

Minutes

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The Chief Executive Officer, Mr Mark Hook welcomed those present and opened the meeting at 3.02pm.

Under Section 2.29 of the *Local Government Act 1995* and before Mrs Peggy Hodgson, JP, Mrs J. K. Waite, Mrs B. J. McDonald and Mr B. A. Jack signed their Declarations of Office.

2. ELECTION OF PRESIDENT AND DEPUTY PRESIDENT:

2.1 ELECTION OF PRESIDENT

| | |
|-------------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |
| FILE | C19.3 |

SUMMARY:

It is necessary for Council to elect a Council President.

COMMENT:

In accordance with Schedule 2.3 of the Local Government Act 1995, written nominations for the office of President for the next two years are to be addressed to the Chief Executive Officer. Nomination forms are enclosed with Councillors Agenda Package for the purpose. If a Councillor is nominated by another Councillor, the nominee must advise the Chief Executive Officer orally or in writing that he/she is willing to be nominated for the office.

Should there be two or more nominees, a secret ballot will be conducted to determine the holder of the office.

STATUTORY IMPLICATIONS:

Local Government Act 1995

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council [Sections 2.11(1)(b) and 2.15]

Division 1 — Mayors and presidents

1. Definitions

In this Division —

“extraordinary vacancy” means a vacancy that occurs under section 2.34(1);

“the office” means the office of councillor mayor or president.

2. When the council elects the mayor or president

- (1) The office is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How the mayor or president is elected

- (1) The council is to elect a councillor to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

[Clause 4 amended by No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]

5. Votes may be cast a second time

- (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
- (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.

- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

FINANCIAL, POLICY STRATEGIC IMPLICATIONS:

There appears to be no implications in this regard.

The Chief Executive Officer advised of the receipt of one written nomination for President being:

Councillor Girando nominated by Councillor Waite.

Cr Girando had previously advised the Chief Executive Officer of her acceptance of the nomination.

The Chief Executive Officer declared Cr Moira Jean Girando elected President.

Cr Girando made the declaration of President before Mrs Peg Hodgson, JP.

2.2 ELECTION OF DEPUTY PRESIDENT

| | |
|------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |
| FILE | C19.3 |

SUMMARY:

It is necessary for Council to elect a Deputy President.

COMMENT:

In accordance with Schedule 2.3 of the Local Government Act 1995, written nominations for the office of Deputy President for the next two years are to be addressed to the Chief Executive Officer. Nomination forms are enclosed with Councillors Agenda Package for the purpose. If a Councillor is nominated by another Councillor, the nominee must advise the Chief Executive Officer orally or in writing that he/she is willing to be nominated for the office.

Should there be two or more nominees, a secret ballot will be conducted to determine the holder of the office.

Upon election the Deputy President is required to make a Declaration

STATUTORY IMPLICATIONS:

Local Government Act 1995

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council [Sections 2.11(1)(b) and 2.15]

Division 2 — Deputy mayors and deputy presidents

6. Definitions

In this Division —

“extraordinary vacancy” means a vacancy that occurs under section 2.34(1);

“the office” means the office of deputy mayor or deputy president.

7. When the council elects the deputy mayor or deputy president

- (1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —

- (a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.

8. How the deputy mayor or deputy president is elected

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
- (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
- (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
- (6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

[Clause 8 amended by No. 64 of 1998 s. 54(2)-(4); No. 49 of 2004 s. 69(6)-(9).]

9. Votes may be cast a second time

- (1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.
- (3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

[Clause 9 amended by No. 49 of 2004 s. 69(10).]

FINANCIAL, POLICY STRATEGIC IMPLICATIONS:

There appears to be no implications in this regard.

The Chief Executive Officer advised of the receipt of three written nominations for Deputy President being:

Councillor Waite nominated by Councillor Girando;
Councillor Waite nominated by Councillor Bothe; and
Councillor Williams nominated by Councillor McTaggart.

Cr Waite and Cr Williams had previously advised the Chief Executive Officer of their acceptance of the nominations.

The Chief Executive Officer conducted a secret ballot of nominated Councillors with 'First Past the Post' as the method of voting.

The ballots were counted by the Chief Executive Officer and tallied as follows:

| | |
|-------------|---|
| Cr Waite | 5 |
| Cr Williams | 2 |

The Chief Executive Officer declared Cr Jan Kelsey Waite elected Deputy President.

Cr Waite made the declaration of Deputy President before Mrs Peg Hodgson, JP.

2.3 SEATING ARRANGEMENTS

| | |
|-------------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |

SUMMARY:

It is necessary for Council to do a random draw for seating arrangements.

COMMENT:

In accordance with 6.2 – Standing Orders Local Law, a Random Draw for seating arrangements of Councillors is required. Councillors must be allocated to sit in own position at Council Meetings.

STATUTORY IMPLICATIONS:

Standing Order 6.2 Local Law

At the first meeting held after each ordinary elections day, the Chief Executive Officer is to allot by random draw, a position at the Council table to each councilor and the councilor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of councillors for a re-allotment of positions.

FINANCIAL, POLICY STRATEGIC IMPLICATIONS:

There appears to be no implications in this regard.

The Chief Executive Officer advised that the seating draw reading from the President's left was Cr Gary George, Cr Michael Bothe, Cr Allan Williams, Cr Belinda McDonald, Cr Darren McTaggart and Cr Bruce Jack.

The meeting adjourned at 3.19pm.

The meeting resumed at 3.22pm

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

Councillor M J Girando
Councillor J K Waite
Councillor M R Bothe
Councillor B A Jack
Councillor B J McDonald
Councillor D B McTaggart
Councillor A K Williams

President
Deputy President

Mr M J Hook
Mr S D Billingham
Mr D R Hadden
Ms S G Donohue

Chief Executive Officer
Deputy Chief Executive Officer
Manager Regulatory Services
Minutes Clerk

Leave of Absence

Councillor G George

Declarations of Interest

| Councillor/Officer | Item | Interest | Nature |
|---------------------------|-------------|------------------|--------------------------------------|
| Mr S D Billingham | 14.2 | Direct Financial | Being that the employee is the DCEO. |
| Mr D R Hadden | 14.1 | Direct Financial | Being that the employee is the MRS. |
| Mr M J Hook | 14.3 | Direct Financial | Being that the employee is the CEO. |

Visitors

Sandra Trenowden

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Nil.

5. PUBLIC QUESTION TIME:

Nil.

6. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Girando requested Leave of Absence from 22 October 2009 to 17 November 2009.

RESOLUTION: **2009-168**

Moved: Cr Bothe **Seconded:** Cr Williams

That Council grant Leave of Absence to Cr Girando from 22 October 2009 to 17 November 2009

CARRIED 7/0

7. PETITIONS/DEPUTATIONS/PRESENTATIONS:

Nil.

8. CONFIRMATION OF MINUTES:

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| 8.1 | ORDINARY MEETING HELD WEDNESDAY 16 SEPTEMBER 2009 AT THE COOROW DISTRICT HALL, COOROW |
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| | |
|------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 1 October 2009 |

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting held on Wednesday 16 September 2009 at the Coorow District Hall, Coorow be confirmed as a true and correct record.

RESOLUTION: **2009-169**

Moved: Cr Williams **Seconded:** Cr Waite

That the Minutes of the Ordinary Meeting held on Wednesday 16 September 2009 at the Coorow District Hall, Coorow be confirmed as a true and correct record with the amendment that at Item 6 – Petitions/Deputations/Presentations Circle Solutions Consultants presented Council's Structural Reform Report.

CARRIED 7/0

8.2 SPECIAL MEETING HELD MONDAY 12 OCTOBER 2009 AT THE COOROW DISTRICT HALL, COOROW

AUTHOR Mark Hook
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 13 October 2009

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Special Meeting held on Monday 12 October 2009 at the Coorow District Hall, Coorow be confirmed as a true and correct record.

RESOLUTION: 2009-170

Moved: Cr Bothe ***Seconded:*** Cr Williams

That the Minutes of the Special Meeting held on Monday 12 October 2009 at the Coorow District Hall, Coorow be confirmed as a true and correct record with the amendment that Ms Vicki Syme was in attendance.

CARRIED 7/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION:

At any meeting of 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 formally welcomed all re-elected Councillors and newly elected Councillor Jack.

Cr Girando raised the following items:

- All votes are to be cast with a show of hands.
- All comments are to be addressed through the chair and only one person is to speak at a time.
- An induction will be held prior to the November 2009 Ordinary meeting for any Councillors wishing to attend.

Cr Girando discussed an email received from Mr Graham Eaton.

10. 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:

- 14.1 Manager Regulatory Services Remuneration Review
- 14.2 Deputy Chief Executive Officer Review
- 14.3 CEO Performance Review

11. REPORTS:

11.1 CHIEF EXECUTIVE OFFICER:

11.1.1 DEVELOPMENT ASSESSMENT PANELS

| | |
|-------------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 6 October 2009 |
| FILE | T9.16 |

SUMMARY:

On 11 September 2009, the Minister for Planning released a Discussion Paper on the Development Assessment Panel model that the Western Australian State Government proposes to introduce.

The Development Assessment Panel's proposed are to be a mix of 3 independent experts and 2 elected Local Government representatives that will have the decision making powers to determine applications of a certain class and value that would normally be determined by Council.

The closing date for submissions on the proposal is Monday 2 November 2009.

BACKGROUND:

On 11 September 2009, the Minister for Planning released a Discussion Paper entitled Implementing Development Assessment Panels in Western Australia.

The discussion paper outlines the Development Assessment model that the State Government is committed to implementing.

Planning legislation will be introduced to give Development Assessment Panels powers to be the decision making body instead of Council for development applications of a certain class and value that can not determined by Council Officer's under delegated authority.

The objectives of the proposed Development Assessment Panel model, outlined by the State Government, are to:

- streamline the determination process for particular types of development applications, by eliminating the requirement for dual approval under both the local and region schemes;
- involve independent technical experts in the determination process;
- encourage an appropriate balance between independent professional advice and local representation in decision-making for significant projects; and

- reduce the number of complex development applications being determined by Local Governments.

The drivers behind the proposed changes are:

1. Requirement for dual approval ie an approval is required under the region scheme and then again under the local scheme;
2. Lack of resources and expertise in Local Government; and
3. Lack of regional planning in remote areas.

The discussion paper justifies the proposal by outlining the following:

“Development industry bodies have long been vocal in their criticism of the development assessment process, particularly in relation to how long the process takes. It has been identified that applications for large-scale, non-complying development can take extensive periods of time to progress through the development assessment process, due to the complex nature of the applications and planning requirements applicable to them, as well as the limited resources and expertise available to the local government responsible for assessment. In addition, some applications for high-value complying development can take an extensive amount of time and effort to assess. In most circumstances, such large-scale developments are also controversial, and so the local opposition to such change may become a factor for local government staff and councils.

There is a real opportunity for development assessment panels to improve this process due to the fundamental role that independent technical experts play on such panels. In line with DAF Leading Practice Model Eight, development assessment panels in Western Australia will provide for a strengthening in the separation between policy making and individual development assessment determinations.

In addition, the use of independent experts will help to improve the transparency of the decision-making process. The State Government has made a commitment to improve the planning process by addressing timeframes and streamlining approval requirements. In addition, it has been recognised that significant projects should be treated differently to minor development, due to the complexity of such applications and the importance that such developments have for the local and State economy.”

It is proposed that one local Development Assessment Panel will be established for the City of Perth, five joint Development Assessment Panels will be established for the metropolitan area and nine non-metropolitan joint Development Assessment Panels will be formed to cover the balance of the State.

The Panels will be comprised of:

- the Chairperson (a specialist member);
- two local government representatives from the relevant local government; and
- two specialist members.

The Discussion Paper states that new *Planning and Development (Development Assessment Panels) Regulations 2010* will identify the types of development applications that are to be determined by a Development Assessment Panel, however a range of criteria have been proposed which include a combination of development value and development type.

In the metropolitan area, the criteria include applications for development approvals valued at equal to and/or over \$2 million, where they represent:

- All commercial, retail and office applications;
- All mixed use/centre applications (such as commercial, retail and residential);
- All industrial (including, but not limited to, light, service, extractive, general, noxious and rural industry) applications;
- All grouped dwelling or multiple dwelling applications of over 10 dwellings;
- Non-complying grouped dwelling or multiple dwelling applications of 10 or less dwellings;
- All aged and dependent persons dwelling applications;
- All infrastructure proposals;
- Applications requiring dual approval of the local government and the WAPC, under the Metropolitan Region Scheme;
- Strategic land use, transport and infrastructure projects;
- Public works of State/regional significance where not exempt from local planning approval requirements;
- All applications for hospitals, TAFEs, universities and non-government schools.

