250		12,250	137,300
New Lights	54,800	10,000	64,800	202,100
TOTAL	177,100	25,000	202,100	

Council has a total \$8,000 allocated to and Maley Park building and oval maintenance. Unless initial maintenance is completed, higher ongoing maintenance over the longer term can be expected.

Grant funding will be not be available to Council to complete the upgrade of the gardeners shed and the load balancing. The urgency of these works also precludes seeking grant funding.

However to complete all other works, Council or the Coorow Latham Football Club may be able to access grant funding to assist in completing these works. The cost comparisons used for the installation of new lighting have been based on the Mingenew Football Club and the Leeman Football Club's recent completion of new football lighting projects. Council's contribution to the Leeman Football Club's project in February 2007 was \$10,000 given the high amount of work the club itself completed.

PUBLIC CONSULTATION:

The Coorow Latham Football Club has provided comment to Council.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

1. acknowledge the shortage of electrical power at Maley Park, the problems this causes no allocation has been made in Council's 2007/08 budget to complete works;
2. urgently make safe the Gardeners Shed at Maley Park;
3. complete works to better balance the power load at Maley Park for up to \$25,000 in conjunction with the construction works to the Maley Park Change rooms;
4. will seek funding opportunities to complete a future upgrade of the Main Line; and
5. advise the Coorow Latham Football Club of the difficulty in maintaining the existing Maley Park Football Lights and encourage the club to seek to improve the lighting to improve delays in maintenance.

RESOLUTION: 2007-121

Moved: George

Seconded: Rackemann

That Council:

1. *acknowledge the shortage of electrical power at Maley Park and the problems this causes and that no allocation has been made in Council's 2007/08 budget to complete works;*
2. *urgently make safe the Gardener's Shed at Maley Park;*

3. *complete works to better balance the power load at Maley Park for up to \$25,000 in conjunction with the construction works to the Maley Park Change rooms;*
4. *will seek funding opportunities to complete a future upgrade of the Main Line; and*
5. *advise the Coorow Latham Football Club of the difficulty in maintaining the existing Maley Park Football Lights and encourage the club to seek to improve the lighting to improve delays in maintenance.*

**CARRIED 6/1
BY ABSOLUTE MAJORITY**

10.1.7 PROVISION OF SAND

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	7 July 2007
FILE	P6 Private Works

SUMMARY:

Council to consider assistance to Council staff to construct a house.

BACKGROUND:

In September 1997 after a request from now former employee Jayson Willis, Council resolved the following: karaoke

Recommendation

That 50% of the costs of \$848 associated with filling of Lot 4 Station Street be waived.

Resolved

That 100% of the costs of \$848 associated with filling of Lot 4 Station Street be waived on the understanding that it is in the interest of attracting people to live in Coorow.

Councillors McTaggart/O'Callaghan
Carried 9-0

COMMENT:

Council has received a request from Mr John Cortese to assist him construct a new house on his property at 9 Station Street, Coorow, by having Council provide him with sand for the construction of his sand pad. He anticipates this will be two loads of sand. The estimated cost of this, depending on timing of delivery, would be a maximum of \$400.

STATUTORY ENVIRONMENT:

Nil.

STRATEGIC IMPLICATIONS:

Mr Cortese is an 11 year employee of Council who is obviously, by his decision to construct a house, committed to Council and residing in Coorow.

Mr Cortese and his family occupy a Council house in Coorow. In assisting Mr Cortese construct his house, Council will have an occupied house in Coorow sooner than if Council does not assist.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

By agreeing to Mr Cortese's request, Council will forgo \$400 in income.

PUBLIC CONSULTATION:

Nil required.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

That Council provide and deliver sand for the construction of Mr John Cortese's house pad at his 9 Station Street, Coorow, property.

RESOLUTION: 2007-122

Moved: Eaton ***Seconded:*** Stacy

That Council provide and deliver sand for the construction of Mr John Cortese's house pad at his 9 Station Street, Coorow, property.

CARRIED 7/0

Mr Gary Sherry, Chief Executive Officer, declared an Impartiality Interest in Item 10.1.8 in that his wife, Natalie Sherry, plays basketball for the Coorow Magpies in Carnamah.

10.1.8 CARNAMAH BASKETBALL/NETBALL COURT RENOVATION

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	7 July 2007
FILE	R7.4 Reserve – Maley Park

SUMMARY:

Council to consider support for the Carnamah Basketball/Netball Court Renovation.

BACKGROUND:

The Carnamah Coorow Basketball Association play in Carnamah and one Coorow based ladies team participate.

The Carnamah Netball Club participate in the North Midlands Netball League and play against the Coorow Netball Club.

COMMENT:

Council has been approached by the Carnamah Coorow Basketball Association and the Carnamah Netball Club to provide a letter of support to assist in their Community Recreation and Sporting Facilities Fund (CSRFF) application to renovate the Carnamah netball/basketball courts. It is not the intention of the clubs to seek financial support from Council.

Council is aware that a number of clubs from within the Shire of Coorow will also be seeking funds under the CSRFF scheme to upgrade facilities within the Shire of Coorow, including the Coorow Netball Club. The CSRFF process is a competitive process and support for another project may disadvantage these local applications.

STATUTORY ENVIRONMENT:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

In constructing these facilities, there would be cost savings if projects could be combined.

PUBLIC CONSULTATION:

Nil.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

That Council not provide a letter of support to the Carnamah Coorow Basketball Association and the Carnamah Netball Club for their Community Recreation and Sporting Facilities Fund application to renovate the Carnamah netball/basketball courts.

ALTERNATIVE RESOLUTION:

That Council provide a letter of support to the Carnamah Coorow Basketball Association and the Carnamah Netball Club for their Community Recreation and Sporting Facilities Fund application to renovate the Carnamah netball/basketball courts.

MOTION:

Moved: Eaton

Seconded: O'Callaghan

That Council provide a letter of support to the Carnamah Coorow Basketball Association and the Carnamah Netball Club for their Community Recreation and Sporting Facilities Fund application to renovate the Carnamah netball/basketball courts.

LOST 3/4

RESOLUTION: **2007-123**

Moved: McDonald

Seconded: Rackemann

That Council not provide a letter of support to the Carnamah Coorow Basketball Association and the Carnamah Netball Club for their Community Recreation and Sporting Facilities Fund application to renovate the Carnamah netball/basketball courts.

CARRIED 4/3

Mr Kelvin Bean declared a Direct Financial Interest in Item 10.1.9 in that he is the Acting Manager Works and Services and left the meeting at 5.10pm.

10.1.9 ACTING MANAGER WORKS & SERVICES

AUTHOR	Gary Sherry
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	9 July 2007
FILE	S7.13 Staff - Manager Works & Services

SUMMARY:

Council to appoint Acting Manager Works & Services.

BACKGROUND:

Mr Peter Gillis will be absent from Council from Saturday 7 July to Sunday 7 October 2007 on Long Service Leave.

COMMENT:

Council's Works Supervisor, Mr Kelvin Bean, will act in the position of Manager Works & Services whilst Mr Gillis is absent.

To allow Mr Bean to use the range of delegated power that the position of Manager Works & Services requires, Council needs to appoint him to that position.

STATUTORY ENVIRONMENT:

DELEGATED AUTHORITY - COUNCIL STAFF

Sub Section:	Staff General
Policy No:	2.1.1
Policy Subject:	Appointment and Termination of Staff
Delegation:	The appointment and termination of Council employees can only be confirmed by:

<u>Position</u>	<u>Office</u>
Chief Executive Officer	Council
Manager Finance and Administration	Chief Executive Officer on recommendation to Council
Manager Works and Services	Chief Executive Officer on recommendation to Council
Manager Community Development	Chief Executive Officer on recommendation to Council

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

While acting in the position Manager Works & Services, requiring a range of extra responsibilities, Mr Bean will earn Mr Gillis's salary. Council has budgeted for this requirement.

PUBLIC CONSULTATION:

Nil required.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

That Council appoint Mr Kelvin Bean to the position of Acting Manager Works & Services for the period of Saturday 7 July to Sunday 7 October 2007.

RESOLUTION: 2007-124

Moved: George

Seconded: Eaton

That Council appoint Mr Kelvin Bean to the position of Acting Manager Works & Services for the period of Saturday 7 July to Sunday 7 October 2007.

CARRIED 7/0

Mr Bean returned at 5.11pm.

10.2 MANAGER COMMUNITY DEVELOPMENT:

10.2.1 MEMORIAL PLAQUES ON COUNCIL RESERVE

AUTHOR	John Randall
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 July 2007
ATTACHMENT	10.2.1 Draft policy – Memorial on Local Government Property
FILE	R7 Reserves

SUMMARY:

Council is to consider adopting a formal position in relation to the erection and maintenance of memorials on Local Government Property.

BACKGROUND:

It is apparent that throughout the Shire, memorial plaques have been placed in numerous localities.

Examples include:

- formal memorials such as war memorials;
- memorial plaques placed on landscape features (eg. the limestone rock at the corner of Morcombe Road);
- plaques on park furniture in Leeman and Coorow (indicating who donated seating or as a memorial to a deceased person);
- memorial plinths (similar to cemetery grave markers) placed at the base of trees (eg Leeman Foreshore, park area in road reserve in front of the Club in Leeman, shack track foreshore);
- project signage to indicate an organisation, that no longer exists, had some involvement in the establishment of a park area (eg lions sign, now removed from park at the corner of Morcombe Road, Indian Ocean Drive, and Rudduck Street); and
- plaques on natural rock to commemorate some family event or the like.

There is no issue with formal memorials that serve the broader community such as war memorials, however with others, more personal types of memorials, some level of issue has arisen in recent time as a result of having to have them removed because:

- of their dilapidated state;
- because they interfere with Council operations;
- the plaque has been stolen; or
- issues arise with the what is seen as neglect of a memorial by persons who have interest in that memorial.

It is hard to determine what formal approvals many of the memorials ever received. Certainly some of them would have never have been approved for erection, and probably have been placed as a result of misplaced belief in proprietorship over community land.

COMMENT:

It is believed that some form of policy position by Council will assist in the administration of memorials on public land controlled by Council.

A draft policy is included at Attachment 10.2.1 has been compiled from similar policies of other Councils. In terms of existing memorials it would be appropriate for Council to seek public submission on all the memorials that are currently present on Council reserves. Such submissions should be required to advise:

- the exact location of the memorial;
- the purpose of the memorial;
- how long the memorial has been in its current location;
- information on what approvals if any were obtained for the erection of the memorial, if such information exists; and
- any other matter relating to the memorial.

Such information will assist in determining if certain existing memorials have currency, assist in determining if they continue to be appropriate or not, and allow us to obtain information that Council should hold over lands that it has control over in any case.

STATUTORY ENVIRONMENT:

Local Government Property Local Law

"local government property" means anything except a thoroughfare –

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the Land Administration Act 1997; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

The above local law in effect requires that a permit is required to erect or place anything of a permanent nature on Local Government Property.

FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATION:

A draft policy on Public Memorials is included at Attachment 10.2.1.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council:

1. adopt the Draft Policy – Memorials on Local Government Property as included at Attachment 10.2.1;
2. offer the community opportunity to provide comment on the draft policy; and
3. call for community registration of existing memorials.

RESOLUTION: 2007-125

Moved: George

Seconded:

That Council:

1. *adopt the Draft Policy – Memorials on Local Government Property as included at Attachment 10.2.1;*
2. *offer the community opportunity to provide comment on the draft policy; and*
3. *call for community registration of existing memorials.*

CARRIED 7/0

Attachment 10.2.1

POLICY – MEMORIAL ON LOCAL GOVERNMENT PROPERTY

Sub Section:	Parks and Garden Areas
Policy Number:	7.3.6
Policy Subject:	Memorials on Local Government Property
Policy Statement:	POLICY APPLICATION

This policy has no application to Memorials which serve a wide community purpose such as war memorials, or signage erected indicating place names that have been approved by the nomenclature advisory board of WA.

MEMORIAL PLAQUES

The installation or erection of memorial plaques on Local Government Property is not supported unless it is to be located upon a suitable piece of donated furniture that is donated (eg park seat, table setting or the like). The plaque is to be located upon the donated furniture. The furniture is to be of a type and style approved by Council and the donor is to meet all costs associated with its purchase, delivery and installation.

The siting of donated memorial furniture will be as approved by Council.

The inscription plaque shall be no greater than 100mm x 100mm and be made of brass or bronze

PERMISSION FOR MEMORIAL PLAQUES

No memorials are to be erected on Council property without approval.

Any memorials that are erected without approval will be removed without reference to the person erecting the memorial.

MAINTENANCE OF MEMORIALS

Council bears no responsibility for the maintenance of memorials in parks, except to the extent of its general obligation in relation to maintenance of its property and the improvements thereon.

If plaques are stolen, replacement will be at the expense of the original donor.

If the furniture or feature upon which the plaques is erected become unserviceable or a hazard for whatever reason, it shall be removed. Replacement of feature or furniture will be at the discretion of Council, and replacement will not necessarily contain the memorial plaque.

If, for operational reasons, it is determined that an existing memorial needs to be relocated, this action will be at the discretion of Council. Generally a new site will be selected for the memorial near to its original site, unless:

- the original memorial is no longer serviceable;
- has become a hazard for whatever reason; or
- no suitable near site for its relocation can be identified.

Objectives: To provide clear administrative guidelines for dealing with private memorials or commemorative plaques on Local Government Property.

Guidelines: Memorials serve an important role for sections of the community, however unless a memorial serves a broad community interest (eg war memorials) it is not appropriate that the Community take on responsibility for the installation, maintenance and upkeep of such installations.

Further, any approval to have any form of memorial on public land does not infer any ongoing rights for proprietorship. A memorial generally will be able to remain whilst it does not interfere with the broader community interest.

Broadly the term that a memorial will be permitted to remain at the site it is located will be determined but the service life of the object upon which it is located and the operational needs of Council.

10.2.2 EXEMPTION TO KEEP MORE THAN TWO DOGS AT 37 MORCOMBE ROAD, LEEMAN

NAME OF APPLICANT:	Glenys Pol
LOCATION	37 Morcombe Road, Leeman
AUTHOR	Sharon McTaggart
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 July 2007
ATTACHMENT:	10.2.2 Barking Dogs Complaints Procedure
FILE	D2 Dog/Cat Control L114 Lot File

SUMMARY:

Council to consider granting an exemption to allow the keeping of more than two dogs at 37 Morcombe Road, Leeman.

BACKGROUND:

Council has received an application from Glenys Pol requesting an exemption to keep three (3) dogs on her property at 37 Morcombe Road, Leeman. In support of this application the following information has been provided by the applicant:

1. the three dogs are all small breeds;
2. one of the dogs is 13 years of age;
3. the property has a large fenced rear yard; and
4. the third dog was given as a companion to the applicant's son, who has Muscular Dystrophy and is confined to a wheelchair.

COMMENT:

Council needs to be aware that over the past 12 months there have been three complaints from one neighbour regarding the dogs at 37 Morcombe Road creating a nuisance by barking. The first two complaints were received in May 2006 and the third complaint was received in May 2007. The standard barking dog procedures, included at Attachment 10.2.2 for Councillor's information, were followed for all of these complaints and are believed to be resolved.

The application for the keeping of three dogs results in part from the complaint history, as it was through the complaints that it became known that there was three dogs kept on the premises.

Under other circumstances, the complaint history would have resulted in a recommendation to refuse the application, but given the special circumstances in this instance, and the fact that the occurrence of complaints is somewhat sporadic, it does seem appropriate to grant the necessary approval. This approval should be conditional that it only relates to the dogs that are currently owned, and should the level of complaint increase, it may be that the approval will be revoked and result in immediate action for breach of the Dog Act.

STATUTORY ENVIRONMENT:

Dog Act 1976

26. Limitation as to numbers

- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —
- a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
 - b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and
 - c) may be revoked or varied at any time.

FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATION:

As a result of this request, Council staff are currently developing a policy in relation to the keeping of more than two dogs which will allow the keeping of three dogs in certain circumstances, taking the following into consideration:

1. whether compassionate grounds exist;
2. the size and breed of the dogs; and
3. the size of the property where the dogs are kept.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council grant an exemption to keep three dogs at 37 Morcombe Road, Leeman on compassionate grounds, subject to the following conditions:

1. it applies only to the dogs specified therein;
2. the level of nuisance caused by the dogs is managed with a view to minimizing occurrence of problems; and
3. the exemption is subject to review at every instance of further complaint, where complainant fulfills the requirements for a dog barking complaint.

RESOLUTION: **2007-126**

Moved: George

Seconded: Rackemann

That Council grant an exemption to keep three dogs at 37 Morcombe Road, Leeman on compassionate grounds, subject to the following conditions:

- 1. it applies only to the dogs specified therein;*
- 2. the level of nuisance caused by the dogs is managed with a view to minimizing occurrence of problems; and*
- 3. the exemption is subject to review at every instance of further complaint, where complainant fulfills the requirements for a dog barking complaint.*

CARRIED 6/1



RANGER SERVICES

PROCEDURE FOR BARKING DOG COMPLAINTS

Procedure Objective: To ensure that all complaints received in relation to barking dogs are responded to promptly and efficiently.

Application: To provide a procedure for investigation of dog nuisance reports.

Procedure:

Where a complaint is received alleging a nuisance being caused by barking dogs: -

1. Record of verbal complaint or actual written complaint to be placed in the Ranger's in-tray.
2. Ranger to respond in writing to the complainant with-in 24hrs, explaining in brief the over all procedure in relation to barking dog complaints. Suggest the complainant to write a polite letter to the dog owner advising them of the nuisance being caused by the barking. In the letter the complainant may mention that they have contacted Ranger Services, and may choose to remain anonymous if they wish. Advise the complainant to keep a copy of the letter, this may be used as evidence should the matter go to court. A copy of the letter should also be forwarded to Ranger Services.
3. Where the complainant does not wish to write a polite letter and or refuses to sign form 6, Ranger Services will only advise the dog owner verbally of the complaint alleging the dogs barking.
4. Ranger to write a letter to the owner of the barking dog notifying them that a complaint has been received, quoting the relevant sections of the Dog Act and advising them that they need to rectify the problem. Provide them with behavioural information/advice and also inform them that the bark collar is available for hire from the Shire of Coorow.
5. Allow a period of 14 days for the dog owner to act on the complainant's letter or letter from Ranger Services, then contact complainant to ascertain if problem has improved/resolved.

If the matter is resolved: -

The Ranger is to make contact with the complainant to confirm the resolution and follow up with letter advising that the matter is now resolved including a letter of closure to the dog owner.

Where the alleged nuisance being caused by barking dogs continues: -

1. Complainant to sign form 6's in the prescribed form alleging the existence of a nuisance created by a dog.
2. Ranger to send a letter to the dog owner advising them that the alleged nuisance caused by barking has not been resolved and is now going to be investigated further.
3. Issue barking logs (diaries) to complainant with clear and detailed instructions on how to complete them.
4. Ranger Services may contact all other neighbours in the immediate vicinity to substantiate the existence of a nuisance being created by barking dog / dogs.
5. Ranger Service may monitor the premises where the dog(s) causing the alleged nuisance are kept.
6. Once an official complaint form 6 has been signed by the complainant and at least 2 other persons, the officer has substantiated the complaint and a reasonable time has elapsed (2 weeks), Ranger Services may serve an Abatement Notice on the dog owner or person responsible for the dog or the occupier of the premises in which that dog is kept. A copy of the bark diary is to be given to the defendant for their information.
7. Where the complaint of a dog causing a nuisance by barking can be substantiated, and if the nuisance is not so abated the Local Government may institute proceedings for an offence against Section 38 (1) of the Dog Act 1976.

Note:

An officer may be able to offer advice on possible solutions to barking problems along with contacts to agencies and help lines that are available specifically for nuisance and animal behavioural problems. It is important that the officer is not seen to be directly promoting specific organizations but make them known to owners of nuisance dogs so that they can make their own choices.

Good Evidence

Evidence should consist of:

- 3 persons who have duly signed forms 6s, in accordance with sect 38(3) of the Dog Act 1976.

Accurate logs detailing:

- Date and times of alleged nuisance
- Type of alleged nuisance
- Cause of alleged nuisance
- Specific effects the alleged nuisance has on persons making the complaint.

Thought should be given to obtaining other evidence, which may include:

- Specific noise level recording devices, usually used by the Health Dept.
- Neighbourhood survey.

Cr O'Callaghan declared a Proximity Interest in Item 10.2.3 in that she owns a property adjacent to the Caravan Park in Grigson Street, Green Head, and left the meeting at 5.14pm.

10.2.3 REQUEST TO CONSIDER PARKS AND RECREATION LAND FOR CARAVAN PARK EXPANSION

NAME OF APPLICANT:	P Verscai
LOCATION	Green Head Caravan Park
AUTHOR	John Randall
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2007
ATTACHMENT:	10.2.3a Letter of Application 10.2.3b Plan submitted to support application 10.2.3c Scheme map showing the zoning of the land 10.2.3d Aerial Photo of the land under discussion
FILE	GH64 Lot File

SUMMARY:

Council is to consider rezoning a section of Lot 64 Grigson Street, Green Head to allow a greater area for Caravan Park/Tourist Accommodation use in the area.

BACKGROUND:

The applicant seeks to have all of Lot 64 Grigson Street, Green Head changed to Tourist Accommodation, or the like, to help support the redevelopment of the existing caravan park and further development of tourist uses in the locality. The original application letter is included at Attachment 10.2.3a and the plans submitted to support the application are included at Attachment 10.2.3b.

The current Caravan Park is around 2ha in area. Leeman Caravan Park is located on a similar area, with associated zoned lands that would allow the park to expand to approximately 3ha.

Lot 64 is located to the north of the existing caravan park. The total area of the lot is 4.36ha. This lot is currently covered by two zonings:

- Tourist Accommodation: The eastern portion defined by a boundary running parallel with Green Head Road around 105m from the Road. This section is estimated to be around 2ha. Process has commenced to seek to clear native title off this land and to have it surveyed off Lot 64.
- Parks and Recreation: The western portion.

It is clear that, as Lot 64 is identified as a single lot, in the town survey it was originally intended that the land be released as a single parcel for development (probably of a tourist nature). At some time, it was identified that the western portion should be reserved for parks and recreation. A copy of the scheme map indicating the zoning is included at Attachment 10.2.3c. Aerial photography of the site is included at Attachment 10.2.3d.

It is understood this was, in part, a result of a determination that as a significant portion of Lot 64 is cap rock and it would be too hard, if not impossible, to develop. The exact part of the site that these concerns would legitimately apply to has not been assessed. I also understand that some interest exists locally in the plants that are located in the Parks and Recreation Portion.

DPI has not commenced any actions aimed at free-holding the Parks and Recreation portion as the proposed end use for the land needs to be honestly and clearly identified in the Native Title Process. Therefore there is a need to determine whether Council will or will not entertain rezoning from Parks and Recreation to Tourist Accommodation or the like.

Certainly, as has been previously identified to Council, Green Head is well served with parks and recreation spaces. For this section to be retained for such purpose it should be that the land in question has such landscape or environmental significance it should be quarantined from any form of development. On cursory investigation I am not certain such circumstance exists.

COMMENT:

Certainly, the reasoning for the exact positioning of the line in Lot 64, Grigson Street Green Head, between the sections zoned for Parks and Recreation and Tourist Accommodation is not clearly stated in any strategy documents.