Exempt developments include:

- The determination of an application of approval for the purpose of one or more single houses, complying and non-complying;
- The determination of an application for approval of development for the purpose of not more than 10 complying grouped dwellings or multiple dwellings;
- Minor applications, such as carports, shade sails, outbuildings and sheds.

In non-metropolitan areas, it is proposed that Development Assessment Panel's will be responsible for applications for development approval valued at equal to and/or over \$1 million where they represent:

- All commercial, retail and office applications;
- All mixed use/centre applications (such as commercial, retain and residential);
- All industrial (including, but not limited to, light, service, extractive, general, noxious and rural industry) applications;
- All grouped dwelling or multiple dwelling applications of over 10 dwellings;

- Non-complying grouped dwelling or multiple dwelling applications of 10 or less dwellings;
- All aged and dependent persons dwelling applications;
- All infrastructure proposals;
- Applications requiring dual approval of the local government and the WAPC, under the Peel Region Scheme, Greater Bunbury Region Scheme or other future region scheme;
- Strategic land use, transport and infrastructure projects;
- Public works of state/regional significance where not exempt from local planning approval requirements; and
- All applications for hospitals, TAFEs, universities and non-government schools.

Exempt developments include:

- Determination of an application of approval for the purpose of one or more single houses, complying and non-complying;
- Determination of an application for approval of development for the purpose of not more than 10 complying grouped dwellings or multiple dwellings; and
- Minor applications, such as carports, shade sails, outbuildings and sheds.

It is intended that the Development Assessment Panel's will make decisions on the development applications based on the local policy framework that has been set by the Local Government.

It is also proposed that the Panels will take the place of the WAPC in relation to applications made under the region scheme applying to that local government area. This will eliminate the need for dual approval to be obtained in relation to particular categories of development applications, as the applications will be determined by the local development assessment panel under both schemes simultaneously.

The Discussion Paper states that Development Assessment Panel's will contribute to the key principles of an effective planning system and that the benefits to be derived include: timeliness; efficiency; simplicity; transparency; sustainability; accountability; fairness; consistency and suitability.

It is proposed that all costs associated with Panels, including administration costs, sitting fees, travel etc will be borne by the relevant Local Government.

Finally, where the Minister for Planning believes a project is of State or regional significance the Minister will have the power to call in development applications. In such situations, the relevant development assessment panel will prepare advice and recommendations for the Minister to take into account when determining the application.

COMMENT:

The proposal to introduce Development Assessment Panel's into Western Australia needs to be carefully considered.

The Paper identifies the following issues:

1. Requirement for dual approval ie an approval under the region scheme and approval under the local scheme;
2. Lack of resources and expertise in Local Government; and
3. Lack of regional planning in some remote areas.

Consideration needs to be given to the validity of the issues and given the proposed model for Panels, whether Panels will actually be able to effect improvements and provide for more efficient decision making. The State Government has indicated Local Governments will be responsible for funding Development Assessment Panel's, through the planning fees currently charged for applications. These costs were not given any consideration in the development of the current Local Government planning fees formula, which is set in Regulations. This means that ultimately, local communities will bear the cost of running this additional layer of bureaucracy and, as Local Governments will be the respondents to appeals to SAT on Panel decisions, also responsible for the costs of defending Panel decisions in any legal appeals.

On first assessment, it is clear the costs involved will be considerable, due in part to the need to pay sitting fees to expert panel members and in regional areas, travel fees and accommodation may also need to be paid for regional sittings. With meetings generally occurring monthly these costs will be substantial, and can in no way be covered out of existing Local Government planning fees as currently anticipated.

Additionally, Local Governments will be expected to provide administrative support to the Panels. Given the continued need for officer assessment, consultation and preparation of a report, it is not easy to see where a reduction in workload will occur for Local Government. In March 2009, the Department of Planning released the Building a Better Planning System consultation paper, which sets out the broader planning agenda for lasting improvement and reform of the planning system. One of the reform initiatives suggested in Building a Better Planning System was the introduction of development assessment panels to determine significant land and housing projects.

It is proposed that development applications valued at over \$2 million in the metro area and \$1m in non-metro areas are to be determined by a Panel, if they are not determined by an officer under delegation.

The Panels capture all commercial, residential, mixed use, retail and tourism developments above \$10M, 'ecotourism' projects and public and community infrastructure projects valued over \$5M (e.g. child care facilities, places of worship and schools), designated developments, certain coastal developments currently determined under Part 3A, and projects over \$5M where council is the proponent or has a conflict of interest.

These very low thresholds and broad categories of development seem inconsistent with the definition of “significant land and housing projects”, and mean that a significant number of small local developments are set to be determined by Panels.

Consideration should be given to whether complexity, rather than value is a better benchmark. For example, quite often “commercial, retail and office applications” are compliant with planning provisions and are not in themselves complex once the planning provisions have been met. This is also often the case for mixed use developments.

If the intention is to streamline the approvals systems, and shorten approval timeframes then why should relatively straight forward applications already being dealt with speedily by local governments need to be moved over to Development Assessment Panel’s Clarification must also be sought on the rationale for requiring complying proposals to be assessed by a Panel, as this does not provide for the stated benefits of efficiency, fairness, simplicity or timeliness. In addition, it is unclear how this process will accommodate the provisions of the Residential Design Codes and the proposed Multi Unit Codes that provide for both compliant and outcome based development, with a general expectation that should a proposal be compliant it meets amenity provisions and will be supported.

Many Local Governments already exercise a high level of delegation to professional officers, resulting in a reduced number of proposals requiring consideration by Council. Further information will need to be provided on the role of Council delegation as determined by local Town Planning Schemes.

It is difficult to see how the new Development Assessment Panel process will address the issue of duplication of assessment and approval by Local Government and the WAPC. The proposed model still requires that both Local Governments and WAPC assess, consult and report to the Development Assessment Panel.

The Western Australian Local Government Association has strongly encouraged Councils to consider the Discussion Paper and provide details of their position to the Association for inclusion in the development of a representative Local Government response.

Comments on the discussion from Councils Planners at the Shire of Chapman Valley are as follows:

- Who collects and retains the development application fee?
- Will the centralisation of the development assessment process really be streamlined? This is certainly not the evidence based on the level of delays experienced by subdivision and rezoning applications as currently handled by the WAPC.
- The panel would result in a less democratic process, currently major development applications are voted on by full Council, the Panel would only contain 2 elected members.
- It is uncertain how often the Panel would meet, Councils meet at least once a month and many fortnightly, this provides assurance that the applications are dealt with in the required statutory timeframe.

- With the current process of local government structural reform it is highly likely that Councils will increase in size and have greater capacity to employ specialist staff to deal with development applications
- Council operate at the necessary local level to ensure that the issues relevant to development applications are understood, this is not the case with the centralist model as presented;
- The Panel would not be responsible for management of development approvals and enforcement, this will lead to unworkable, expensive and unworkable situations such as currently experienced when SAT makes a decision on an appeal then effectively absolves itself of further responsibility, leaving the Council with the ongoing problems;
- The Council process is entirely transparent in that officer reports are public knowledge prior to meetings, the meetings are open to the public, Councillors are available to be contacted, the minutes of the meeting are public record as is the vote...the Panel is highly unlikely to operate with this level of accountability and transparency
- More complicated applications are often required to be advertised by the Local Planning Scheme and in practice many that aren't are also advertised, this includes referring the applications out to authorities with the technical expertise relevant to that application (e.g. Main Roads, Dept Environment and Conservation, Heritage Council of WA, Dept of Indigenous Affairs etc.) the argument that the Panel system will introduce level of technical expertise not currently available is false
- In the event that the Council does not receive a fee for the application, or is unhappy with the outcome/manner in which the Panel process is operating, Councils may wish to seek legal advice on whether they should accept applications from applicants

STATUTORY ENVIRONMENT:

Planning and Development (Development Assessment Panels) Regulations 2010
Local Government Act 1995
Planning and Development Act 2001

STRATEGIC IMPLICATIONS:

The provision of Development Assessment Panels will erode the powers of Council to determine major developments affecting Local Communities.

POLICY IMPLICATIONS:

The introduction of Development Assessment Panels will affect Councils Policies in relation to Temporary Accommodation Camps and any other major development in the Shire.

FINANCIAL IMPLICATIONS:

Unsure at this stage as the cost of preparing the reports etc is unknown. Council does already employ staff to do most of this work so this may not change.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. advise the Western Australian Local Government Association that Council does not agree with the introduction of Development Assessment Panels; and
2. forward the comments raised in the report to WALGA.

RESOLUTION: 2009-171

Moved: Cr Williams

Seconded: Cr Waite

That Council:

1. *advise the Western Australian Local Government Association that Council does not agree with the introduction of Development Assessment Panels; and*
2. *forward the comments raised in the report to WALGA and local parliamentarians.*

CARRIED 7/0

Cr Williams and Cr McDonald declared an Impartiality Interest in Item 11.1.2 being that they are members of the Green head Community Association and left the meeting at 3.35pm.

| | |
|--------|--|
| 11.1.2 | GREEN HEAD COMMUNITY ASSOCIATION SENIORS ANNUAL DONATION |
|--------|--|

| | |
|------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 6 October 2009 |
| FILE | G4 |

SUMMARY:

The Green Head Community Association is requesting annual funding from Council of \$100 for an outing for seniors and members of the Green Head community to look at the wild flowers at Mt Leseur.

BACKGROUND:

Council has received the following letter from the Green head Community Association.

At the Green Head Community Meeting on the 07/09/2009 the members requested the following be looked into.

Each year the Community Association organises an outing for seniors and members of the Community, to Mt Leseur to look at wild flowers: this followed by a sausage sizzle cooked by a member. They usually use the school bus which the use of is kindly donated by Mrs Betty O'Callaghan, the cost is met by the Association and it usually amounts to \$80 to \$100.

As this is an annual event and so far the association has been able to fund it, we were wondering if the Shire could take over the funding as a good will gesture. We would be quite happy to put a cap of \$100 on it.

COMMENT:

Council provides funding for the Leeman seniors for bus trips. The provision of such a service for the Green head seniors is a reasonable request and should be supported by providing annual funding of \$100 to the Green Head Community Association for such an event.

STATUTORY ENVIRONMENT:

Nil.

STRATEGIC IMPLICATIONS:

GOAL 2 - SERVICES

Ensure the community has access to quality facilities and services to allow a safe and vibrant lifestyle.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Amount listed in Budget for Donations and Grants is \$8,200 amount spent to date is \$389.55.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. donate the amount of \$100 out of the Schedule 4 Governance Members of Council Donations and Grants Other 2009/10 budget allocation; and
2. place an annual amount of \$100 in future budgets under Schedule 8 Senior Citizens Donations Welfare.

RESOLUTION: 2009-172

Moved: Cr Bothe

Seconded: Cr Waite

That Council:

1. *donate the amount of \$100 out of the Schedule 4 Governance Members of Council Donations and Grants Other 2009/10 budget allocation; and*
2. *place an annual amount of \$100 in future budgets under Schedule 8 Senior Citizens Donations Welfare.*

CARRIED 5/0

**Cr Williams and McDonald returned to the meeting at 3.35pm.
The President read aloud the resolution to returned Councillors.**

11.1.3 WARRADARGE COMMUNITY MEETING ROOMS

| | |
|-------------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 2 October 2009 |
| FILE | G9 |

SUMMARY:

Council is being requested to place the common seal on the grant agreement for the Warradarge Community Meeting Rooms.

BACKGROUND:

The Warradarge Bushfire Brigade submitted a grant to the Mid West Development to provide community meeting rooms at Warradarge.

The Grant application was successful and the Midwest Development Commission has now presented an agreement to Council to sign for the Grant for the Warradarge community meeting rooms.

As the grant application requires the common seal of Council under Councils standing orders Council must authorise the placement of the Common Seal on the grant acceptance.

COMMENT:

This matter was presented to Council in May 2009 where the amount was allocated in Councils 2009/10 Budget Estimates. Council has placed an amount of \$25,000 under Law Order and Public Safety Capital Expenditure Warradarge Bush Fire Shed Contributions. Council is yet to be advised by Royalties for Regions if its program for the 2009/10 has been accepted due to the Treasury holding up the new guidelines.