If this zoning line was created to delineate the portion of lot 64 which due to rock, was either too hard or too difficult to develop, then it is clear that no real care was taken to restrict its application to such areas, as the existing point of delineation incorporates sections of land to which this constraint does not apply.

The matter to be determined by Council is whether or not it will support further investigation into reducing or entirely rezoning the parks and recreation portion of lot 64 to the favour of tourist development.

Certainly, more detailed analysis of site constraints may indicate that some of the area currently zoned for parks and recreation should be retained for such purpose.

If rezoning is considered the following issues will need to be addressed;

- Vegetation survey – Priority vegetation species, if identified, will need to be protected;
- WAPC will need to be convinced that the needs of Green Head for POS will not be compromised by any rezoning;
- the application of State Coastal Policy, as some of lot 64 is within 100m of the coast. If such area were not occupied by capital structures would encroachment into the buffer be allowed or not; and

- the balance of Community Interest versus Economic Development. As the land in question has been Zoned Parks and Recreation it indicates that it has a high level of community interest attributed to it. It may be that it is not acceptable for the land to be rezoned or it may be appropriate that the whole or a portion of the land have the parks and recreation zoning retained

As further consideration of the above issues is time consuming and any action to prepare documentation to support rezoning will incur significant expense, it is necessary to see if Council wants to allow further discussion on the matter.

Certainly it is open for Council to indicate that it does not support the rezoning of the parks and recreation portion of Lot 64 Grigson Street. If this were the case then that will be the end of the matter for the time being. Being realistic, it is possible for the same question to arise at some time in the future as the land in question is strategically located in relation to the existing and future tourist development in the area.

Broadly, I believe the application has planning merit, and as I am not certain that the land to be rezoned from Parks and Recreation has such intrinsic values that it should be quarantined from any development consideration. Certainly it has not always been zoned for or intended for Parks and Recreation.

STATUTORY ENVIRONMENT:

Planning and Development Act

STRATEGIC IMPLICATIONS:

The portion of land under discussion is a strategic resource to the Green Head community. If the zoning change requested were to result in greater tourism development in the town it would help improve the economic viability of the community, but would result in some diminution of environmental and aesthetic values. Any decision needs to achieve some form of balance between these interests.

POLICY IMPLICATION:

Nil

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

If Council consider rezoning this land, comment will need to be sought from the Green Head Community. From this Council can seek to identify the level of community interest in the land, and perhaps come to a resolution that seeks to balance competing interests. The alternative is to reject the proposal out of hand.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. defer any decision on whether or not it will support the rezoning of the Parks and Recreation Portion of Lot 64, Grigson Street, Green Head to Tourist Accommodation until it has given the Green Head community the opportunity to provide comment on the proposal; and
2. seek comment from interested persons to provide specific comment on whether they support, have reservations or reject the proposal, and further that where possible, they provide suitable argument to support their position

ALTERNATE RECOMMENDATION

Council indicate to the applicant that it does not support the rezoning of the portion of Lot 64 Grigson Street, Green Head that is zoned Parks and Recreation to Tourist Accommodation.

RESOLUTION: 2007-127

Moved: Eaton

Seconded: George

That Council:

1. *defer any decision on whether or not it will support the rezoning of the Parks and Recreation Portion of Lot 64, Grigson Street, Green Head to Tourist Accommodation until it has given the Green Head community the opportunity to provide comment on the proposal; and*
2. *seek comment from interested persons to provide specific comment on whether they support, have reservations or reject the proposal, and further that where possible, they provide suitable argument to support their position.*

CARRIED 6/0

Cr O'Callaghan returned to the meeting at 5.17pm.



28th June 2007

The Shire of Coorow

I Pasquale Versaci the applicant and proposed purchaser of the Green Head Caravan Park would like to submit a proposed extension to the park.

The caravan park appears run down and in need of freshening up and the upgrading of certain items and equipment.

In considering the cost of the caravan park which is a freehold business, it needs to provide an income to be able to service and maintain the park to a certain level. The park has to endure various running and outgoing costs which are rapidly increasing in today's times.

The need for upgraded accommodation for travelers who demand and expect a higher level of accommodation which is not currently available but urgently needed. One example is many people are purchasing or hiring more comfortable and up market caravans and mobile homes which have their own bathroom facilities but need to be connected to the parks facilities in order to operate. Many parks have taken the steps to provide these facilities and in time it will be a facility that is expected.

Upgrades are needed to be able to join and be a member of an accredited association in order to improve the status and presence of the park in the industry and improve occupancy levels. There is also a need to keep up with neighboring park standards in order to compete, for example the Jurien Bay Caravan Park has undertaken and still experiencing major upgrades and improvements which improves the standards and levels in the industry. Travelers which may be turned away from Jurien Bay Caravan Park may arrive at Green Head Caravan Park, then compare and choose to keep moving to the next town, resulting in the caravan park as well as the township itself suffering.

To my understanding the present owners do not wish to make any improvements to the park, this may have a detrimental effect on the park.

I propose to purchase Green Head Caravan Park with the intention of purchasing the land being made available for the caravan park extension. The extension will mainly consist of cabin style accommodation with choices between 1 bed standard cabins to 3 bed fully self contained cabins that offer full kitchen, bathroom and toilet facilities that are not currently available at the park.

My ultimate plan is to give the dated Green Head Caravan Park a new lease of life with upgrades to the existing park and also provide extra new cabin accommodation to suit a variety of budgets for a family orientated caravan park.

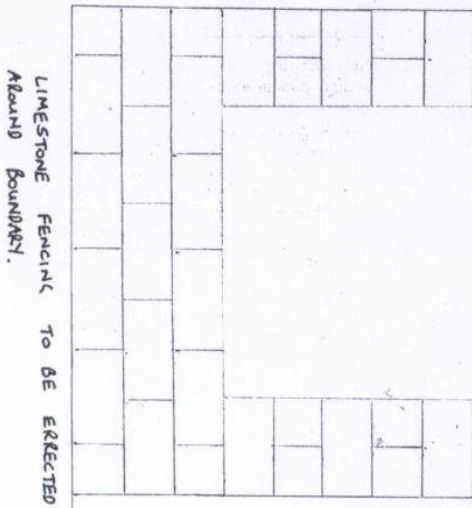
I anticipate the improvements will take sometime to complete but it is a long term goal for myself and my family and will ultimately lead us to reside and operate the park as a family business.

I trust that you may give this application serious consideration and that we all work together towards making the town of Green Head move ahead.

Yours sincerely

A handwritten signature in blue ink, appearing to read "P. Versaci".

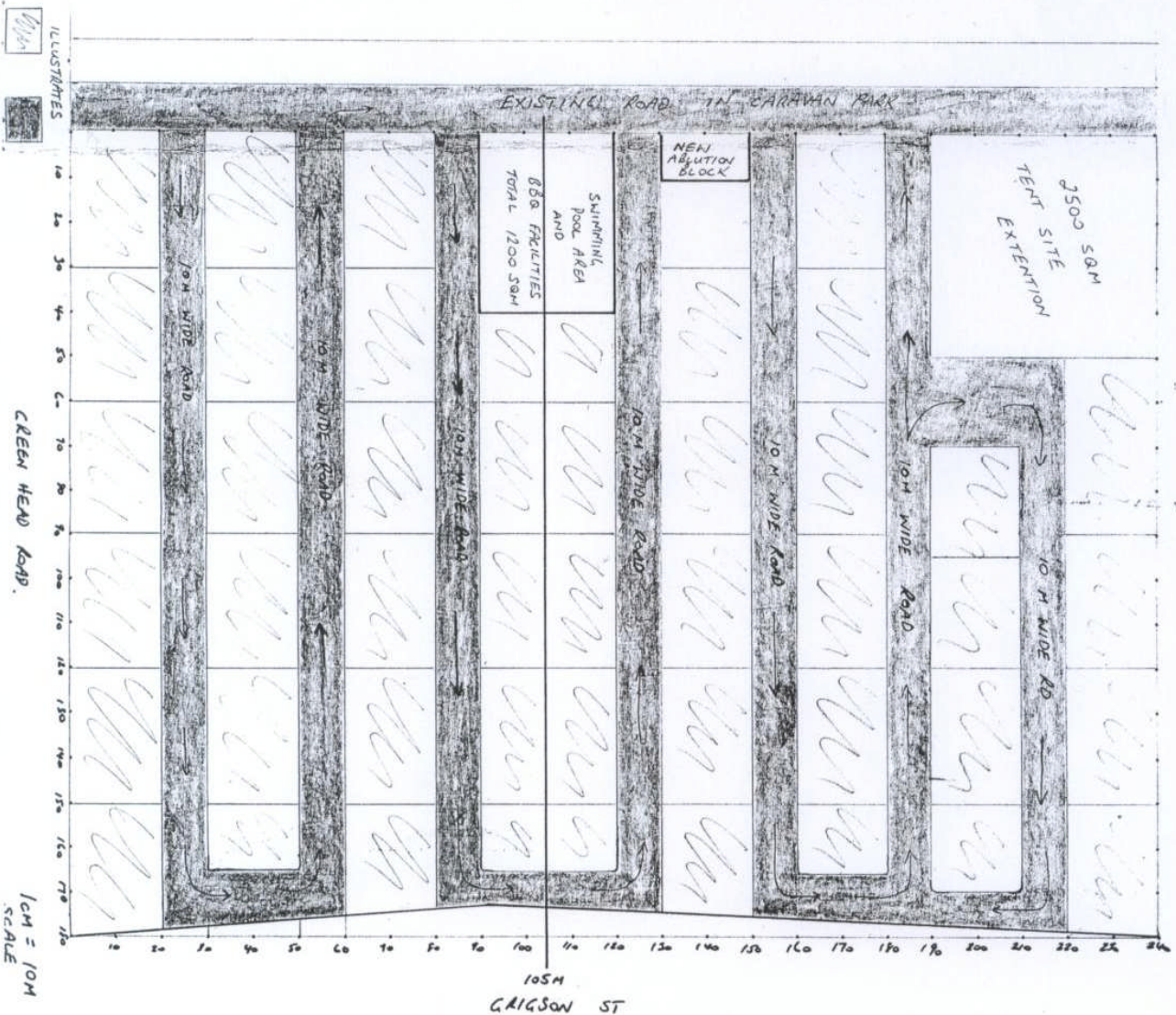
Pasquale Versaci



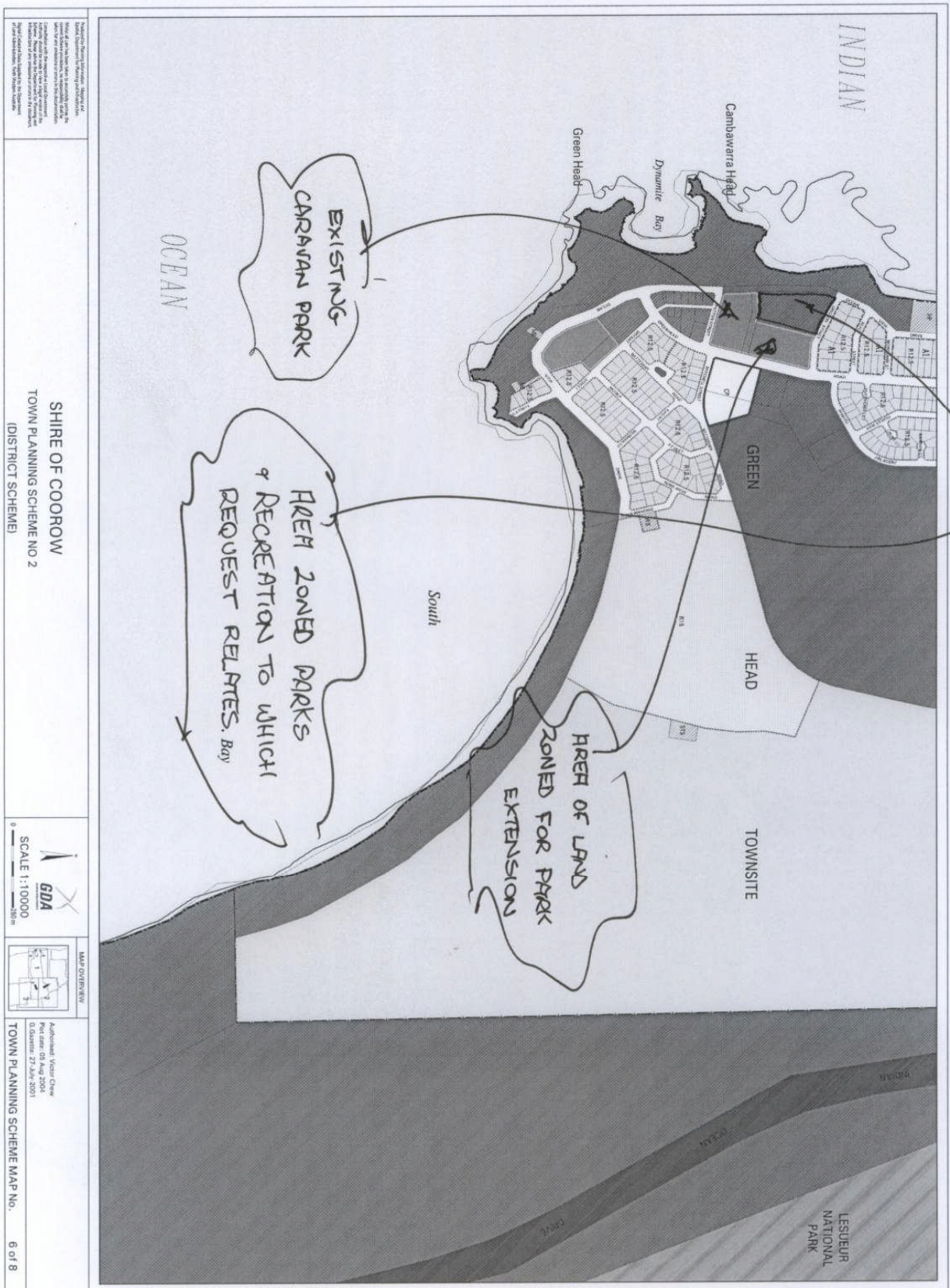
EXISTING CARAVAN PARK SITE

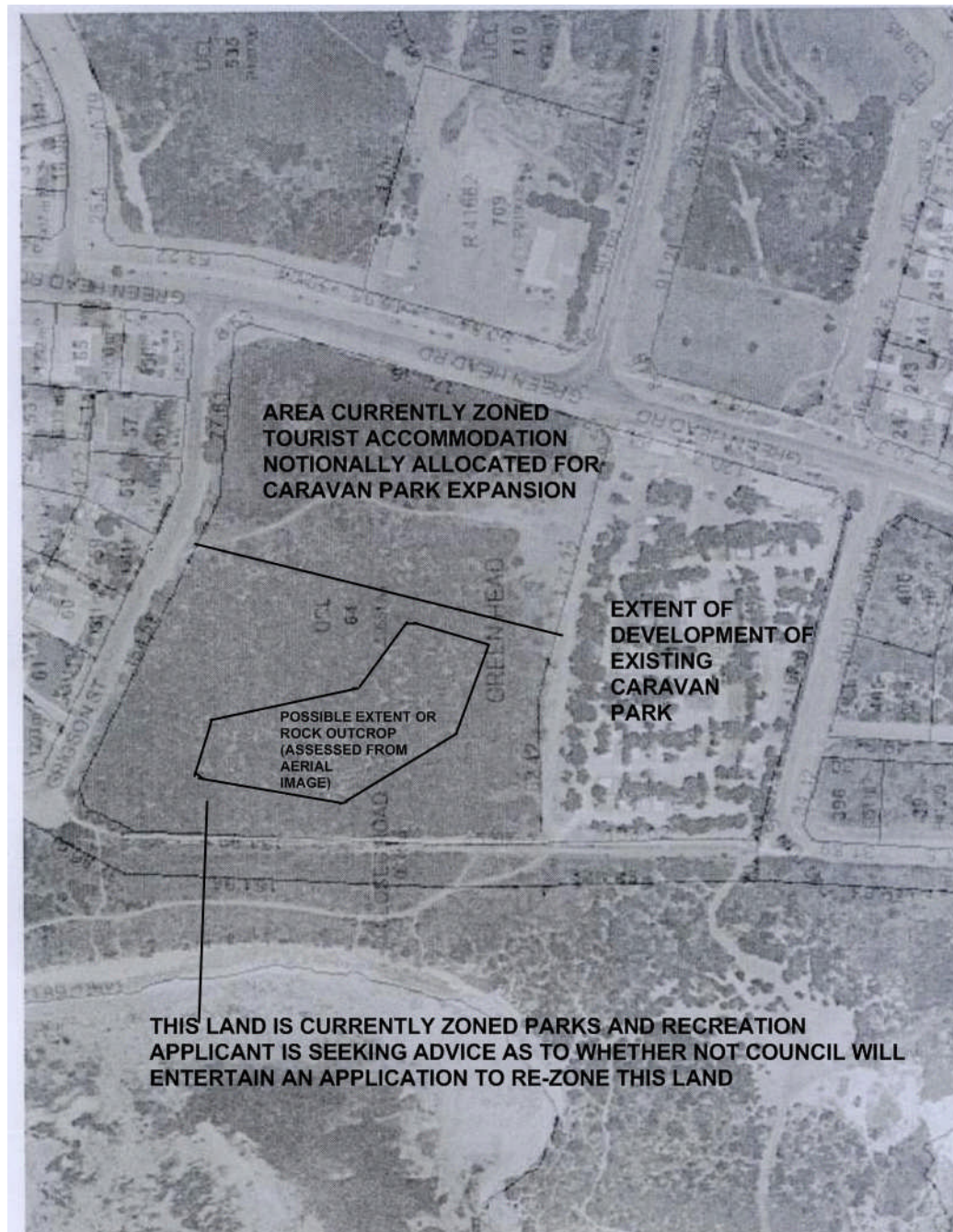
NOT TO SCALE.

ILLUSTRATION PURPOSE ONLY



Note: These minutes have yet to be confirmed





10.2.4 PLANNING APPROVAL FOR A CAFÉ, GALLERY AND HOLIDAY HOME, LOT 204 OCEAN VIEW DRIVE, GREEN HEAD

NAME OF APPLICANT:	K & D O'Brien
LOCATION	Lot 204 Ocean View Drive, Green head
AUTHOR	John Randall
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	2 July 2007
ATTACHMENT:	10.2.4a Notice given of development proposal 10.2.4b Summary of submissions received on the proposal
FILE	G204 – OCE Lot File

SUMMARY:

Council is to consider Planning approval for a Café, Gallery and Holiday Home on Lot 204 Ocean View Drive, Green Head

BACKGROUND:

Council will recall that this issue was originally considered at the March 2007 meeting of Council at which the following was resolved:

RESOLUTION: 2007-039
Moved: Eaton Seconded: George

That Council indicate to the applicant that for development to proceed with two holiday houses as proposed it will require a scheme amendment, and prior to the instigation of such scheme amendment Council will give notice of the proposal as described to the property owners in the vicinity and in the local newsletters to seek community comment.

CARRIED 6/0

Notice was given in accordance with the resolution and with the comment period expiring in June 2007. A copy of the relevant notice given in local papers and by letters to properties in near vicinity is included at Attachment 10.2.4a.

Three responses were received. One indicating support for the proposal, one raising some concerns with certain aspect and the other indicated opposition to the proposal. A table summarising the content of this comment is included at Attachment 10.2.4b.

The primary issues raised related to the café, and were particularly related to:

- on street parking;
- hours of operation of the café; and
- mode of operation of the café.

COMMENT:

Each particular aspect of this proposal will be dealt with separately.

1. Holiday Houses vs Holiday Home

As Council was advised previously, the area of land does not allow the establishment of three separate residences on the property due to the operation of the State Sewer Policy and the current zoned Residential Density of R12.5

If approval is to be granted for two units of holiday accommodation it will be necessary that such use be acknowledged as an additional use or the site rezoned. Both options would require Town Planning Scheme amendment.

Further discussions with the applicant have resulted in them deferring further consideration of the development of two units of holiday accommodation. They now indicate that they only wish to develop a single unit.

This would now allow the unit to be approved as a holiday home, see definition and discussion at Attachment 10.2.4a, and as such no Scheme amendment is required. The unit of holiday accommodation however could be configured to be a house of Class 1b configuration. Building Code defines such a building as follows:

Class 1b a boarding house, guest house, hostel or the like that is less than 300m² in area, in which no more than twelve persons are normally resident, and which is not located above or below another dwelling.

In effect, if the building were configured as above the applicant can achieve much of the outcome desired without having to resort to the expense of an amendment to the Town Planning Scheme.

2. Café/Gallery

The café/gallery component can be approved at Council's discretion after giving notice of the proposed development and Council giving consideration to all submissions received as a result of that notice.

This is the component of the development which is of most contention, as this is the component that requires the on-street parking and has been seen to have the greatest potential to have adverse affect on the residential amenity of the area

Broadly, such a facility, located close to Anchorage Bay, an area of tourism significance, would have some merit. Council has believed that a café could be appropriate in the residential zone as it made it an "A" use in the Town Planning Scheme.

Consideration of this application is a judgement by Council of the benefits versus cost.

In a broad strategic sense, I believe the proposal has merit and worthy of favourable consideration for approval

In terms of the hours of operation, the applicant has advised that at this stage they don't intend year round operation and would perhaps only operate on three to four days surrounding weekends (Friday – Monday or Thursday – Sunday). The menus will generally involve pastries and light foods.

As part of the considerations for approval Council needs to consider whether or not the development would remain appropriate if over time it evolved into a more extensive operation.

Planning Approval, whilst it can be subject to such conditions that Council sees fit, subject to normal resort to appeal, is generally in the form of whether a class of development is acceptable in the locality as proposed. It is not the norm that conditions are applied that aim to restrict the ongoing operations of a use, and therefore I am uncertain as the enforceability of such conditions if they are applied.

Whilst it is true that any expansion of building would require the further planning approval of Council, if the approval of a café were given, the ability to provide absolute restriction on such expansion is limited to the planning constraints and will always be subject to appeal. If the development were defined as an additional use into the scheme with appropriate restriction then the position of Council would be absolute.

In this instance I find it hard to envisage that the downside planning risks are sufficiently high to warrant the time and effort involved in making the development the subject of specific amendment to the Town Planning Scheme - ie making it an additional use.

The advertised plan for development indicated 9 parking bays, which would permit seating for 36 patrons at the premises, with staff parking being provided within the property. It is reasonable to assume that the gallery parking can be shared with the café parking.

I believe the development of a café with 36 seats would be acceptable in the locality.

STATUTORY ENVIRONMENT:

Town Planning Scheme No 2
Planning and Development Act

STRATEGIC IMPLICATIONS:

Given the tourist nature of the towns it is acceptable and appropriate for the development of some low level tourist development within the residential zone.

POLICY IMPLICATION:

Nil

FINANCIAL IMPLICATIONS:

Contribution arrangement will be required to allow off-street parking

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council issue planning approval for the development, on Lot 204 Ocean View Drive Green Head, of a Gallery/Café, and a Class 1b Building subject to:

1. the developer entering into appropriate financial agreement with the Shire for the provision of parking along Grigson Street as shown on the development plan as the location of parking in the street verge will permit the preservation of trees that are of landscape and streetscape importance;
2. the Café not being equipped with more than 36 seats for patrons;
3. the hours of the café/gallery operation being limited to between 7.00am in the morning to 7.00pm in the evening;
4. no liquor service/sale on the premises being permitted; and
5. the final development details being the subject of planning approval for commencement of development. That is submission of full plans and details of all works to Council in accordance with the above conditions.