STATUTORY ENVIRONMENT:

Standing Orders

Part 16- Common Seal

16.1 The Council's Common Seal

- (1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.
- (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.
- (3) The common seal of the local government is to be affixed to any local law which is made by the local government.

- (4) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.

Local Government Act 1995

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Part of 2009/10 Budget Estimates Page 26.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATION:

That the President and Chief Executive Officer sign the Grant application with the Midwest Development Commission for the Warradarge Community Meeting Rooms and affix the common seal to the required documents.

RESOLUTION: **2009-173**

Moved: Cr Waite **Seconded:** Cr Williams

That the President and Chief Executive Officer sign the Grant application with the Midwest Development Commission for the Warradarge Community Meeting Rooms and affix the common seal to the required documents.

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

11.1.4 RANGER APPOINTMENT AS AUTHORISED OFFICER

| | |
|------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 6 October 2009 |
| FILE | R14.5 |

SUMMARY:

Council must authorise the appointment of the newly appointed Ranger Mr John Richardson as an Authorised Officer under the various Acts and Regulation that the Ranger uses during his normal day to day operations.

BACKGROUND:

Mr Felix McQuistan left the employment with the Shire of Coorow and the position of Ranger. Mr John Richardson has been appointed to the position of Ranger. John currently resides in Leeman, and I welcome John to the Shire Staff.

Council can not delegate the authority to the Chief Executive Officer to appoint Authorised officers required under the various acts and regulations used by the Ranger in his daily duties.

COMMENT:

The Dog Act 1976 does not provide for authority to be delegated to the Chief Executive Officer for the appointment of authorised officers with the exception of section 11(1) and Local Laws adopted by Council. It is therefore proposed that authority be given to persons listed below under s12A (2), s16, s29 and s44.

Section 12A allows an authorised person or other person named in a warrant to enter and inspect any premise for any purpose relating to the enforcement of the Dog Act 1976 with the authority of a warrant.

Section 16 requires persons to be authorised by the Local Government as registration officers to affect the registration of dogs under the Act.

Section 29 contains powers allowing an authorised person to exercise powers to enter property, seize and detain dogs.

Section 44 allows proceedings to be taken under the Act by an employee of the Shire authorised to take proceedings in the name of the Shire.

The Control of Vehicles (Off Road Areas) Act 1976 does not provide for authority to be delegated to the Chief Executive Officer for the appointment of authorised officers. It is therefore proposed to appoint persons appointed to the positions listed below as authorised persons under section 5(5) of the Act. Section 5(5) allows a local government to employ fit and proper persons to be authorised officers for the enforcement of the Act.

The Caravan Parks and Camping Grounds Act 1995 does not provide for authority to be delegated to the Chief Executive Officer for the appointment of authorised officers. It is therefore proposed to appoint persons appointed to the positions listed below as authorised persons under section 17 (1) of the Act. Section 17 (1) allows a local government appoint such persons as the local government considers necessary.

STATUTORY ENVIRONMENT:

Dog Act 1976

Control of Vehicles (Off Road Areas) Act 1978

Caravan Parks and Camping Grounds Act 1995

Litter Act 1979

Local Government Act 1995

STRATEGIC IMPLICATIONS:

Strategic Objective 2: To consistently apply the Principles of Good Governance

POLICY IMPLICATIONS:

The Authorisations also cover Council's policies in relation to camping and dog control, off road vehicles etc Litter Act Etc.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

None required.

VOTING REQUIREMENT:

Absolute Majority.

OFFICER RECOMMENDATION:

That Council:

1. appoint the following positions as authorised officers under section 5(5) of the Control of Vehicles (Off Road Areas) Act:
 - John Richardson - Ranger

2. appoint the following positions pursuant to sections 12A, 29,16 and 44 of the Dog Act 1976 as an authorised person:
 - John Richardson - Ranger
3. appoint the following positions as authorised persons pursuant to section 17 of the Caravan Parks and Camping Grounds Act 1995:
 - John Richardson - Ranger
4. appoint the following positions as authorised persons pursuant to section 26 of the Litter Act 1979:
 - John Richardson – Ranger; and
5. withdraw the authorisation of:
 - Felix McQuistan – Ranger
6. appoint the following positions pursuant to Section 16 of the *Dog Act 1976* as an authorised person as a Dog Registration Officer:
 - Stacey Donohue;
 - Emma Gladman;
 - Erika Clement;
 - Glenda Mackenzie; and
 - Brenda Johnson.

RESOLUTION: 2009-174

Moved: Cr Williams **Seconded:** Cr Bothe

That Council:

1. *appoint the following positions as authorised officers under section 5(5) of the Control of Vehicles (Off Road Areas) Act:*
 - John Richardson - Ranger
2. *appoint the following positions pursuant to sections 12A, 29,16 and 44 of the Dog Act 1976 as an authorised person:*
 - John Richardson - Ranger
3. *appoint the following positions as authorised persons pursuant to section 17 of the Caravan Parks and Camping Grounds Act 1995:*
 - John Richardson - Ranger
4. *appoint the following positions as authorised persons pursuant to section 26 of the Litter Act 1979:*
 - John Richardson – Ranger; and

5. *withdraw the authorisation of:*
 - *Felix McQuistan – Ranger*
6. *appoint the following positions pursuant to Section 16 of the Dog Act 1976 as an authorised person as a Dog Registration Officer:*
 - *Stacey Donohue;*
 - *Emma Gladman;*
 - *Erika Clement;*
 - *Glenda Mackenzie; and*
 - *Brenda Johnson.*

CARRIED 7/0
BY ABSOLUTE MAJORITY

11.1.5 LOCAL LAW – STANDING ORDERS

| | |
|-------------------------------|--|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |
| ATTACHMENT | 11.1.5 Draft Shire of Coorow Local Law – Meeting Procedures (under Separate Cover) |
| FILE | L11 |

SUMMARY:

Councils existing Local Laws Gazetted on the 3 April 1998 are required to be updated.

It is proposed that the Meeting Procedures Local Law 2009, as included at Attachment 11.1.5, be adopted to replace the previous Standing Orders Local Law 1999 to provide for the orderly conduct of Council Meetings.

BACK GROUND

The Chief Executive Officer with the Shire President Cr Moira Girando, Deputy Shire President Cr Allan Williams and Cr Jan Waite has reviewed the proposed Meeting Procedures Local Laws and has made the relevant alterations.

COMMENT:

The previous Local Laws in relation to Standing Orders was Gazetted on the 3 April 1998 and were based on the then Model Local Laws. There have been a number of amendments to the Model Local Laws since then and the Model Local Law is currently under review by the Department of Local Government and WALGA.

The attached Meeting Procedures Local Law is based on the proposed new Model Local Law given to the Shire of Coorow by WALGA to ensure that the new Shire of Coorow Meeting Procedures Local Law will be in line with the proposed Model Local Laws.

The City of Stirling adopted this model Local Law which will now allow Council to adopt the new Meeting Procedures Local Law by reference and therefore reducing the amount of advertising in the Government Gazette thereby reducing Councils advertising cost considerably.

Following are some provisions of the Act and Regulations in relation to the adoption of Local Laws.

Under section 3.9(1) of the Act councils may adopt the provisions of model Local Laws by reference with or without modifications. If a local government wishes to adopt Local Laws without modification it is simply a matter of including, following the gazettal of its resolution (incorporating the repeal of any existing Standing Orders Local Law), the appropriate information.

There is no requirement for a local government to adopt standing orders, though it's hard to imagine a council meeting functioning smoothly without rules of debate.

STATUTORY ENVIRONMENT:

The local laws are made under s3.5 and s3.10 of the Local Government Act 1995

LOCAL LAW MAKING PROCESS

1. Purpose and effect read aloud (section 3.12(2))

Also, resolution to give notice of intention to make the local laws.

2. Statewide public notice given twice (section 3.12(3)(a))

This is to be given –

- (a) in the West Australian (or Sunday Times) and on the public notice board;
- (b) at every local government library.

3. Ministers notified (section 3.12(3)(b))

4. Making the local law (section 3.12(4))

After close of the 42 days submission period, submissions are considered and the council can formally resolve to make a local law “that is not significantly different from what was proposed” special majority required.

Process starts again if significant changes (section 3.13).

5. Gazettal (section 3.12(5))

Publish in the Gazette.

6. Ministers given a copy (section 3.12(5)).

7. Explanatory Memorandum

Immediately after gazettal send 10 copies of the local law and 10 copies of the Explanatory Memorandum to –

Advisory/Research Officer
Joint Standing Committee on Delegated Legislation
Legislative Council
Parliament House
PERTH WA 6000

Proforma C1 to C3 in the Local Laws Manual can be adapted for this purpose.

8. Statewide Public Notice (section 3.12(6))

This is to be given (once).

Proforma B in the Local Laws Manual has been designed for this purpose.

9. Commencement (section 3.14)

The local law comes into operation on the 14th day after publication in the Gazette (except in the case of Health Act local laws which come in to operation from the date of gazettal).

STRATEGIC IMPLICATIONS:

These meeting procedures contain the rules that apply to the conduct of meetings of the Council and its committees and to meetings of electors. All meetings are to be conducted in accordance with the Act, the Regulations and these Meeting Procedures.

These Meeting Procedures are intended to result in –

- (a) better decision making by the Council and its committees;
- (b) the orderly conduct of meetings dealing with Council business;
- (c) better understanding of the process of conducting meetings; and
- (d) more efficient and effective use of time at meetings.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Cost of Gazettal for a Local Law of this size by Reference will be in the vicinity of \$2,000 to \$3,000.

PUBLIC CONSULTATION:

Public Consultation will be part of the overall adoption of the Local Law.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council authorise the Chief Executive Officer to commence the Legal processes for the adoption and Gazettal of the Shire of Coorow Meeting Procedures Local Law 2009 as attached under separate cover.

RESOLUTION: 2009-175

Moved: Cr Waite

Seconded: Cr Williams

That Council authorise the Chief Executive Officer to commence the legal processes for the adoption and Gazettal of the Shire of Coorow Meeting Procedures Local Law 2009 as attached under separate cover with the following amendments:

1. *Section 8 Election of President and Deputy – include section of Act;*
2. *Section 4.6 – include item (10) from first draft copy; and*
3. *Section 5.7 (12) – remove ‘may’.*

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

11.1.6 POLICY MANUAL REVIEW 2009

| | |
|-------------------------------|---|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |
| ATTACHMENT | 11.1.6 Working Draft Shire of Coorow Policy Manual (under separate cover) |

SUMMARY:

Council is to consider the adoption of the reviewed and updated Policy Manual.

BACKGROUND:

Due to Executive Staff changeovers in the past 18 months and lack of procedures in place to cope with staff changes, the review of Council's Policy Manual has been identified as an area of concern by Council's Auditors.

The Shire of Coorow Policy manual has been recently reviewed by staff and several areas of the manual were discovered to require changes. Changes include correction of typographical errors, updates to name changes and improvements for readability and understanding. Some policies have been removed in the Working Draft Shire of Coorow Policy Manual as they were considered outdated or were covered under various sections of Legislation.

Council was presented with a Draft Shire of Coorow Policy Manual at the August 2009 Ordinary Meeting of Council where the following was resolved:

RESOLUTION: 2009-131

Moved: Cr George Seconded: Cr Williams

That this matter lay on the table until the October 2009 meeting of Council and that a committee is formed to workshop the policy manual.

CARRIED 8/0

Council's Resolution differed from the Officers Recommendation as Council would like staff to further develop the Policy Manual Review before it is brought back to Council.

COMMENT:

Councillors were provided with a copy of the current Policy Manual at the beginning of 2009 in the Councillors Manual.

Council's Chief Executive Officer, along with a working party of President Cr Girando, Deputy President Cr Williams and Cr Waite have since reviewed the Policy Manual.

Following is a list of changes made to the current Policy Manual, these changes are shown into the Working Draft Shire of Coorow Policy Manual as included at Attachment 11.1.6, showing all tracked changes.