RESOLUTION: **2007-128**

Moved: George

Seconded: Eaton

That Council issue planning approval for the development, on Lot 204 Ocean View Drive Green Head, of a Gallery/Café, and a Class 1b Building subject to:

- 1. the developer entering into appropriate financial agreement with the Shire for the provision of parking along Read Street as shown on the development plan as the location of parking in the street verge will permit the preservation of trees that are of landscape and streetscape importance;*
- 2. the Café not being equipped with more than 36 seats for patrons;*
- 3. the hours of the café/gallery operation being limited to between 7.00am in the morning to 7.00pm in the evening;*
- 4. no liquor service/sale on the premises being permitted; and*
- 5. the final development details being the subject of planning approval for commencement of development. That is submission of full plans and details of all works to Council in accordance with the above conditions.*

CARRIED 7/0

Attachment 10.2.4a

TO THE OWNERS OF PROPERTIES IN THE VICINITY OF LOT 204 OCEAN VIEW DRIVE - AS PER RESOLUTION AT MARCH 2007 MEETING OF COUNCIL

Dear Sir

NOTICE OF DEVELOPMENT PROPOSAL - LOT 204 CORNER, READ AND OCEAN VIEW DRIVE, GREEN HEAD

Please find enclosed formal notice of a development proposal on the above land.

The proposal is to develop the land as;

1. Café and Gallery, and
2. 2 x Holiday Houses (Short-term Rental Accommodation)

Background information on the proposals are as follows

1. Café and Gallery: the applicant envisages adapting the existing residence on the property for the purpose of a Café. The Town Planning Scheme indicates that fast food outlet are not permitted in the residential zone, whereas Restaurant is a use that can be approved subject to notice being given of the proposal and appropriate consideration being given to any submission received as a result of the notice.

The Gallery is planned to make use of another existing building on the site (see attached plan). The building itself is believed to be one of the original shacks established in Green Head. The Town Planning Scheme is silent on a use such as Gallery, and as such is a use that can be approved at Council's discretion provided it complies with the objectives for the Residential Zone. It is believed that the Gallery will complimentary and incidental to the proposed Café.

2. Holiday Houses: The development for two holiday houses can not be considered under the residential zoning as the orientation of the development as proposed will not allow the allocation of 800m² of exclusive area for each house, therefore if the development of more than one holiday house is to be considered it will be required that the site be rezoned, either to another zoning provide for under the Town Planning Scheme, such as Tourist Accommodation or Commercial, or rezoned to allow an additional use which will permit the development of two holiday houses on the site. Council has not determined a final position in this respect to the rezoning and at this stage has only resolved to give notice of the proposal and to give the issue further consideration once the time for receipt of submissions has expired.

It is fair to say, however that throughout the residential zone a number of houses are used as holiday homes and the proposal for two holiday houses would not significantly increase the effect of this land use in the

general area of the residential zone if a decision was made to rezone the property to allow the development as proposed.

Lot 204 is zoned Residential R12.5 and is around 2092m² in area

For those that wish to refer to Council's Town Planning Scheme a copy of the Scheme Document is available on the Council's Website - www.coorow.wa.gov.au/council/town_planning. Also a copy of the document can be viewed at the Shire Offices on request.

As advised on the enclosed notice the time for public submission on the proposal concludes on Friday June 7, 2007. Submissions can be made in writing and delivered by mail to the address shown, by fax to 9953 1377 or e-mailed to johnr@coorow.wa.gov.au

For your general information I also enclose a copy of a plan showing the location of all properties that are to receive this notification. Whilst other property owners outside this area may have an interest in the proposed development, it is not feasible to provide written notification to properties other than those that are felt to likely have the most direct interest.

Should you have any queries in relation to this matter please contact the undersigned.

Yours faithfully

**JOHN RANDALL
MANAGER, COMMUNITY DEVELOPMENT**

Tuesday, 1 May 2007

Planning and Development Act 2005 (as amended)

SHIRE OF COOROW

TOWN PLANNING SCHEME NO 2

SCHEDULE 8

PUBLIC NOTICE
OF
PLANNING PROPOSAL

[cl. 9.4.4]

Notice is given that the Shire of Coorow has received an application to use and/or develop land for the following purpose and public comments are invited.

Locality of Proposed Development:

LOT 204 CORNER OF READ STREET AND OCEAN VIEW DRIVE, GREEN HEAD

The Proposal:

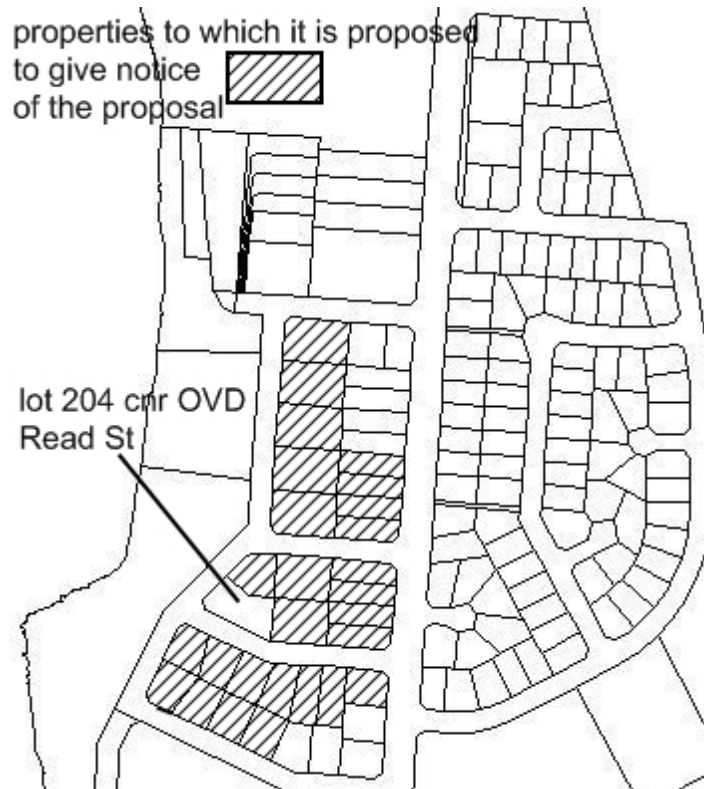
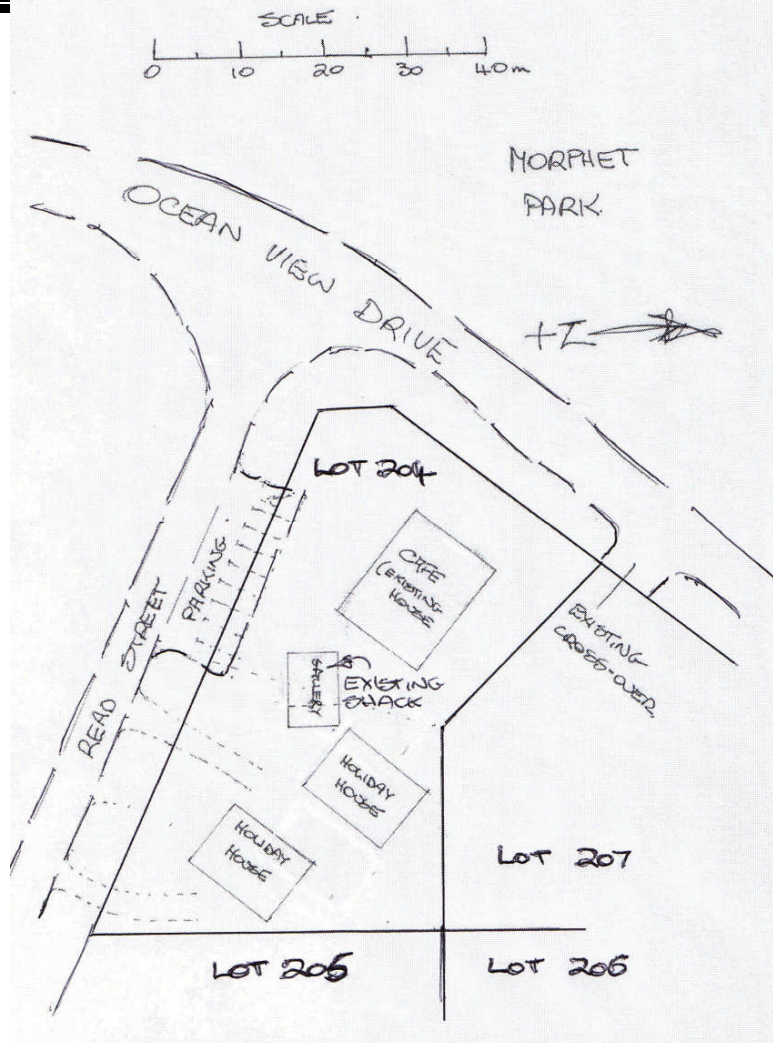
2 X HOLIDAY HOUSES, CAFÉ AND ART GALLERY

Comment Invited on the Development Proposal:

Details of the proposal are available for inspection at the Leeman and Coorow Offices of the Shire of Coorow. Comments on the proposal may be submitted to the Local Government in writing and are to be received by the Shire before Friday June 7, 2007

John A Randall
Manager, Community
for and on behalf of the Shire of Coorow

Tuesday, 1 May 2007



Attachment 10.2.4b

SUMMARY OF SUBMISSIONS

PROPOSAL FOR CAFÉ/GALLERY AND TOURIST ACCOMODATION ON LOT 204 OCEAN VIEW DRIVE, GREEN HEAD

NAME AND ADDRESS OF CORRESPONDENT	SUMMARY OF ISSUES RAISED	COMMENT ON INDIVIDUAL ISSUES
<p>G Dring Lot 49 Read Street (opposite Side of Street from development)</p>	<p>Object against any car park on residential streets, because of:</p> <ul style="list-style-type: none"> ▪ Hazard to pedestrians ▪ Parking would overflow onto other street verges ▪ If parking is required then the existing jetty carpark should be used ▪ Noise <p>It was further indicated that the Council would be wise to keep commercial development centralised and to keep residential areas for residential purposes</p>	<p>It is agreed that a increase in pedestrian risk comes with increase vehicle activity, but would it be significant. Carparking may have some effect in slowing traffic</p> <p>This can be control or prevented by suitable application of parking controls</p> <p>Parking at such distance from the site is not viable unless council prohibits parking in all street verges leading up to the area</p> <p>There will be some effect, but the extent of effect is hard to gauge</p> <p>The TPS zoning table allows the approval of restaurant in the residential zone, subject to the proposal being advertised and appropriate consideration being given to all submissions received. In terms of tourist infrastructure it is appropriate that some mixing of residential with tourist uses does occur. The matter is how is balance achieved?</p>

NAME AND ADDRESS OF CORRESPONDENT	SUMMARY OF ISSUES RAISED	COMMENT ON INDIVIDUAL ISSUES
G & J Thompson Lot 198 Ocean View Drive, Green Head	<p>Indicated that they were please that some plans were going on development of these larger lots.</p> <p>It was further indicated support for the consideration of Tourist Development along Ocean View Drive and potential rezoning to support other developments.</p> <p>Indicated interest in having sewer extended to the area.</p>	No Comment
A & E Whelan Lot 63 Read Street corner Ocean View Drive (Opposite proposed sites)	<p>Generally supported the development proposed but expressed concerns</p> <p>Hours of operation of the café and there potential effect on the amenity of the area</p> <p>Potential for liquor service</p> <p>Carparking on the street and the potential loss of street trees</p> <p>Lack of sewer and the implication in respect of holiday homes</p>	<p>In it's planning approval Council can apply conditions with the intent to ameliorate risk in this respect.</p> <p>With the recent changes in liquor laws it would seem that liquor licence could be granted for a café, without reference for further planning approval (as zoning table does not have a use class for licenced premises), unless specific condition was applied to the approval</p> <p>See comment in relation to previous submission</p> <p>Applicant has indicated they will only seek approval to establish a holiday home on the site. This will negate the need for specific zoning action on this matter</p>

Cr Moira Girando declared a Direct Financial Interest in Item 10.2.5 in that she is a tenderer for Tender 3/07 and left the meeting at 5.22pm.

Cr Stacy, Deputy President, took the Chair.

10.2.5 TENDER 3/07 - EMPLOYEE HOUSE COOROW

AUTHOR	Gary Sherry and John Randall
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	9 July 2007
FILE	C25 Lot File

SUMMARY:

Council is to consider tenders for the construction of a new employee house in Coorow.

BACKGROUND:

At their May 2007 Ordinary Meeting, Council considered the results of a previous tender process for the construction of employee housing in Coorow with the result that no tender was accepted and that tenders be recalled. The following was resolved:

RESOLUTION: 2007-075
Moved: Stacy **Seconded:** Rackemann
That Council:

1. accept no tenders for the supply of the employee housing at Lot 123 Commercial Street, Coorow; and
2. recall tenders for the design and construction of one new employee house at Lot 123 Commercial Street, Coorow.

CARRIED 8/0

This action was taken as the tendered price far exceeded the budget estimate and it was indicated that a better price might be received on the subsequent tender.

A tabulation of new tenders submitted is provided below:

TENDERER	COST	DATE OF COMPLETION
Freo Construction	\$452,167	4.5 months after issue of building licence
Adherent Constructions	\$333,643	9 months after issue of building licence
SJ & MJ Girando	\$273,240	9 months after issue of building licence

NOTE: For preliminaries up to start of building works add 10 to 12 weeks onto completion time from date of acceptance of contract. Earliest completion date on lowest tender is 12-13 months.

As the original cost now far exceeds the budget estimate a break down of the budgeted cost was not provided. Discussion was limited to overall costs. These costs did include

works that were not in the scope of the tender and again are not in the scope of this tender.

The overall budgeted capital cost of the works is \$290,000 in the 2007/08 budget. The components of this cost that are outside the scope of the tender are as follows:

Site Works	Costed into budget
Fencing and retaining	\$11,000 - \$15,000
Landscaping	\$ 5,000 - \$10,000
<u>Single Garage</u>	<u>\$11,000 - \$15,000</u>
<u>TOTAL</u>	<u>\$27,000 - \$40,000</u>

If the project were to proceed to completion within this financial year, then over-budget expenditure will need to occur.

COMMENT:

The range of tendered prices tend to indicate that there might be some fundamental flaw in the process. However, with the continued level of demand in the building industry it is hard if not impossible to get tenders from some companies that Council would hope would tender.

The response to this latest tender process by one of the transportable home companies indicated:

We are happy to submit tenders based on our standard plans and building specifications and the normal scope of works this would include.

We currently have 3 accepted Shire tenders in our building schedule.

In this case however, the requirements of the tender are too specific and include far too many items outside our normal scope.

No such similar response was received in relation to the first tender process, and this response was received despite the tender including the following provisions;

An example floor plan, electrical plan and site plan is attached that addresses the design brief and can be used by builder's for plan preparation if tender is successful or an alternate plan can be submitted with tender. The provision of the example plans however is not to preclude the submission of alternative or different design. The design brief therefore can be subject to some variation if it is necessary for design purposes and the variations are notated in the tender documentation

The tender is to be for the whole of the works described in this tender specification, unless the tenderer details specific exclusions.

The above provisions were deliberately included to allow companies to tender with standard plans and to exclude specific items from the works to allow them to tender. In

such instance the conduct of the works could then be locally quoted to allow valid comparison of submitted tenders.

A current cost estimate book has been purchased to assist in the review and validation of the tender process. This was found necessary as the movement in market prices has been so significant in recent times that an update of the resource was necessary. The building cost estimate book indicates the following estimate for the works

Perth domestic construction cost (framed) adjusted with allowance for 5% inflation to September 2007	\$1,140 - \$1,229/m ²
Adjust for regional pricing Moora (+30%)	\$ 342 - \$ 369/m ²
TOTAL	\$1,482 - \$1,598/m ²

Area of building approx 124m ² - deduced contract cost	\$183,786 - \$198,152
Add adjust for extra cabinetry/insulation/Air-conditioning	\$25,000
Add for additional finishing works - Carport/concrete driveway/patio/paving/curtains	\$30,000
	\$238,786 - \$253,152

Given the amount of cabinetry and the fact that the tender was written for the house to be completed to walk in standard, the upper of the price range would be indicative of a more valid estimate.

The lowest tendered price \$273,240 is within 7.9% of the estimate derived above and therefore could be said to be in the ball-park, particularly given the current level of demand in the building industry.

It should also be noted that if the project were to re-tendered again one could expect, perhaps a further 5% price increase, and unless such a process were to attract a particularly competitive price, similar, if not higher, pricing would likely result. Again given the state of demand in the building industry it can not be said that more competitive tenders could be anticipated.

Matters that need serious consideration of Council are:

1. In terms of the long-term operations of Council is it best that Council construct a new house in Coorow?

In terms of the above it should be clear that the fact that the price of the building is higher than anticipated should not be a factor in such consideration of this point.

Further the investment taken over the life term of the asset, whilst significant in one budget, is more minor if consideration is given to the anticipated life of the asset.

It is valid for Council to consider alternatives to the construction of a house in Coorow that allow Council to provide the same level of service.

2. What are Council's near future housing needs?

It has previously been indicated that it would be desirable if Council were able to secure a house within the next six months.

This may be achieved if a short-term rental came available in Coorow or could be achieved by relocation of staff to Leeman.

3. The implication to the budget.

The project can only be brought within budget by deferring the garage and much of the landscaping. However it can be said that the project, if carried out will, conclude sometime next financial year. Therefore the project implications from the delay of such works will likely be minimal

In terms of the tenders the prices remain valid for a period of 60 days from the date of submission of the tender, 27 June 2007.

STATUTORY ENVIRONMENT:

Local Government Tender Regulations

STRATEGIC IMPLICATIONS:

Strategic issue of the most appropriate investment of capital in the long-term is raised in the report text.

POLICY IMPLICATION:

Nil.

FINANCIAL IMPLICATIONS:

Even if the lowest tender is accepted, it is unlikely that this project will be able to be contained within budget.

Component	Cost
Construction	\$ 273,240
Fencing	\$ 11,000
Landscaping	\$ 5,000
Single Garage	\$ 11,000
TOTAL	\$ 300,240
BUDGET	\$ 290,000

VOTING REQUIREMENTS:

Simple majority.

OFFICER RECOMMENDATION:

That Council formally consider the cost and benefits of the relocations of the Finance Staff to the Leeman Office against the costs associated with the construction of an additional staff house in Coorow.

ALTERNATE RECOMMENDATION

That Council accept the tender of SJ & MJ Girando for the construction of a new employee house in Coorow at the tendered price of up to \$273,240.

RESOLUTION: 2007-129

Moved: Eaton

Seconded: O'Callaghan

That Council accept the tender of SJ & MJ Girando for the construction of a new employee house in Coorow at the tendered price of up to \$273,240.

CARRIED 4/3

***The Deputy President used his casting vote in the affirmative.
Crs George, Rackemann and McDonald requested their vote against be
recorded.***

Cr Girando declared a Direct Financial Interest in Item 10.4.4 in that she is a tenderer for Tender 4/07.

Cr O'Callaghan declared an Impartiality Interest in Item 10.4.4 in that she is a member of the Maley Park Committee.

Mr Gary Sherry, Chief Executive Officer, declared an Impartiality Interest in Item 10.4.4 in that he is a member of the Coorow Latham Football Club, Coorow Cricket Club and the Maley Park Committee.

10.4.4 TENDER 04/07 CONSTRUCT NEW CHANGEROOMS MALEY PARK, COOROW

AUTHOR	Dacre Alcock
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	5 July 2007
FILE	Tender Register

SUMMARY:

Council is to consider Tender 04/07 – Construction of Maley Park Changerooms.

BACKGROUND:

At the Council Meeting on Wednesday 16 May 2007, Council authorised the calling of tenders with the following resolution.

RESOLUTION: 2007-083
Moved: Stacy Seconded: George
That Council:
1. accept the tender documentation as included at Attachment 10.4.4; and
2. authorise the calling of tenders for the building of new changerooms at Maley Park, Coorow.

CARRIED 8/0

Council received one conforming tender from SJ & MJ Girando Builders at a cost of \$407,000 GST Exclusive.

A non conforming tender was received from Tooltime Construction Pty Ltd. This tender did not conform as Council received it after the due date.

COMMENT:

Council's 2007/08 budget includes the construction of the Maley Park Changerooms.

Building Cost	\$390,900
Works in Kind	\$ 50,000
	\$440,900

Project Funding Sources				
		Cash Cost	In Kind	Total
CSRFF Grant		146,967		146,967
Council	Operation Contribution	90,000	35,000	125,000
Council - Loan	Repayments Specified Area Rate and Community Contribution	143,933		143,933
Community Contribution		10,000	15,000	25,000
TOTAL		390,900	50,000	440,900

The tendered building cost by SJ & MJ Girando Builders of \$407,000 is \$16,100 above the budgeted building cost of \$390,900.

The Chief Executive Officer and I have had discussions with Mrs Moira Girando of SJ & MJ Girando Builders regarding options available to Council and the Maley Park Committee in order to reduce the cost of the building.

Mrs Girando indicated that if Council and the Community demolished the old changerooms leaving a clean site, removed brick paving and stacked on pallets and assisted with the general cleanup of the site at stages during the building process, the cost of the project would decrease by \$10,000 to \$397,000. This reduction would reduce the shortfall to \$6,100.

Council had included the demolition of the building as part of its works in-kind for this project. The Maley Park Committee has been made aware that volunteers will be needed during the demolition of the building and at other stages of the project. The Maley Park Committee has its next meeting on 9 July 2007 and will be informed of the opportunity of voluntary labour to reduce the cost of the building cost.

The anticipated shortfall of \$6,100 should be met by the community or included into the Council loan. Currently the Maley Park Committee only have funds in the region of \$12,000. The Maley Park Committee may not be able to fund an increased initial upfront contribution and ongoing annual repayments of \$5,000 per annum. Council should seek to have the Committee make an increased up front contribution and/or an increased annual repayment contribution.

STATUTORY ENVIRONMENT:

Local Government Tender Regulations.

STRATEGIC AND POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil to Council as the Community contribution will increase to meet any shortfall.

Loan Repayments on \$143,933 for 5 years at 7% per annum will be an annual repayment of \$34,613 per annum, financed \$5,000 by CCLI, \$5,000 by the Committee and \$24,613 met by a Council imposed Area Rate.

Should Council include the additional \$6,100 into the Loan, the increased repayments of \$36,080 per annum would be met by \$5,000 CCLI, \$5,000 by the Committee and \$26,080 by a Council imposed area rate.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. accept the tender by SJ and MJ Girando Builders at a reduced cost of up to \$397,000;
2. will demolish the changerooms with the assistance of volunteers and leave as a clean site;
3. inform the Maley Park Committee that volunteers will be required to remove and stack the brick paving on pallets and assist with the general cleanup of the site at stages during the building process; and
4. approach the Maley Park Committee to increase their contribution to this project from \$10,000 to \$16,100 to cover the shortfall; and
5. should the Maley Park Committee be unable to fund all the additional contribution of \$6,100, include any shortfall in the Council loan.