Council is also requested to set a review date for the Policy Manual each year.

| Policy | Title | Changes |
|---------------|---|--|
| 1.1.1 | Matters to be discussed at Council meetings/Tabling or Reports | Guidelines 3) removed |
| 1.1.3 | Councillor's Requests and Works Requests | Wording changes, name changes, introduction of Works and Building Maintenance Request forms. |
| 1.1.4 | Attendance at Local Government Week | Change CSCA Ward Delgates to NCZ of WALGA Delegates |
| 1.1.6 | Members attendance at Conferences, Seminats, Training and Induction Courses | Change CSCA Ward Delgates to NCZ of WALGA Delegates |
| 1.1.7 | Retirement of Councillors – Council Gift/Function | Deleted. |
| 1.1.8 | Members Travelling Allowances | Formatting, travelling claim changed to reflect LGO Award. |
| 1.1.9 | Presidential Credit Card | Deleted. 2008/09 Audit recommendation |
| 1.1.10 | Resource Sharing | Formatting, slight wording variation |
| 1.1.11 | Deadline for Council Agenda | Slight wording variation |
| 1.1.12 | Complaints Handling Policy | Wording variation, action timeline included. |
| 1.1.13 | Recognition of Councillors | Wording variation. |
| 1.2.1 | Council Administration Facilities | Change of title to reflect Council Administration Facilities, wording variations. |
| 2.1.1 | Partners Expenses | Deleted. |
| 2.1.2 | Entertainment Expenses | Staff Positions changed to 'Executive Staff' |
| 2.1.3 | Telephone Rental and Calls | Rangers Coast Residence removed. Swimming Pool Manger residence cost limit. Guidelines |
| 2.1.4 | Appointment and Termination of Staff | Staff Position Changes. |
| 2.1.5 | Authorisation to Purchase Goods and Services | Insert all staff able to issue PO |
| 2.1.6 | Vehicle Usage | Staff Position changes. Private Vehicle usage updated to reflect contracts. |
| 2.1.7 | Employee Removal Expenses | Reworded, \$ amount lifted |
| 2.1.8 | Equal Employment Opportunity Policy Statement | Slight Wording variation. |
| 2.1.9 | Occupational Health and Safety | Slight wording variation. |
| 2.1.10 | Attendance at Local Government Managers Australia State Conference | Slight wording variation. |
| 2.1.12 | Injury Management and Rehabilitation Policy and Procedures | Deleted. Covered under other acts |
| 2.1.13 | Authorisation to Call Tenders | Deleted. Included as part of 2.1.5 |
| 2.1.14 | Gratuity Payments | MAJOR CHANGE. Council will no longer offer gratuity payments to an employee leave the service of Council. |
| 2.1.15 | Acting Chief Executive Officer | Slight wording variation |
| 3.2.2 | Payment of Accounts | Staff Position Changes, value increased, |
| 3.2.3 | Credit Card | Title Change. Staff Positions Changed, values changed per person |
| 3.2.4 | Cash Advances | Swimming Pool Float increase |
| 3.2.5 | June Triannual Financial Reporting | Deleted Covered under other acts |
| 3.2.6 | Television Service Charge | MAJOR CHANGE. All vacant lots will no longer be exempt from a TV service charge. |
| 3.2.7 | Rates Discount | Bill Express removed and replaced with 'All Electronic Payments'. |

| Policy | Title | Changes |
|--------------|---|--|
| 3.2.8 | Waiving of Fees and Charges for Council Facilities | Included Snag Island Coastal Kids. |
| 3.6.1 | Regional Price Preference | Changed North Midlands VROC to Mid West Regional Council |
| 3.6.2 | Purchases of Goods and Services | Number of quotations increased. |
| 4.1.1 | Bush Fires | Deleted. Covered under Bush Fires Act |
| 4.1.2 | Bush Fire Advisory Committee | Committee defined clearer. Objectives inserted. |
| 4.1.3 | Duties of a Fire Control Officer | Slight wording variation |
| 4.1.5 | Volunteer Bush Fire Brigades | Deleted. Covered under BF Act |
| 4.1.6 | Hazard Reduction Operations | Slight wording variation |
| 4.1.7 | Administration | Policy Statement variation |
| 4.1.8 | Infringement Notices | Deleted. Covered under BF Act |
| 4.1.9 | Firebreak Infringement Notices | Deleted. Covered by Firebreak Notice |
| 4.1.10 | Fire Occurrence Statistics | Policy Statement variation. |
| 4.1.11 | Bush Fire Control | Wording variation |
| 4.1.12 | Vehicles | Wording variation |
| 4.1.13 | Equipment and Tools | Deleted. Supplied under ESL |
| 4.1.14 | Safety Clothing and Footwear | Wording variation. |
| 4.1.15 | Food and Drink | Slight wording variation |
| 4.1.16 | Communications | Deleted. |
| 4.1.17 | Insurance | Deleted. |
| 4.1.18 | Subdivisions | Deleted. |
| 4.1.19 | Safety and Health of Volunteer Bush Fire Fighters | Slight wording variation |
| 4.1.20 | Response to Hazardous Materials | Deleted. No Brigade Hazchem Trained |
| 4.1.21 | Insurance of Fire Fighters | Deleted. Not a policy |
| 4.1.22 | Chemical Spills | Deleted. Standard operating procedures |
| 4.1.24 | Profiles of Fire Fighters | Slight wording variation |
| 4.2.1 | Dog Administration | Wording variation. |
| 4.3.1 | Camping - Shire of Coorow | MAJOR CHANGE. Title changed. Inclusion of authorised camping areas. |
| 4.3.2 | Firearm Storage and Use | Wording change. Objectives included. |
| 6.1.1 | Water Rates and Charges/Rubbish Charges | Wording variation. |
| 6.6.1 | Time Limit on Planning Consent | Deleted. Covered under act |
| 6.6.2 | Car Parking Requirements | No changes at this stage. CEO to bring back to Council. Subject of a future report to Council. |
| 6.6.4 | Conditions for Subdivisions | Wording variation to include specific conditions for subdivisions not previously included. Inclusion of Special Rural. |
| 6.6.5 | Home Occupation Approval – Renewal | Deleted. |
| 6.6.14 | Intensive Agriculture | Updated to reflect recent policy changes. |
| 7.1.1 | Pianos - District Hall - Function Centre | Slight wording variation |
| 7.2.1 | Operational Hours Variation | Wording variation. |
| 7.3.2 | Sponsor Advertisements - Sporting Grounds | Slight wording variation |
| 7.3.3 | Marking of Ovals and Sports Grounds | Slight wording variation |
| 7.3.4 | Permission to Consume Alcohol on Council Reserves and Streets. | Guidelines wording variation |
| 7.3.5 | Permission to Conduct Activities on Council Property – Helicopter Landings. | Slight Wording Variation. |
| 7.7.1 | Removal of Algal Wrack | Slight Wording Variation. |

| Policy | Title | Changes |
|---------------|--|---|
| 8.1.1 | Management of Road Reserves | Wording variation. Inclusion of dot point 11 |
| 8.1.2 | Private Kerbing – Townsites | Wording variation. |
| 8.1.3 | Issuing of Long Vehicle Permits | Wording variation. |
| 8.1.4 | Road Closures | Format bullets and numbers. Inclusion of seeking restitution for damages caused. |
| 8.1.5 | Council position in relation to Crown Right of Way (ROW) | Wording variation. |
| 8.2.1 | Water Drainage onto Roadways | Title change. Wording variation. |
| 8.4.2 | Standards of Construction for Crossovers, ROW's and Common Property Driveways in Strata Schemes | No changes at this stage. CEO to bring back to Council. Subject of a future report to Council. |
| 8.5.1 | Road Verge Policy | Deleted. Not required |
| 8.6.1 | School Bus Signs | Slight wording variation. |
| 8.7.1 | Clearing of Trees from Road Verges - Subdivisions | Deleted. |
| 8.8.1 | Truck and Bus Parking Bays on Road Reserves | Wording variation to include developers must meet all associated costs. |
| 9.4.2 | Building Licences - Period of Currency | Deleted. Covered in Building Regs |
| 9.4.4 | Building Licence Approvals | Deleted. Covered under legislation |
| 9.4.5 | Issue of Building Orders | Wording variation. |
| 9.4.6 | Bond to Protect Footpaths/Kerbing | Increase deposit and inclusion of provision for Council to recoup costs above bond. |
| 9.4.7 | PVC Leach Drains | Deleted. Covered under Regs |
| 9.4.8 | Postage of Building Licences | Deleted. |
| 9.4.9 | Illegal Buildings – Issue of Building Licences | Deleted. |
| 9.4.10 | Renewal Fees for Building Licences | Wording variation |
| 9.4.11 | Septic Tank Application Fees | Deleted. Rescinded July 2005 |
| 9.4.12 | Shade Cloth Covering - Pergolas | Deleted. Part of other policies |
| 9.4.13 | Occupation of Class '10' Buildings (sheds) | Wording variation. |
| 9.6.1 | Payment of Gravel Royalties | Deleted. |

STATUTORY ENVIRONMENT:

Shire of Coorow Policy Manual
Councillors Manual
Local Government Act 1995

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

As above.

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Absolute Majority.

OFFICER RECOMMENDATION:

That Council:

1. adopt the Updated Policy Manual as included at Attachment 11.1.6; and
2. review the Policy Manual annually at the May Ordinary Meeting of Council.

RESOLUTION: 2009-176

Moved: Cr McTaggart **Seconded:** Cr McDonald

That Council:

1. *adopt the Updated Policy Manual as included at Attachment 11.1.6 with the following amendments:*
 - (a) 1.1.4 – remove extra NCZ of WALGA; and
 - (b) 9.4.6 – reduce the kerb bond back to the original \$500.
2. *review the Policy Manual annually at the May Ordinary Meeting of Council.*

**CARRIED 6/1
BY ABSOLUTE MAJORITY**

Cr Williams requested his vote against the motion be recorded

11.1.7 DELEGATED AUTHORITY MANUAL REVIEW 2009

| | |
|-------------------------------|---|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |
| ATTACHMENT | 11.1.7 Working Draft Shire of Coorow Delegated Authority Manual (under separate cover) |

SUMMARY:

Council is to consider the adoption of the reviewed and updated Delegated Authority Manual.

BACKGROUND:

Due to Executive Staff changeovers in the past 18 months and lack of procedures in place to cope with staff changes, the review of Council's Delegated Authority Manual has been identified as an area of concern by Council's Auditors.

The Shire of Coorow Delegated Authority Manual has been recently reviewed by staff and several areas of the manual were discovered to require changes. Changes include correction of typographical errors, updates to name changes and improvements for readability and understanding.

COMMENT:

Councillors were provided with a copy of the current Delegated Authority Manual at the beginning of 2009 in the Councillors Manual. A copy of the Working Draft Delegated Authority Manual is included at Attachment 11.1.7.

Any other changes to the Delegated Authority Manual were minor typographical changes or name changes to reflect the change in staff positions.

STATUTORY ENVIRONMENT:

Shire of Coorow Policy Manual
Councillors Manual
Local Government Act 1995

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Changes to Delegated Authority Manual.

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Absolute Majority.

OFFICER RECOMMENDATION:

That Council adopt the Updated Delegated Authority Manual as included at Attachment 10.1.7.

RESOLUTION: 2009-177

Moved: Cr Williams **Seconded:** Cr McTaggart

That Council adopt the Updated Delegated Authority Manual as included at Attachment 10.1.7 with the following amendments:

1. *Delegated Authority 4.3.1 needs to incorporate the No Camping policy; and*
2. *Delegated Authority 10.2.1 to include the text 'passenger and light commercial vehicles'*

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

11.1.8 REVIEW OF APPOINTMENT OF COUNCIL DELEGATES TO VARIOUS COMMITTEES/ORGANISATIONS

AUTHOR Mark Hook
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 8 October 2009
FILE A2 Administration - General

SUMMARY:

It is necessary for Council to consider appointments to Councillors/Staff to Council's Committees and delegates to other boards, organisations and committees that are not committees of Council.