RESOLUTION: **2007-130**

Moved: Eaton

Seconded: McDonald

That Council:

1. *accept the tender by SJ and MJ Girando Builders at a reduced cost of up to \$397,000;*
2. *will demolish the changerooms with the assistance of volunteers and leave as a clean site;*
3. *inform the Maley Park Committee that volunteers will be required to remove and stack the brick paving on pallets and assist with the general cleanup of the site at stages during the building process; and*
4. *approach the Maley Park Committee to increase their contribution to this project from \$10,000 to \$16,100 to cover the shortfall; and*
5. *should the Maley Park Committee be unable to fund all the additional contribution of \$6,100, include any shortfall in the Council loan.*

CARRIED 6/0

Cr Girando returned to the meeting at 5.35pm.

Meeting adjourned at 5.35pm.

Meeting resumed at 5.40pm.

10.3 ACTING MANAGER WORKS AND SERVICES:

10.3.1 REGIONAL ROAD GROUP FUNDING APPLICATIONS

AUTHOR	Peter Gillis
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 July 2007
FILE	R17 Regional Road Group

SUMMARY:

Council is to consider Regional Road Group Grant Applications for the 2008/09 financial year and also the inclusion of projects to the five year works program.

COMMENT:

Each year Council must submit requests for state road funding to the Regional Road Group before 31 August.

The grant applications for the 2008/09 year are for:

1. the reconstruction of the shoulders and resealing a portion of Marchagee Buntine Road at a cost of \$220,000;
2. the reconstruction of the shoulders and seal widening of Coorow Green Head Road at a cost of \$220,000; and
3. resealing of a portion of Coorow Green Head Road at a cost of \$60,500; and
4. the reconstruction of shoulders, seal widening and resealing of a portion of Coorow Latham Road at a cost of \$210,840.

Included in the grant application is the planned five year road works program. The five year road works program must be based on roads that are considered by the region to be 'roads of regional significance'.

Identified roads of regional significance throughout the Shire of Coorow include:

- Coorow/Green Head Road;
- Coorow/Latham Road;
- Buntine/Marchagee Road;
- Wubin/Gunyidi Road; and
- Indian Ocean Drive (from Coorow/Green Head Road to Leeman Townsite Northern Boundary).

The draft Five Year Programme is as follows:

Road	Year	Description of Works	Location (km)
Coorow Latham	2008/09	Reconstruct shoulders, widen seal to 7.2m and reseal	18.3 to 19.5
	2009/10	Reconstruct shoulders, widen seal to 7.2m and reseal	19.5 to 21.5
	2010/11	Reconstruct shoulders, widen seal to 7.2m and reseal	21.5 to 23.5
	2011/12	Reconstruct shoulders, widen seal to 7.2m and reseal	23.5 to 26.75
	2012/13	Reconstruct shoulders, widen seal to 7.2m and reseal	55 to 60
Coorow Green Head	2008/09	Reseal	35.7 to 37.8
	2008/09	Reconstruct shoulders, widen seal to 7.2m and reseal	0 to 2.5
	2009/10	Reconstruct shoulders, widen seal to 7.2m and reseal	2.9 to 7.4
	2010/11	Reconstruct shoulders	65 to 72
	2011/12	Reconstruct shoulders	60 to 65
	2012/13	Reconstruct shoulders	55 to 60
Marchagee Buntine	2008/09	Reconstruct shoulders, widen seal to 7.2m and reseal	0.3 to 2.5
	2009/10	Reconstruct shoulders, widen seal to 7.2m and reseal	2.5 to 6
	2010/11	Reconstruct shoulders, widen seal to 7.2m and reseal	6 to 9
	2011/12	Reconstruct shoulders, widen seal to 7.2m and reseal	9 to 12
	2012/13	Reconstruct shoulders, widen seal to 7.2m and reseal	12 to 15

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Council receives Regional Road Group funding is on a 2 to 1 basis, therefore to obtain a grant of \$711,340 Council will have to contribute \$355,670.

STRATEGIC IMPLICATIONS:

Without continually seeking grants from the Regional Road Group Funding, Council would find it difficult to maintain the current level of employment for their outside staff, as it would be almost impossible to raise the necessary funds through rates.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council authorise the Chief Executive Officer and Acting Manager Works and Services to submit the following 2008/09 Grant Applications to the Regional Manager of Main Roads WA, Geraldton:

1. the reconstruction of shoulders, seal widening and resealing of a portion of Coorow Latham Road at a cost of \$210,840;
2. the reconstruction of the shoulders and seal widening of Coorow Green Head Road at a cost of \$220,000;
3. the reconstruction of the shoulders and resealing a portion of Marchagee Buntine Road at a cost of \$220,000; and
4. resealing of a portion of Coorow Green Head Road at a cost of \$60,500.

RESOLUTION: 2007-131**Moved:** George**Seconded:** Stacy

That Council authorise the Chief Executive Officer and Acting Manager Works and Services to submit the following 2008/09 Grant Applications to the Regional Manager of Main Roads WA, Geraldton:

1. *the reconstruction of shoulders, seal widening and resealing of a portion of Coorow Latham Road at a cost of \$210,840;*
2. *the reconstruction of the shoulders and seal widening of Coorow Green Head Road at a cost of \$220,000;*
3. *the reconstruction of the shoulders and resealing a portion of Marchagee Buntine Road at a cost of \$220,000; and*
4. *resealing of a portion of Coorow Green Head Road at a cost of \$60,500.*

CARRIED 7/0

10.3.2 FESA FACILITIES IN THE SHIRE OF COOROW

AUTHOR	Peter Gillis
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2007
FILE	B6.8 Bushfire Equipment

SUMMARY:

Council is to consider formalising ownership of communications sites with FESA to be included as part of the Western Australian Emergency Radio Network (WAERN).

BACKGROUND:

VSA Property has been engaged by the Fire and Emergency Services Authority of Western Australia (FESA) to manage their real estate and property related matters. VSA property have been instructed to audit and review the property register with a view to formalising agreements and implement an appropriate maintenance schedule.

The sites include those used for the Fire and Rescue Service (FRS), State Emergency Service (SES), Volunteer Bushfire Service (Bushfire) and Volunteer Marine Rescue Groups (VMRS) as these organisations now come under the jurisdiction of FESA and receive funding from them.

An initial focus is to identify communications sites where the Shire owns the communications structure and FESA may have installed antennas and equipment – either as part of the WAERN or for local Bushfire or SES communications. Part of this process is the establishment of a Memorandum of Understanding (MOU) between the Shire and FESA.

Following the introduction of the Emergency Services Levy and WAERN project, some local government authorities may wish to transfer ownership of these communications assets to FESA who in turn would take over responsibility for the ongoing maintenance and replacement of the equipment and structures as required.

FESA is continually improving its communications network within Western Australia and the WAERN network is also expanding. FESA may be interested in taking over responsibility for other Council owned communications facilities where they do not have a presence.

COMMENT:

Council has four sites that FESA is interested in transferring ownership of, including:

Coorow	Big Soak Plains 52 kilometres South West of Coorow This site is used for the WAERN Network. FESA communications infrastructure an a structure owned by Council. It appears to be on Unallocated Crown Land near the intersection of Coorow Green Head Road and Tootbardie Road. Other radio users of the site with radio
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licence assignments registered with the Australian Media and Communications Authority (ACMA) include the Shire of Coorow and St John Ambulance.

Main Street

FESA holds 12 ACMA radio assignments for the Coorow Administration Centre.

Telstra Telephone Exchange, Market Street

FESA holds a further four ACMA radio assignments for the SES at this address.

Leeman

Sea Search and Rescue

This organisation has premises on Reserve 41464 adjacent to the Fire Station near the corner of Nairn Street and Dee Street. The land is vested in the Shire of Coorow. No ACMA radio licences are recorded at this location.

Council staff are inclined to enter into a Memorandum of Understanding with FESA for ownership of communications infrastructure at 'Big Soak Plains' however, the other sites would need further investigation.

STATUTORY ENVIRONMENT:

Nil.

STRATEGIC IMPLICATIONS:

Allowing FESA to take responsibility for maintenance will improve the service to Council's volunteers. Council does not have the required skills to manager this maintenance in house, whereas FESA does.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Maintenance of Council's emergency service infrastructure is met by Emergency Services Levy Funding. Transferring ownership will not effect Council's financial position.

PUBLIC CONSULTATION:

Nil at this stage.

OFFICER RECOMMENDATION:

That Council:

1. enter into a Memorandum of Understanding with FESA for the communications infrastructure located at 'Big Soak Springs' for use with the WAER Network; and
2. investigate the benefit to Council's Emergency Services of having communications infrastructure at:
 - a) Main Street, Coorow
 - b) Telstra Telephone Exchange, Market Street, Coorow; and
 - c) Sea Search and Rescue, Leemantransferred to FESA for use with the WAER Network.

RESOLUTION: 2007-132

Moved: Stacy

Seconded: Eaton

That Council:

1. *enter into a Memorandum of Understanding with FESA for the communications infrastructure located at 'Big Soak Springs' for use with the WAER Network; and*
2. *investigate the benefit to Council's Emergency Services of having communications infrastructure at:*
 - a. *Main Street, Coorow*
 - b. *Telstra Telephone Exchange, Market Street, Coorow; and*
 - c. *Sea Search and Rescue, Leeman**transferred to FESA for use with the WAER Network.*

CARRIED 7/0

10.4 MANAGER FINANCE AND ADMINISTRATION:

10.4.1 ACCOUNTS FOR PAYMENT

AUTHOR	Dacre Alcock
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 July 2007
ATTACHMENT	10.4.1 Accounts Due and Submitted To Council Meeting 4 July 2007

SUMMARY:

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

COMMENT:

Approval is sought for the following list of payments of accounts made since Council's last meeting on 20 June 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 18 July 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 18 July 2007 including:

1. EFT337 to EFT392, Vouchers 17386, 17415 to 17438, DD71020707 to DD72290607, PRES, MFA, CEO, MCD, MWS VISA CARDS totalling \$242,312.77 from Council's Municipal Fund, be authorised and passed for payment; and
2. Voucher 31 to 32 totalling \$1240.50 from Council's Trust Fund; be authorised and passed for payment.

RESOLUTION: 2007-133

Moved: Stacy

Seconded: O'Callaghan

That payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 18 July 2007 including:

1. *EFT337 to EFT392, Vouchers 17386, 17415 to 17438, DD71020707 to DD72290607, PRES, MFA, CEO, MCD, MWS VISA CARDS totalling \$242,312.77 from Council's Municipal Fund, be authorised and passed for payment; and*
2. *Voucher 31 to 32 totalling \$1240.50 from Council's Trust Fund; be authorised and passed for payment.*