BACKGROUND:

At the October 2007 Ordinary Meeting, Council reviewed the committee and delegate appointments. It was resolved that:

RESOLUTION: 2007-168
Moved: George *Seconded: Williams*
That Council

1. *disband the Chief Executive Officer Performance Review 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:*

| <i>No</i> | <i>Committee</i> | <i>Member/Delegate(s)</i> | <i>Proxy Member/ Delegate</i> |
|-----------|---|-----------------------------------|-------------------------------|
| <i>1</i> | <i>Audit Committee</i> | <i>All Councillors</i> | <i>Nil</i> |
| <i>2</i> | <i>Central Coast Planning and Coordinating Committee</i> | <i>Cr Girando and CEO</i> | <i>Cr Rackemann and MCD</i> |
| <i>3</i> | <i>Waddy Forest LCDC</i> | <i>Cr Waite</i> | <i>Cr Bothe</i> |
| <i>4</i> | <i>Central Coast Health Advisory Group</i> | <i>Cr George</i> | <i>Cr McDonald</i> |
| <i>5</i> | <i>North Midlands Sub-Regional Road Group</i> | <i>Cr Girando and MWS</i> | <i>Cr Waite</i> |
| <i>6</i> | <i>Agriculture Protection Board Regional Advisory Committee</i> | <i>Cr Waite</i> | <i>Cr McDonald</i> |
| <i>7</i> | <i>Wildflower Country Regional Council</i> | <i>Cr Girando</i> | <i>Cr Waite</i> |
| <i>8</i> | <i>Northern Country Zone of WA Local Government Association</i> | <i>Cr Girando and Cr Williams</i> | <i>Cr Waite and Cr Bothe</i> |

| <i>No</i> | <i>Committee</i> | <i>Member/Delegate(s)</i> | <i>Proxy Member/ Delegate</i> |
|-----------|--|--|-----------------------------------|
| 9 | <i>Moore River Catchment Council</i> | <i>Cr Waite</i> | <i>Cr Bothe</i> |
| 10 | <i>Leeman/Green Head Local Emergency Management Advisory Committee</i> | <i>Cr McDonald and MCD</i> | <i>Cr Williams and CEO</i> |
| 11 | <i>Carnamah Local Emergency Management Advisory Committee</i> | <i>Cr Waite and CEO</i> | <i>Cr Girando</i> |
| 12 | <i>Coorow School Bus Committee</i> | <i>MWS</i> | <i>CEO</i> |
| 13 | <i>Carnamah District High School Bus Committee</i> | <i>MWS</i> | <i>CEO</i> |
| 14 | <i>Winchester Cemetery Management Committee</i> | <i>Cr Bothe, MWS and Ms Alison Doley (Community Rep)</i> | |
| 15 | <i>CALM Fire Advisory Committee</i> | <i>MWS, John Browne, Chief BFCO</i> | <i>CEO</i> |
| 16 | <i>Leeman Jetty Committee</i> | <i>Cr McTaggart</i> | <i>Cr Rackemann</i> |
| 17 | <i>Green Head Jetty Committee</i> | <i>Cr McTaggart</i> | <i>Cr George</i> |
| 18 | <i>Coorow Land Conservation District Committee</i> | <i>Cr Bothe</i> | <i>Cr Waite</i> |
| 19 | <i>Coorow Townscape Committee</i> | <i>Cr Girando</i> | <i>CEO</i> |
| 20 | <i>North Midlands Medical Practice Management Committee</i> | <i>Cr Girando and CEO</i> | <i>Cr Williams and MFA</i> |
| 21 | <i>Wildflower Country Tourism Steering Committee</i> | <i>Cr McDonald</i> | <i>MFA</i> |
| 22 | <i>Marchagee Buntine Recovery Catchment Group</i> | <i>Cr Girando</i> | <i>Cr Waite</i> |
| 23 | <i>Watheroo LCDC</i> | <i>Cr Girando</i> | <i>Cr Waite</i> |
| 24 | <i>Bush Fire Advisory Committee Chair</i> | <i>Cr Waite</i> | <i>Cr Girando</i> |

CARRIED 8/0

COMMENT:

Following the 2009 Local Government Elections, Council should now review all committee positions and delegations.

In relation to Committees of Council and Council delegates to other committees Council should consider:

- Council's previous representatives to the Mid West Regional Council (MWRC) were Cr Girando with Cr Waite as the Proxy. Under the MWRC's establishment agreement only these two Councillors may represent Council at a MWRC meeting. Given that Council has resolved to discontinue with the MWRC as of June 2010, this will not be an issue for long.

STATUTORY ENVIRONMENT:

Local Government Act (1995)

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required*

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

FINANCIAL, POLICY & STRATEGIC IMPLICATIONS

There appears to be no implications in this regard.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council appoint the following as members of Committees 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 | Central Coast Planning and Coordinating Committee | Shire President and CEO | _____ and MRS |
| 3 | Waddy Forest LCDC | _____ | _____ |
| 4 | Central Coast Health Advisory Group | _____ | _____ |
| 5 | North Midlands Sub-Regional Road Group | _____ and PWS | _____ |
| 6 | Agriculture Protection Board Regional Advisory Committee | _____ | _____ |
| 7 | Mid West Regional Council | Shire President | Deputy Shire President |

| No | Committee | Member/Delegate(s) | Proxy Member/ Delegate |
|----|---|--|---------------------------|
| 8 | Northern Country Zone of WA Local Government Association | Shire President and Deputy Shire President | _____ and _____ |
| 9 | Moore River Catchment Council | Cr Waite | Cr Bothe |
| 10 | Leeman/Green Head Local Emergency Management Advisory Committee | _____ and MRS | _____ and CEO |
| 11 | Carnamah Local Emergency Management Advisory Committee | _____ | _____ |
| 12 | Coorow School Bus Committee | PWS | CEO |
| 13 | Carnamah District High School Bus Committee | PWS | CEO |
| 14 | Winchester Cemetery Management Committee | _____, PWS and Ms Alison Doley (Community Rep) | |
| 15 | CALM Fire Advisory Committee | PWS and Chief BFCO | CEO |
| 16 | Small Business Centre Central Coast | _____ | _____ |
| 17 | Leeman Jetty Committee | _____ | _____ |
| 18 | Green Head Jetty Committee | _____ | _____ |
| 19 | Coorow Land Conservation District Committee | _____ | _____ |
| 20 | Coorow Townscape Committee | _____ | _____ |
| 21 | North Midlands Medical Practice Management Committee | _____ and CEO | _____ and DCEO |
| 22 | Wildflower Country Tourism Steering Committee | _____ | _____ |
| 23 | Marchagee Buntine Recovery Catchment Group | _____ | _____ |
| 24 | Watheroo LCDC | _____ | _____ |
| 25 | Bush Fire Advisory Committee Chair | _____ | _____ |

RESOLUTION:**2009-178****Moved:** Cr Jack**Seconded:** Cr Williams

That Council appoint the following as members of Committees 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 | Central Coast Planning and Coordinating Committee | Shire President and CEO | Cr Williams and MRS |
| 3 | Waddy Forest LCDC | Cr Waite | Cr Bothe |
| 4 | Central Coast Health Advisory Group | Cr George | Cr McDonald |
| 5 | North Midlands Sub-Regional Road Group | Cr Girando and PWS | Cr Waite |
| 6 | Mid West Regional Council | Shire President | Deputy Shire President |
| 7 | Northern Country Zone of WA Local Government Association | Shire President and Deputy Shire President | Cr Williams and Cr McDonald |
| 8 | Moore River Catchment Council | Cr Waite | Cr Bothe |
| 9 | Leeman/Green Head Local Emergency Management Advisory Committee | Cr McDonald and CEO | Cr Williams and MRS |
| 10 | Carnamah Local Emergency Management Advisory Committee | Cr Waite | Cr Girando |
| 11 | Coorow School Bus Committee | PWS | CEO |
| 12 | Carnamah District High School Bus Committee | PWS | CEO |
| 13 | Winchester Cemetery Management Committee | Cr Bothe, PWS and Ms Alison Doley (Community Rep) | Cr Jack |
| 14 | DEC Fire Advisory Committee | PWS and Chief BFCO | CEO |
| 15 | Leeman Jetty Committee | Cr McTaggart | Cr Williams |
| 16 | Green Head Jetty Committee | Cr McTaggart | Cr George |
| 17 | Coorow Land Conservation District Committee | Cr Bothe | Cr Waite |
| 18 | Coorow Townscape Committee | CEO | Cr Girando |
| 19 | North Midlands Medical Practice Management Committee | Cr Girando and CEO | Cr Waite and DCEO |

| | | | |
|----|--|--------------------|--------------------------|
| 20 | <i>Wildflower Country Tourism Steering Committee</i> | <i>Cr McDonald</i> | <i>DCEO</i> |
| 21 | <i>Buntine Marchagee Recovery Catchment Group</i> | <i>Cr Girando</i> | <i>Cr Waite</i> |
| 22 | <i>Watheroo LCDC</i> | <i>Cr Girando</i> | <i>Cr Waite</i> |
| 23 | <i>Bush Fire Advisory Committee Chair</i> | <i>CEO</i> | <i>Cr Jack/ Cr Waite</i> |

CARRIED 7/0

The meeting adjourned at 4.07pm

The meeting resumed at 4.24pm

11.2 MANAGER REGULATORY SERVICES:

11.2.1 LOCAL PLANNING POLICY – SEA CONTAINERS

| | |
|-------------------------------|---------------------------------------|
| AUTHOR | Simon Lancaster |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 21 September 2009 |
| ATTACHMENT | 10.2.1 Policy 6.6.15 – Sea Containers |
| FILE | Policy Manual |

SUMMARY:

Council resolved at the 17 June 2009 Ordinary meeting:

“That Council request the Shire of Chapman Valley Planning Department prepare a Local Planning Policy to establish guidelines for the assessment of proposals to place sea containers or other similar relocatable storage units on land within the Municipality.”

The draft Local Planning Policy 6.6.15 – Sea Containers was presented to the 15 July 2009 meeting, with Council resolving:

“That:

- 1. Council adopt draft Local Planning Policy 6.6.15 – Sea Containers as a draft for public comment and advertise it for a period of 21 days pursuant to Section 2.4.1 of the Shire of Coorow Town Planning Scheme No.2 with Policy Statement Point 1 to read:*

‘Sea (shipping) containers are a class of development that can have an adverse effect on the visual amenity of an area. Therefore, in general the Shire carries a presumption against the use of sea containers other than in industrial and rural areas unless the Council can be satisfied a genuine need exists for short-term storage of materials and equipment, and the use and placement of a sea container/s can meet acceptable amenity standards in the locality. As such it is necessary that conditions be imposed should approval be granted to ensure an acceptable quality of development is achieved. Any approval granted will not exceed 24 months.’

- 2. Should no written, author-identified objections be received during the advertising period, then adopt for final approval Local Planning Policy 6.6.15 – Sea Containers pursuant to Section 2.4.2 of the Shire of Coorow Town Planning Scheme No.2 and proceed to publish a notice to this effect in the local newspapers pursuant to Clause 2.4.3 the Shire of Coorow Town Planning Scheme No.2; and*

3. *Should there be any written, author-identified objections received during the advertising period, require staff to present to Council a further report.”*

At the conclusion of advertising Local Planning Policy 6.6.15 - Sea Containers was returned to the 16 September 2009 meeting with Council resolving:

“That Council lay this matter on the table to seek further clarification on changes made to Policy 6.6.15 – Sea Containers, at the July 2009 Ordinary Meeting.”

BACKGROUND:

A copy of the draft Local Planning Policy 6.6.15 – Sea Containers, inclusive of the modifications from the 15 July 2009 meeting and as advertised, has been included for Council’s consideration as Attachment 11.2.1.

This Policy was advertised from 30 July 2009 until 21 August 2009 with 2 notices being placed in the Mid West Times (30 July and 6 August 2009). No submissions were received during this time.

COMMENT:

As reflected in the Policy Statement section of the draft Policy the use of sea containers for storage purposes, whilst functional and cost effective can prove to be unsightly and present a visual amenity issue from a street and adjoining properties. However, it is also recognised that there is generally a need to temporarily store and secure materials and machinery on building sites. For this reason a draft Policy has been prepared to support the approval of sea containers for storage purposes to a maximum of 24 months only on residential and rural residential/lifestyle type lots without affecting the use of sea containers in industrial areas or on farms greater than 20 hectares in area.

STATUTORY ENVIRONMENT:

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Section 2.2 of the Shire of Coorow Town Planning Scheme No.2 allows for Council to formulate, review or rescind Local Planning Policies:

“2.2 Local Planning Policies

The local government may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area so as to apply –

- (a) generally or for a particular class or classes of matters; and*

(b) *throughout the Scheme area or in one or more parts of the Scheme area;*

and may amend or add to or rescind the Policy.”

Section 2.4.1 of the Town Planning Scheme requires the Council to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area giving details of the subject and nature of the draft Policy, where it may be inspected, in what form submissions may be made, and the date of the submission period (which shall not be less than 21 days). At the conclusion of the advertising period Section 2.4.2 of the Scheme requires the Council to review the proposed Policy in the light of any submissions made, and may resolve to adopt the Policy with or without modification, or not proceed with the Policy.