CARRIED 7/0

Attachment 10.4.1

NO.	NAME	DESCRIPTION	TRUST	MUNICIPAL	TOTAL
31	BCITF	BCITF LEVY	1262.50		1262.50
32	SHIRE OF COOROW	BCITF TRANSACT REFUND	22.00		22.00
EFT337	W A TREASURY CORPORATION	LOAN REPAYMENT 79		12297.53	12297.53
EFT338	WALGA	ADVERTISING		1584.74	1584.74
EFT339	AUSTRALIA POST	POSTAGE		159.38	159.38
EFT340	AVON WASTE	RUBBISH COLLECTION		8573.84	8573.84
EFT341	BILL EXPRESS PTY LTD	TRANSACTION FEES		2.74	2.74
EFT342	BT EQUIPMENT	ROLLER HIRE		8800.00	8800.00
EFT343	COOROW ROADHOUSE	REFRESHMENTS		242.00	242.00
EFT344	COURIER AUSTRALIA	COURIER CHARGES		61.57	61.57
EFT345	COVENTRY GROUP LTD	STORES		977.72	977.72
EFT346	COOROW HIGHWAY STORE	REFRESHMENTS		48.51	48.51
EFT347	CJD EQUIPMENT PTY LTD	PARTS		254.56	254.56
EFT348	CUNNINGHAMS AG SERVICES	VARIOUS PARTS		522.80	522.80
EFT349	COOROW HOTEL	MEALS		968.40	968.40
EFT350	DE NEEFE SIGNS PTY LTD	SIGNS		1453.10	1453.10
EFT351	DERRICK'S AUTO-AG	PARTS		83.60	83.60
EFT352	DRUMMOND JOE ELECTRICS	ELECTRICAL		990.00	990.00
EFT353	DAVE GOODBODY MAINT	HOUSE REPAIRS		3106.00	3106.00
EFT354	FAMILY SHOPPING CENTRE	REFRESHMENTS/ GAS		1042.70	1042.70
EFT355	FREO MACHINERY	HIRE OF EXCAVATOR		14003.00	14003.00
EFT356	GREEN HEAD PLUMBING & GAS	PLUMBING REPAIRS		83.58	83.58
EFT357	GH COUNTRY COURIERS	COURIER CHARGES		64.04	64.04
EFT358	GERALDTON LOCK & KEY	KEYS FOR FILING CABNET		24.00	24.00
EFT359	GERALDTON NEWSPAPERS	ADVERTISING		390.60	390.60
EFT360	GERALDTON FUEL CO PTY LTD	FUEL		45108.00	45108.00
EFT361	LEEMAN HARDWARE	VARIOUS		145.90	145.90
EFT362	LANDMARK	CONCRETE		643.93	643.93
EFT363	LANDMARK ENGINEERING	OUTDOOR FURNITURE		2992.00	2992.00
EFT364	LAUNDY PLUMBING & GAS	PLUMBING REPAIRS		304.70	304.70
EFT365	ML COMMUNICATIONS	UHF CONNECTIONS		81.50	81.50
EFT366	MIDWEST CHEMICAL & PAPER	CLEANING MATERIAL		426.43	426.43
EFT367	GREEN HEAD PLUMBING & GAS	HOT WATER REPAIR		304.37	304.37
EFT368	MIDALIA STEEL PTY LTD	GALVANISED PIPE		598.53	598.53
EFT369	MOORA GLASS & DECOR	REPLACE DOORS		7263.85	7263.85
EFT370	MCINTOSH & SON	PLANT MAINTENANCE		855.80	855.80
EFT371	NORTH MIDLANDS MOTORS	VEHICLE MAINTENANCE		1451.20	1451.20
EFT372	OFFICEWORKS BUSINESS	STATIONARY		593.31	593.31
EFT373	O'CALLAGHAN PTY LTD	BUS HIRE		437.75	437.75
EFT374	POVERS RURAL TRADERS	PARTS		16.04	16.04
EFT375	PB & SC INGRAM	AIRCON SERVICE		484.55	484.55
EFT376	PURCHER-INTERNATIONAL	SHOCK ABSORBERS		359.75	359.75
EFT377	PAPER PLUS OFFICE NATIONAL	STATIONARY		284.22	284.22
EFT378	PRITCHARD BOOKBINDERS	BIND COUNCIL MINUTES		52.80	52.80
EFT379	RBC-RURAL	PHOTOCOPIER		544.25	544.25
EFT380	RUMBOLD FORD	CW008 CHANGE OVER		6750.00	6750.00
EFT381	RICOH FINANCE	COPIER LEASE		968.77	968.77
EFT382	SHERIDANS FOR BADGES	PLAQUES		253.00	253.00
EFT383	SNAG ISLAND ROADHOUSE	POSTAGE		19.30	19.30
EFT384	STAR TRACK EXPRESS	FREIGHT CHARGES		368.17	368.17
EFT385	SNAP PRINT	ORDER BOOKS		1163.00	1163.00
EFT386	SHIRE OF GOOMALLING	LGISWA GOLF REGIST		374.00	374.00
EFT387	TRUCKLINE	RELAY VALVE		97.48	97.48

Note: These minutes have yet to be confirmed

NO.	NAME	DESCRIPTION	TRUST	MUNICIPAL	TOTAL
EFT388	THREE SPRINGS SHIRE COUNCIL	DR INOUE FEES		935.98	935.98
EFT389	VIGILANTE LANDSCAPE	GREEN HEAD FORESHORE		1830.00	1830.00
EFT390	WESTCARE INDUSTRIES	LIBRARY		139.92	139.92
EFT391	WA LIBRARY SUPPLIES	BROCHURE STAND		126.50	126.50
EFT392	YAKKA SOMERTON	UNIFORMS		274.56	274.56
17386	SHIRE OF COOROW	PETTY CASH		159.90	159.90
17415	PAYROLL DEDUCTION	SUPER		18206.76	18206.76
17416	PAYROLL DEDUCTION	LOTTO		210.00	210.00
17417	PAYROLL DEDUCTION	CSA		545.98	545.98
17418	AMP LIFE SUPERANNUATION	SAL SAC DEDUCTION		604.35	604.35
17419	SHIRE OF COOROW	VEHICLE REGISTRATIONS		4590.05	4590.05
17420	DAMIEN RACKEMANN	MEETING FEES		420.00	420.00
17421	KEN WATSON	SANDBLAST GRADER		1375.00	1375.00
17422	AUSTRALIAN COMMUNICATIONS	APPARATUS LICENCE		136.00	136.00
17423	RW & SJ CHERITON	GRAVEL		3049.20	3049.20
17424	GRAHAM WILLIAM EATON	MEETING & TRAVELL FEES		420.00	420.00
17425	GREEN HEAD COM CENTRE	CLEANING		125.00	125.00
17426	GIRANDO MJ	TRAVEL & MEETING FEES		2791.66	2791.66
17427	GARY GEORGE	TRAVEL & MEETING FEES		480.00	480.00
17428	TR & CL HODGSON	GRAVEL		853.60	853.60
17429	MCDONALD BJ	TRAVEL & MEETING FEES		1140.01	1140.01
17430	O'CALLAGHAN BETTY	TRAVEL & MEETING FEES		420.00	420.00
17431	RANDALL JOHN	REIMBURSEMENTS		299.40	299.40
17432	STATE LAW PUBLISHER	ADVERTISING		91.10	91.10
17433	STACY JOHN	TRAVEL & MEETING FEES		171.87	171.87
17434	SYNERGY	STREET LIGHTS		1543.35	1543.35
17435	ST JOHN AMBULANCE	FIRST AIDE COURSE		760.00	760.00
17436	TELSTRA	MOBILE PURCHASES		3940.14	3940.14
17437	WEST COAST HEALTH CLEANING	CLEAN CARPETS		495.00	495.00
17438	WATER CORPORATION	ANNUAL WATER RATES		15110.80	15110.80
71020707	TRANSPORT DEPT OF	TRANS LICENSING		206.95	206.95
71020707	TRANSPORT DEPT OF	TRANS LICENSING		1947.05	1947.05
71030707	TRANSPORT DEPT OF	TRANS LICENSING		5470.15	5470.15
71040707	TRANSPORT DEPT OF	TRANS LICENSING		1053.95	1053.95
71130607	TRANSPORT DEPT OF	TRANS LICENSING		310.80	310.80
71140607	TRANSPORT DEPT OF	TRANS LICENSING		150.25	150.25
71150607	TRANSPORT DEPT OF	TRANS LICENSING		19.00	19.00
71180607	TRANSPORT DEPT OF	TRANS LICENSING		980.15	980.15
71190607	TRANSPORT DEPT OF	TRANS LICENSING		3721.60	3721.60
71200607	TRANSPORT DEPT OF	TRANS LICENSING		2060.80	2060.80
71210607	TRANSPORT DEPT OF	TRANS LICENSING		720.05	720.05
71220607	TRANSPORT DEPT OF	TRANS LICENSING		2294.60	2294.60
71250607	TRANSPORT DEPT OF	TRANS LICENSING		1610.80	1610.80
71250607	TRANSPORT DEPT OF	TRANS LICENSING		1619.65	1619.65
71260607	TRANSPORT DEPT OF	TRANS LICENSING		1392.30	1392.30
71270607	TRANSPORT DEPT OF	TRANS LICENSING		977.90	977.90
71280607	TRANSPORT DEPT OF	TRANS LICENSING		2371.50	2371.50
71290607	TRANSPORT DEPT OF	TRANS LICENSING		640.65	640.65
72020707	TRANSPORT DEPT OF	TRANS LICENSING		794.30	794.30
72030707	TRANSPORT DEPT OF	TRANS LICENSING		5114.60	5114.60
72040707	TRANSPORT DEPT OF	TRANS LICENSING		873.05	873.05
72140607	TRANSPORT DEPT OF	TRANS LICENSING		847.85	847.85
72150607	TRANSPORT DEPT OF	TRANS LICENSING		256.95	256.95
72180607	TRANSPORT DEPT OF	TRANS LICENSING		1287.65	1287.65

Note: These minutes have yet to be confirmed

NO.	NAME	DESCRIPTION	TRUST	MUNICIPAL	TOTAL
72190607	TRANSPORT DEPT OF	TRANS LICENSING		616.65	616.65
72200607	TRANSPORT DEPT OF	TRANS LICENSING		534.05	534.05
72210607	TRANSPORT DEPT OF	TRANS LICENSING		923.60	923.60
72220607	TRANSPORT DEPT OF	TRANS LICENSING		1557.60	1557.60
72260607	TRANSPORT DEPT OF	TRANS LICENSING		124.90	124.90
72260607	TRANSPORT DEPT OF	TRANS LICENSING		2001.05	2001.05
72270607	TRANSPORT DEPT OF	TRANS LICENSING		4380.45	4380.45
72280607	TRANSPORT DEPT OF	TRANS LICENSING		1708.90	1708.90
72290607	TRANSPORT DEPT OF	TRANS LICENSING		1990.95	1990.95
92300607	BANKWEST	CEO - VISA		381.95	381.95
93300607	BANKWEST	MFA - VISA		567.84	567.84
94300607	BANKWEST	MWS - VISA		904.14	904.14
95300607	BANKWEST	MCD- VISA		815.00	815.00
TOTALS			1,240.50	242,312.77	241,072.27

10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – JUNE 2007

AUTHOR	Dacre Alcock
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 July 2007
ATTACHMENT	10.4.2 Statement of Financial Activity to 30 June 2007
FILE	F8.07 – Finance - 2006/07

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 June 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 30 June 2007.

RESOLUTION: **2007-134**

Moved: George **Seconded:** Girando

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the period ended 30 June 2007.

CARRIED 7/0

10.4.3 LOAN 84 – NEW TRUCK

AUTHOR	Dacre Alcock
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 July 2007
FILE	L8.84

SUMMARY:

Council to the President and Chief Executive Officer be authorised to sign and seal the debenture document for Loan No. 84.

BACKGROUND:

Council budgeted for a \$130,000 loan for a new truck in the 2006/07 Budget. This loan was raised with the Western Australian Treasury Corporation on the 26 June 2007.

COMMENT:

Council is required to sign and seal the Loan 84 documents. Council has not given authority to the President and Chief Executive Officer to do this.

Loan	Interest Rate	Term	Amount	Interest	Total
84	6.90%	5 Years	\$130,000	\$26,295.77	\$156,295.77

STATUTORY ENVIRONMENT:

Local Government Act 1995:
Sections 6.20 (power to borrow)

Standing Order Local Law 1999 Section 16.1.2:

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

STRATEGIC AND POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS

Nil.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council authorise the President and Chief Executive Officer to sign and seal the debenture document for Loan No. 84.

RESOLUTION: 2007-135

Moved: George ***Seconded:*** Stacy

That Council authorise the President and Chief Executive Officer to sign and seal the debenture document for Loan No. 84.

CARRIED 7/0

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

Nil.

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

Nil at this time.

13. MATTERS BEHIND CLOSED DOORS:

Nil.

14. DATE OF NEXT MEETING:

14.1 ORDINARY MEETING OF COUNCIL

3.00 pm Wednesday 15 August 2007 at the Maley Park Function Centre, Coorow.

15. CLOSURE:

There being no further business the President, Councillor Girando, closed the meeting at 5.45pm.