STRATEGIC IMPLICATIONS:

For the most part Local Planning Policies are formulated and aligned with a strategic planning direction as set by Council. The establishment of Local Planning Policies assist in guiding the type and standard of development the Council views as appropriate within particular areas of the Shire. As previously mentioned, Policies also provide a consistent approach to approving land use and development. Therefore, as a general rule it is important the Council not waiver from an adopted policy position without specific justification being provided and planning merit being identified.

Furthermore, it is also important that a continued review of Local Planning Policies be sustained to keep pace with current development trends and demands.

POLICY IMPLICATIONS:

The Shire of Coorow has the following Local Planning Policies:

- 6.6.1 Time Limit on Planning Consent
- 6.6.2 Policy on Car Parking Requirements
- 6.6.4 Conditions for Subdivisions
- 6.6.5 Home Occupation Approval - Renewal
- 6.6.6 South Bay, Green Head, Development Guidelines
- 6.6.7 ~~Residential Living in Industrial Zoned Areas~~ (Policy superseded by 6.6.10)
- 6.6.8 Outbuildings
- 6.6.9 Temporary Accommodation Camps
- 6.6.10 Caretakers Dwellings in General Industry Zone
- 6.6.11 Extractive Industry
- 6.6.12 Residential Design Codes – Setback Variations
- 6.6.13 Agro Forestry
- 6.6.14 Intensive Agriculture

It is suggested that Council adopt Local Planning Policy 6.6.15 – Sea Containers at its 21 October 2009 meeting.

FINANCIAL IMPLICATIONS:

Section 2.4.3 of the Scheme requires that the local government publish notice of an adopted Policy once in a newspaper circulating in the Scheme Area, this cost will be covered by the Councils existing Planning budget allocation.

VOTING REQUIREMENT:

Simple majority of Council.

OFFICER RECOMMENDATION:

That Council adopt Local Planning Policy 6.6.15 – Sea Containers pursuant to Section 2.4.2 of the Shire of Coorow Town Planning Scheme No.2 and proceed to publish a notice to this effect in the local newspaper pursuant to Section 2.4.3 of the Shire of Coorow Town Planning Scheme No.2.

RESOLUTION: 2009-178

Moved: Cr Bothe

Seconded: Cr Williams

That Council adopt Local Planning Policy 6.6.15 – Sea Containers pursuant to Section 2.4.2 of the Shire of Coorow Town Planning Scheme No.2 and proceed to publish a notice to this effect in the local newspaper pursuant to Section 2.4.3 of the Shire of Coorow Town Planning Scheme No.2.

CARRIED 7/0

POLICY – HOUSING AND COMMUNITY AMENITIES

Sub Section: Town Planning and Regional Development

Policy Number: 6.6.15

Policy Subject: Sea Containers

Policy Statement:

1. Sea (shipping) containers are a class of development that can have an adverse effect on the visual amenity of an area. Therefore, in general the Shire carries a presumption against the use of sea containers other than in industrial and rural areas unless the Council can be satisfied a genuine need exists for short term storage of materials and equipment, and the use and placement of a sea container/s can meet acceptable amenity standards in the locality. As such it is necessary that conditions be imposed should approval be granted to ensure an acceptable quality of development is achieved. Any approval granted will not exceed 24 months.
2. For the purpose of this policy a sea container shall also include a re-locatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is not addressed in this Policy and further may be subject to detailed consideration by the Council based on merit.
3. The placement of a sea (shipping) container or similar re-locatable storage unit on land, other than industrial land and rural land greater than 20 hectares in area, requires the planning approval of the local government as it is considered to fall within the definitions of 'development' under the Town Planning Scheme.
4. In general, a sea container being used temporarily by a builder to store equipment, tools and building materials while constructing a building, will be exempt from this Policy. This exemption shall however, continue only during the time occupied in completing the building, and in any case shall not exceed the duration of 24 months of the date of issue of a building licence. In such instances the sea container must conform to any siting requirements of the Chief Executive Officer, and in the event of written, author-identified complaint being received, the matter may be referred to Council for its determination.

5. Applications for the use of a sea container are required to address the following:
 - a) The submission of:
 - a completed and signed planning application form and payment of application fee;
 - a site plan showing the proposed location of the development in relation to boundary setbacks, natural features, existing development, and adjoining buildings, to a scale of no less than 1:100;
 - a written submission detailing the use, condition, unit dimensions and visual amenity associated with the sea container;
 - any elevation drawings and/or photographs illustrating the presentation and appearance of a sea container in good repair and in uniform colour with no visible rust marks.
 - b) The placement of a sea container, or similar, shown on a scaled site plan located behind an existing building and/or screen vegetation to minimise the visual impact from a road and adjoining properties.
6. Other than industrial and rural zoned land (for properties greater than 20 hectares in area) the local government will generally not support:
 - a) more than one (1) sea (shipping) container on a property;
 - b) a container that exceeds 6.0m in length, 2.4m in width, and 2.6m in height.
7. Should there be any conflict between this Policy and the Shire of Coorow Town Planning Scheme No.2, the Town Planning Scheme shall prevail.

Objectives: To ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of the locality.

Establish guidelines for the assessment of proposals to place sea (shipping) containers or other similar re-locatable storage units on land within the municipality.

Guidelines: The Council at its discretion may advertise the proposed use of sea (shipping) containers within a designated locality to ascertain the

views of neighbouring and nearby residents prior to the application being considered.

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

The Shire of Coorow Town Planning Scheme No.2 and the Residential Design Codes of Western Australia.

| | |
|------------------------|-------------------------|
| Resolution No: | to be decided |
| Resolution Date: | 21 October 2009 |
| Source: | Shire of Coorow |
| Date of Review: | June Annually |
| Review Responsibility: | Chief Executive Officer |

11.3 PRINCIPAL WORKS SUPERVISOR:

NIL.

11.4 DEPUTY CHIEF EXECUTIVE OFFICER:

11.4.1 ACCOUNTS FOR PAYMENT

| | |
|-------------------------------|--|
| AUTHOR | Erika Clement |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 12 October 2009 |
| ATTACHMENT | 11.4.1 Accounts Due and Submitted To Council Meeting 21 October 2009 |

SUMMARY:

Council approval is required for payment of accounts made within the months of September 2009 and October 2009 and to approve payments of accounts due in October 2009.

COMMENT:

Approval is sought for the following list of payments of accounts made since Council's last meeting on 16 September and of accounts that are now due.

A list of all payments submitted for approval is contained at Attachment 11.4.1 Accounts Due and Submitted to Council Meeting on 21 October 2009.

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;

STRATEGIC, POLICY & FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That payments listed at Attachment 11.4.1 Accounts Due and Submitted to Council Meeting on 21 October 2009 including:

1. Vouchers 18153, 18172 to 18194, PR71010909 to PR72300909, DD020909 to DD290909, EFT2122 to EFT2186, DCEO, CEO, MRS VISA CARDS totalling \$495,923.54 from Council's Municipal Fund; and
2. Vouchers 109 to 114 from Council's Trust Fund totaling \$2,537.80;

be authorised and passed for payment.

RESOLUTION: 2009-179

Moved: Cr Waite

Seconded: Cr McTaggart

That payments listed at Attachment 11.4.1 Accounts Due and Submitted to Council Meeting on 21 October 2009 including:

1. *Vouchers 18153, 18172 to 18194, PR71010909 to PR72300909, DD020909 to DD290909, EFT2122 to EFT2186, DCEO, CEO, MRS VISA CARDS totalling \$495,923.54 from Council's Municipal Fund; and*
2. *Vouchers 109 to 114 from Council's Trust Fund totaling \$2,537.80;*

be authorised and passed for payment.

CARRIED 7/0

Accounts Due and Submitted to Council on 21 October 2009

| Chq/EFT | Date | Name | Description | Trust | Muni |
|---------|------------|---|--|------------|--------------|
| 109 | 21/09/2009 | SHIRE OF COOROW | BCITF LEVY COMMISSIONS | \$ 46.20 | |
| 110 | 21/09/2009 | SHIRE OF COOROW | BRB LEVY COMMISSIONS | \$ 88.00 | |
| 111 | 21/09/2009 | BUILDING & CONST INDUSTRY TRAINING FUND | BCITF LEVY | \$1,760.55 | |
| 112 | 21/09/2009 | BUILDERS' REGISTRATION BOARD OF WA | BRB LEVY | \$ 549.00 | |
| 113 | 09/10/2009 | COOROW HOTEL | SANDWICHES STAY ON YOUR FEET 09/10 | \$ 40.00 | |
| 114 | 09/10/2009 | FAMILY SHOPPING CENTRE | REFRESHMENTS - STAY ON YOUR FEET 09/10 | \$ 54.05 | |
| EFT2122 | 16/09/2009 | NJ & JD BRYANT | GREEN HEAD ENTRY STATEMENT FOOTINGS | | \$ 1,050.00 |
| EFT2123 | 05/10/2009 | AUSTRALIA POST-LPO | POSTAGE | | \$ 183.75 |
| EFT2124 | 05/10/2009 | LEONIE ANDREWS | PLANTS - ROTARY PARK | | \$ 400.00 |
| EFT2125 | 05/10/2009 | BAY GLASS | SUPPLY AND INSTALLATION VERTICAL BLINDS GREEN HEAD COMMUNITY CENTRE | | \$ 1,270.60 |
| EFT2126 | 05/10/2009 | BEAN KJ | REIMBURSEMENT WATER PWS | | \$ 292.90 |
| EFT2127 | 05/10/2009 | NJ & JD BRYANT | SUPPLY & INSTALL GREEN HEAD ENTRY STATEMENTS | | \$ 12,463.00 |
| EFT2128 | 05/10/2009 | COOROW HIGHWAY STORE | REFRESHMENTS- PAPERS | | \$ 40.30 |
| EFT2129 | 05/10/2009 | CUNNINGHAMS AG SERVICES | BATTERIES - CW0017,CW0060 | | \$ 421.35 |
| EFT2130 | 05/10/2009 | COOROW HOTEL | REFRESHMENTS COUNCIL MEETING | | \$ 522.50 |
| EFT2131 | 05/10/2009 | CHEM DRY POWER | CARPET CLEANING- LEEMAN REC CENTRE | | \$ 1,753.00 |
| EFT2132 | 05/10/2009 | CIRCLE SOLUTIONS CONSULTING | DRAFT REFORM REPORT PAYMENT | | \$ 8,811.00 |
| EFT2133 | 05/10/2009 | FAMILY SHOPPING CENTRE | REFRESHMENTS & GAS | | \$ 812.73 |
| EFT2134 | 05/10/2009 | FRANK GILMOUR PEST CONTROL | SPRAYING OF BUILDINGS | | \$ 2,436.00 |
| EFT2135 | 05/10/2009 | FARMWORKS | PLYWOOD - ROAD MAINTENANCE | | \$ 159.00 |
| EFT2136 | 05/10/2009 | D & M FRANKHUIZEN | PAINTING 50 NAIRN ST - CEO HOUSE | | \$ 6,550.00 |
| EFT2137 | 05/10/2009 | GERALDTON CARPET CHOICE | CARPET FOR STAGE LEEMAN REC CENTRE - RCLIP | | \$ 3,289.00 |
| EFT2138 | 05/10/2009 | GREEN HEAD PLUMBING & GAS | COMPLETION OF WORK AT LEEMAN REC CENTRE | | \$ 10,290.15 |
| EFT2139 | 05/10/2009 | GREEN HEAD COMMUNITY CENTRE MANAGEMENT | CLEANING GREEN HEAD COMMUNITY CENTRE | | \$ 100.00 |
| EFT2140 | 05/10/2009 | GIRANDO MJ | SITTING & TRAVELLING FEES | | \$ 853.35 |
| EFT2141 | 05/10/2009 | GUARDIAN PRINT GERALDTON | PURCHASE ORDER BOOKS | | \$ 615.00 |
| EFT2142 | 05/10/2009 | LANDMARK | SHOWER UNIT & SPILL PALLETS - POOL | | \$ 3,751.00 |

Accounts Due and Submitted to Council on 21 October 2009

| Chq/EFT | Date | Name | Description | Trust | Muni |
|----------------|-------------|---------------------------------------|---|--------------|--------------|
| EFT2143 | 05/10/2009 | MOORA GLASS SERVICE | REPLACE GLASS - MALEY PARK | | \$ 577.50 |
| EFT2144 | 05/10/2009 | NORTH MIDLANDS MOTORS | FIT AND BALANCE TYRES - CW0060 | | \$ 277.60 |
| EFT2145 | 05/10/2009 | PILLAKIG FARMSTAY | ACCOMODATION - AUDITORS | | \$ 170.00 |
| EFT2146 | 05/10/2009 | PRESTIGE COMMUNICATIONS | UNIDEN RADIOS FOR GREEN HEAD BUSHFIRE BRIGADE | | \$ 296.30 |
| EFT2147 | 05/10/2009 | JOHN RICHARDSON | UNIFORMS RANGER | | \$ 268.95 |
| EFT2148 | 05/10/2009 | SNAG ISLAND ROADHOUSE | POSTAGE | | \$ 30.55 |
| EFT2149 | 05/10/2009 | SEASIDE SUPPLIES | REFRESHMENTS- BBQ CLEANING MATERIALS | | \$ 222.09 |
| EFT2150 | 05/10/2009 | TIGER TURF AUSTRALIA PTY LTD | TURF FOR TENNIS COURTS COOROW 10% DEPOSIT | | \$ 8,635.00 |
| EFT2151 | 05/10/2009 | AVON WASTE | WASTE REMOVAL | | \$ 11,337.85 |
| EFT2152 | 05/10/2009 | ATYEO'S ENVIRONMENTAL HEALTH SERVICES | RELIEVING MRS | | \$ 2,381.50 |
| EFT2153 | 05/10/2009 | ASSA ABLOY AUSTRALIA PTY LTD | LOCKS FOR CCLI | | \$ 130.75 |
| EFT2154 | 05/10/2009 | BOC GASES | GAS | | \$ 162.47 |
| EFT2155 | 05/10/2009 | BT EQUIPMENT | FILTERS & ELEMENTS CW0018 | | \$ 917.67 |
| EFT2156 | 05/10/2009 | COURIER AUSTRALIA | FREIGHT- LISWA, MIDLAND MOWERS, CONPLANT | | \$ 108.97 |
| EFT2157 | 05/10/2009 | COVENTRY GROUP LTD | BRAKE DRUMS - CW0023 | | \$ 1,430.63 |
| EFT2158 | 05/10/2009 | CIVIC LEGAL | PROFESSIONAL FEES - LEASE AGREEMENTS | | \$ 4,560.44 |
| EFT2159 | 05/10/2009 | CONPLANT PTY LTD | BELTS - CW0016 | | \$ 859.89 |
| EFT2160 | 05/10/2009 | GH COUNTRY COURIERS | FREIGHT- COVENTRYS | | \$ 101.01 |
| EFT2161 | 05/10/2009 | GERALDTON MOWER & REPAIRS | WHIPPER SNIPPER HEADS | | \$ 170.40 |
| EFT2162 | 05/10/2009 | HERSEY JR & A PTY LTD | DEGREASER, TRUCK WASH, SAFETY EQUIPMENT | | \$ 1,159.79 |
| EFT2163 | 05/10/2009 | HITACHI CONST MACHINERY (AUST) P/L | FUEL FILTERS 7 BREATHER - CW009/CW0012 | | \$ 404.21 |
| EFT2164 | 05/10/2009 | IT VISION | ESL UPDATING | | \$ 1,672.00 |
| EFT2165 | 05/10/2009 | LENCO NOMINEES PTY LTD | PAVERS AND DELIVERY - SWIMMING POOL | | \$ 5,580.75 |
| EFT2166 | 05/10/2009 | ML COMMUNICATIONS | REPAIRS TO TWO WAY RADIO - COOROW OFFICE | | \$ 624.70 |
| EFT2167 | 05/10/2009 | MIDWEST CHEMICAL & PAPER | CLEANING SUPPLIES | | \$ 227.69 |
| EFT2168 | 05/10/2009 | MIDLAND MOWERS | BLADE SET - MOWERS | | \$ 212.00 |
| EFT2169 | 05/10/2009 | MIDVALE DISCOUNT TYRES | TYRES - CW007 | | \$ 3,723.00 |
| EFT2170 | 05/10/2009 | PAPER PLUS OFFICE NATIONAL | CHAIR FOR CEO AT LEEMAN | | \$ 180.00 |
| EFT2171 | 05/10/2009 | QUANTOCK S & L ELECTRICS | ELECTRICAL WORK - POOL SHED COOROW | | \$ 3,211.64 |

Accounts Due and Submitted to Council on 21 October 2009

| Chq/EFT | Date | Name | Description | Trust | Muni |
|----------------|-------------|--|--|--------------|--------------|
| EFT2172 | 05/10/2009 | RBC-RURAL | METERPLAN CHARGES PHOTOCOPIERS | | \$ 2,543.50 |
| EFT2173 | 05/10/2009 | RICOH FINANCE | LEASE CHARGES PHOTOCOPIERS | | \$ 663.49 |
| EFT2174 | 05/10/2009 | RCR ENGINEERING | IMAGES & LETTERING GREEN HEAD ENTRY STATEMENTS | | \$ 6,330.50 |
| EFT2175 | 05/10/2009 | STAR TRACK EXPRESS | FREIGHT- WEST COAST AUTOMATICS,HERSEY | | \$ 171.91 |
| EFT2176 | 05/10/2009 | RELIANCE PETROLEUM | DEGREASER & OIL | | \$ 309.27 |
| EFT2177 | 05/10/2009 | TUSS CONCRETE | CONCRETE PRODUCTS | | \$ 1,024.38 |
| EFT2178 | 05/10/2009 | VAC INDUSTRIES | ELECTRIC MOTOR | | \$ 506.00 |
| EFT2179 | 05/10/2009 | WA LOCAL GOVERNMENT ASSOCIATION | TENDER ADVERTISING - FOOTPATHS | | \$ 366.52 |
| EFT2180 | 05/10/2009 | WALTONS STORES | HYDRAULIC FITTINGS - CW 0012 | | \$ 48.49 |
| EFT2181 | 05/10/2009 | WESTRAC EQUIPMENT | VALVE & GASKET ASSEMBLY | | \$ 3.34 |
| EFT2182 | 05/10/2009 | WREN OIL | WASTE OIL REMOVAL - LEEMAN DEPOT | | \$ 203.50 |
| EFT2183 | 05/10/2009 | W A TREASURY CORPORATION | LOAN REPAYMENT LOAN #81A | | \$ 28,772.42 |
| EFT2184 | 05/10/2009 | RIVERLEA CORPORATION | SPENCER STREET ASPHALT | | \$ 27,225.00 |
| EFT2185 | 05/10/2009 | MIDWEST REGIONAL COUNCIL | ANNUAL CONTRIBUTION TO MWRC OPERATIONAL COSTS | | \$ 24,860.00 |
| EFT2186 | 05/10/2009 | NEXTSIDE PTY LTD | FOOTPATHS THOMAS STREET LEEMAN | | \$ 90,519.00 |
| 18153 | 16/09/2009 | SHIRE OF COOROW - LOTTO | PAYROLL DEDUCTIONS | | \$ 190.00 |
| 18172 | 05/10/2009 | BADGINGARRA MOTORS | SERVICE TO CW0051 | | \$ 974.21 |
| 18173 | 05/10/2009 | BLACKWOODS | TOOLS-BOLT CUTTERS, TOOL HOLDER | | \$ 398.57 |
| 18174 | 05/10/2009 | AUSTRALIAN TAXATION OFFICE | FEES | | \$ 220.00 |
| 18175 | 05/10/2009 | CROFT BA & SD | CONCRETING FOR POOL SHED- RCLIP | | \$ 5,061.21 |
| 18176 | 05/10/2009 | ESPLANADE HOTEL FREMANTLE | ACCOMMODATION MRS HEALTH CONFERENCE | | \$ 370.00 |
| 18177 | 05/10/2009 | FITZGERALD STRATEGIES | IR SERVICES 2009-10 | | \$ 1,939.00 |
| 18178 | 05/10/2009 | GREEN HEAD BUSHFIRE BRIGADE | TRAINING SESSION REFRESHMENTS- IAN COMBEN | | \$ 150.45 |
| 18179 | 05/10/2009 | JURIEN BAY GENERAL PRACTICE | MEDICAL JOHN RICHARDSON RANGER | | \$ 154.00 |
| 18180 | 05/10/2009 | JOSCO SURFACE FINISHING PRODUCTS PTY LTD | ROAD BROOMS | | \$ 595.65 |
| 18181 | 05/10/2009 | JURIEN MECHANICAL & DIESEL SERVICES | SERVICE TO CW0055 | | \$ 704.00 |
| 18182 | 05/10/2009 | LANDGATE | VALUATION CHARGES | | \$ 68.75 |

Accounts Due and Submitted to Council on 21 October 2009

| Chq/EFT | Date | Name | Description | Trust | Muni |
|----------------|-------------|---------------------------------------|--|--------------|-------------|
| 18183 | 05/10/2009 | MIDWEST GROUP AFFILIATED AG SOCIETIES | DONATION FOR PERTH ROYAL SHOW DISPLAY | | \$ 150.00 |
| 18184 | 05/10/2009 | DA McTAGGERT | SITTING & TRAVELLING FEES | | \$ 120.00 |
| 18185 | 05/10/2009 | MCLEODS | DISPUTE LANDCORP - QUANTUM CASH IN LIEU POS | | \$ 2,614.15 |
| 18186 | 05/10/2009 | PERFECT COMPUTER SOLUTIONS | COMPUTER SUPPORT | | \$ 562.50 |
| 18187 | 05/10/2009 | SHIRE OF CARNAMAH | WINCHESTER CEMETERY | | \$ 2,282.80 |
| 18188 | 05/10/2009 | SHIRE OF CHAPMAN VALLEY | PLANNING SERVICES AUGUST 09 | | \$ 1,806.19 |
| 18189 | 05/10/2009 | TELSTRA | PHONE ACCOUNTS | | \$ 2,530.86 |
| 18190 | 05/10/2009 | WEST COAST AUTOMATICS | RECONDITIONED STEERING RAM - CW0033 | | \$ 435.00 |
| 18191 | 05/10/2009 | WA COUNTRY HEALTH SERVICE - MIDWEST | BANK FEES CANCELLED CHEQUE | | \$ 14.00 |
| 18192 | 05/10/2009 | WILLIAMS AK & P | STATIONARY - CR WILLIAMS | | \$ 277.25 |
| 18193 | 05/10/2009 | WATER CORPORATION | WATER ACCOUNTS | | \$ 9,330.45 |
| 18194 | 09/10/2009 | SHIRE OF COOROW | PETTY CASH LEEMAN | | \$ 125.10 |
| 13100909 | 02/10/2009 | BANKWEST | MASTERCARD DCEO | | \$ 2,098.38 |
| 13100910 | 03/10/2009 | BANKWEST | MASTERCARD CEO | | \$ 480.02 |
| 71011009 | 01/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 2,005.90 |
| 71021009 | 02/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 92.95 |
| 71030909 | 03/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 3,617.10 |
| 71040909 | 04/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,138.15 |
| 71051009 | 05/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,560.95 |
| 71061009 | 06/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 792.10 |
| 71070909 | 07/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,808.75 |
| 71071009 | 07/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 85.25 |
| 71080909 | 08/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 3,562.75 |
| 71081009 | 08/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 217.75 |
| 71090909 | 09/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 377.40 |
| 71091009 | 09/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,964.15 |
| 71100909 | 10/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 48.45 |
| 71110909 | 11/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 910.40 |
| 71140909 | 14/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 670.75 |

Accounts Due and Submitted to Council on 21 October 2009

| Chq/EFT | Date | Name | Description | Trust | Muni |
|----------------|-------------|-------------------|--------------------|--------------|-------------|
| 71180909 | 18/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 141.20 |
| 71210909 | 21/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 5,686.50 |
| 71220909 | 22/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 41.50 |
| 71230909 | 23/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 819.45 |
| 71240909 | 24/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,181.55 |
| 71250909 | 25/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 3,566.45 |
| 71290909 | 29/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,295.65 |
| 71300909 | 30/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 4,275.65 |
| 72011009 | 01/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,541.35 |
| 72021009 | 02/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,693.70 |
| 72030909 | 03/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 2,721.35 |
| 72040909 | 04/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 845.65 |
| 72051009 | 05/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 872.05 |
| 72061009 | 06/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 316.50 |
| 72070909 | 07/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,089.50 |
| 72071009 | 07/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,123.65 |
| 72080909 | 08/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 579.65 |
| 72090909 | 09/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 722.00 |
| 72091009 | 09/10/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,311.40 |
| 72100909 | 10/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 463.65 |
| 72110909 | 11/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,749.95 |
| 72140909 | 14/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 844.25 |
| 72150909 | 15/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 100.00 |
| 72160909 | 16/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 765.20 |
| 72170909 | 17/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 316.40 |
| 72180909 | 18/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 715.70 |
| 72210909 | 21/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 603.80 |
| 72220909 | 22/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 141.55 |
| 72230909 | 23/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 115.85 |

Accounts Due and Submitted to Council on 21 October 2009

| Chq/EFT | Date | Name | Description | Trust | Muni |
|----------------|-------------|-------------------|--------------------|-------------------|---------------------|
| 72240909 | 24/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 510.05 |
| 72250909 | 25/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 634.60 |
| 72290909 | 29/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 1,604.55 |
| 72300909 | 30/09/2009 | TRANSPORT DEPT OF | TRANS LICENSING | | \$ 382.60 |
| PAYROLL | 02/09/2009 | PAYROLL | PAYROLL | | \$ 39,468.00 |
| PAYROLL | 16/09/2009 | PAYROLL | PAYROLL | | \$ 38,156.00 |
| PAYROLL | 29/09/2009 | PAYROLL | PAYROLL | | \$ 37,774.00 |
| TOTAL | | | | \$2,537.80 | \$495,923.54 |

11.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – SEPTEMBER 2009

| | |
|------------------------|---|
| AUTHOR | Bob Waddell |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 12 October 2009 |
| ATTACHMENT | 11.4.2 Statement of Financial Activity to 30 September 2009 |
| FILE | F8.09 – Finance – 2009/10 |

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.

BACKGROUND:

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 September 2009 is included at Attachment 11.4.2 for Councillor's information.

COMMENT:

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.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

Not required.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 11.4.2 for the period ended 30 September 2009 as prepared and presented by the Deputy Chief Executive Officer.

RESOLUTION:

2009-180

Moved: Cr Bothe

Seconded: Cr Williams

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 11.4.2 for the period ended 30 September 2009 as prepared and presented by the Deputy Chief Executive Officer.

CARRIED 7/0

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

Nil.

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

13.1 LATE AGENDA ITEMS – APPROVAL TO CONSIDER

| | |
|-------------------------------|-----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 21 October 2009 |
| FILE: | |

SUMMARY:

Council is requested to accept a Late Agenda Item to adopt the 2008/09 Shire of Coorow Annual Report.

COMMENT:

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

STATUTORY ENVIRONMENT:

Shire of Coorow – Standing Orders Local Law 1999

Section 2.10:

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

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

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

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

FINANCIAL, POLICY AND STRATEGIC IMPLICATIONS:

There appear to be no implications in this regard.

OFFICER RECOMMENDATION:

That Council accept the Late Agenda Item to accept the 2008/09 Annual Report

RESOLUTION: **2009-181**

Moved: Cr Waite ***Seconded:*** Cr Williams

That Council accept the Late Agenda Item to accept the 2008/09 Annual Report.

CARRIED 7/0

13.2 SHIRE OF COOROW 2008/09 ANNUAL REPORT

AUTHOR Mark Hook
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 21 October 2009
FILE:

SUMMARY:

Council is being requested to accept the 2008/09 Shire of Coorow Annual Financial Report.

BACKGROUND:

The Shire of Coorow Auditor, UHY Haines Norton, undertook and completed the final audit for the Shire of Coorow 2008/09 Annual Financial Year in September 2009. The Annual Financial Report is included as part of Attachment 13.2 2008/09 Shire of Coorow Annual Report. The *Local Government Act 1995 section 5.54(1)* requires a Local Government to accept the Annual Report by 31 December each year.

COMMENT:

UHY Haines Norton has sent the Chief Executive Officer and Shire President the Auditors Report and Management Report on 21 September 2009. The Auditors Report being 'Unqualified and the Management Report stating "...no matters we wish to draw to Council's attention".

It is pleasing to see the completion of the Annual Financial Report after completion of the Final Audit of the Shire of Coorow.

Officers have prepared the Annual Report for the Shire of Coorow 2008/09 financial year for consideration of acceptance by Council at its October 2009 Ordinary Meeting.

STATUTORY ENVIRONMENT:

Local Government Act 1995
Local Government (Audit) Regulations 1996 as amended

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Absolute Majority.

OFFICER RECOMMENDATION:

That Council:

1. Accepts the Annual Financial Report for the Shire of Coorow 2008/09 Financial Year as presented; and
2. Forwards the Annual Financial Report to the Director General of the Department of Local Government within 30 of Councils acceptance.

RESOLUTION: **2009-182**

Moved: Cr Waite

Seconded: Cr Bothe

That Council:

1. *Accepts the Annual Financial Report for the Shire of Coorow 2008/09 Financial Year as presented; and*
2. *Forwards the Annual Financial Report to the Director General of the Department of Local Government within 30 of Councils acceptance.*

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

14. MATTERS BEHIND CLOSED DOORS:

RESOLUTION: **2009-183**

Moved: Cr Bothe

Seconded: Cr McTaggart

That Council meet behind closed doors.

CARRIED 7/0

Council met behind closed doors at 4.35pm.

Mr Stuart Billingham, Mr Dave Hadden and Ms Stacey Donohue left the meeting at 4.35pm.

Mr Dave Hadden declared a Direct Financial Interest in Item 14.1 being that he is the Manager Regulatory Services.

14.1 MANAGER REGULATORY SERVICES REMUNERATION REVIEW

| | |
|-------------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |
| FILE | Personal File |

SUMMARY:

Council is required to review the salary package of the Manager Regulatory Services.

BACKGROUND:

Council employed the Manager Regulatory Services on 21 May 2008 with a five year employment contract expiring on 21 May 2013 with a salary of \$77,000 and a total salary package of \$123,088.

OFFICER COMMENT:

The Manager Regulatory Services, as with all staff, has completed a performance review. Key points raised in this review included:

- The positive role in handling complaints ;
- The professional manner in which the building regulation functions of the shire of Coorow is being handled:
- The positive feed back being received from the general members of the public:
- The positive and direct action dealing with Council planning issues via the Chapman Valley Planners:
- The workload for the MRS has been significant, even with the appointment of the Chapman Valley Shire Planning Services being placed on contract to deal with most of the major developments requiring planning approval. This area of Councils operations will continue to grow and there may need to be some thought into the future of Council having its own Town Planner on staff.

In the resulting discussions regarding a salary review, the Manager Regulatory Services made the request for Council to review his remuneration and salary package with an increase of base salary from \$77,000 to \$80,000. This represents an increase of 3.90%.

The full details of the Manager Regulatory Service's current salary package and requested amendments are set out below in the Financial Implications section.

STATUTORY ENVIRONMENT:

Manager Regulatory Services Employment Contract

12.2.1 The remuneration package referred to in subclause 12.1 shall be reviewed annually by Council. A review shall not result in a decrease in the remuneration package.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

A comparison of the Manager Regulatory Services actual and proposed salary and conditions are set out below:

| Date Commenced 23 June 2008 | Actual | | Recommended | |
|---|-----------|------------------|-------------|------------------|
| | July 2006 | Est Value | July 2007 | Est Value |
| Gross Salary | | \$77,000 | | \$80,000 |
| Leave Loading | | \$1,296 | | \$1346 |
| Housing Allowance | No | | No | |
| Utilities paid by Council | Yes | \$3,000 | Yes | \$3,000 |
| Telephone Rent and some calls paid by Council | No | | No | |
| Clothing Contribution | Yes | \$750 | Yes | \$750 |
| Superannuation Guarantee Charge | 9% | \$6,930 | 9% | \$7,200 |
| Council Sponsored Superannuation | 7% | \$5,390 | 7% | \$5,600 |
| Subsidised Rental | Yes | \$10,000 | Yes | \$13,000 |
| Communication Allowance Internet | Yes | 750 | Yes | 1,000 |
| Rent contribution per week | No | | No | |
| Unrestricted vehicle use | Yes | \$10,000 | Yes | \$10,000 |
| Vehicle Contribution per week | \$39 | (\$2,030) | \$39 | (\$2030) |
| | | \$113,086 | | \$119,866 |

Council staff are currently investigating methods to reduce Council's Fringe Benefits Tax expenses through a different method of calculating the benefit for private use of a motor vehicle.

PUBLIC CONSULTATION:

Nil.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATION:

That Council:

1. increase the Manager Regulatory Services base salary from \$77,000 per annum to \$80,000 from the first pay period on or after the 1 July 2009; and
2. increase the Manager Regulatory Services salary package from \$113,086 per annum to \$119,866 from the first pay period on or after the 1 July 2009.

RESOLUTION: 2009-184

Moved: Cr Williams

Seconded: Cr McDonald

That Council:

1. *increase the Manager Regulatory Services base salary from \$77,000 per annum to \$80,000 from the first pay period on or after the 1 July 2009;*
2. *increase the Manager Regulatory Services salary package from \$113,086 per annum to \$119,866 from the first pay period on or after the 1 July 2009; and*
3. *review the salary package of the Manager Regulatory Services annually prior to setting the budget for the following financial year.*

CARRIED 7/0

Mr Stuart Billingham declared a Direct Financial Interest in Item 14.2 being that he is the Deputy Chief Executive Officer.

14.2 DEPUTY CHIEF EXECUTIVE OFFICER CONTRACT REVIEW

| | |
|-------------------------------|----------------|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | Nil |
| DATE OF REPORT | 8 October 2009 |
| FILE | Personal File |

SUMMARY:

Council is required to review the salary package of the Deputy Chief Executive Officer.

BACKGROUND:

Council entered into a contract of employment with the Deputy Chief Executive Officer, Mr Stuart Billingham, for a term of five years, commencing on the 15th day of September 2008 and expiring on the 15th day of September 2013.

OFFICER COMMENT:

As with all staff, Stuart has completed an annual performance review. A summary of this review include:

- Stuart has made a significant contribution to the organisation through his excellent performance. Stuart continues to expand his duties outside of just finance matters.
- In this assessment period, Stuart has met the key financial compliances as part of the performance criteria in his contract.
- The administration teams in Leeman and Coorow have continued to provide good service to Council's Ratepayers and Residents under Stuart's supervision and this will continue to get better as Stuart implements training strategies.

In the resulting discussions the Chief Executive officer has advised Stuart that he will be requesting Council to review his remuneration with an increase of base salary from \$78,000 to \$80,000.

FINANCIAL IMPLICATIONS:

The Deputy Chief Executive Officers salary and conditions are currently:

| | | Actual | | Recommended | |
|--------|--|---------------|------------------|--------------------|------------------|
| | | Est. Value | | Est. Value | |
| 12.2.1 | Gross Salary | | \$78,000 | | \$80,000 |
| 12.2.1 | Leave Loading 17.5 % | Yes | | | \$1,346 |
| 12.5.1 | Utilities paid by Council (except telephone) | Yes | \$1,500 | Yes | \$3,000 |
| 12.9.1 | Clothing Contribution | Yes | \$750 | Yes | \$750 |
| 12.4.1 | Superannuation Guarantee Charge | 9% | \$6,750 | 9% | \$7,200 |
| 12.1.5 | Council Sponsored Superannuation | 7% | \$5,250 | 7% | \$5,600 |
| 12.5.1 | Subsidised Rental | Yes | \$13,000 | Yes | \$13,000 |
| 12.5.1 | Rent contribution per week | No | | No | |
| 12.1.7 | Communication Internet Connection | Yes | \$750 | Yes | \$1,000 |
| | | | | | |
| 12.3.1 | Unrestricted vehicle use | Yes | \$10,000 | Yes | \$10,000 |
| 12.3.5 | Vehicle Contribution per week | \$39 | (\$2,030) | \$39 | (\$2,030) |
| | TOTAL PACKAGE | | \$113,970 | | \$119,866 |

Council staff are currently investigating methods to reduce Council's Fringe Benefits Tax expenses through a different method of calculating the benefit from private use of a motor vehicle.

STATUTORY ENVIRONMENT:

Deputy Chief Executive Officers Employment Contract

12.2 Salary (Cash Component)

12.2.1 The remuneration package referred to in subclause 12.1 shall be reviewed annually by Council. A review shall not result in a decrease in the remuneration package.

STRATEGIC IMPLICATIONS:

Council has, in the recent past, struggled to ensure quality staff has been maintained in the position of Deputy Chief Executive Officer. To maintain a professional relationship that offers at least industry standard salary this should be Council's offer to secure this objective.

POLICY IMPLICATIONS:

Nil.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. increase the Deputy Chief Executive Officer base salary from \$78,000 per annum to \$80,000 from 16 September 2009; and
2. Increase the Deputy Chief Executive Officer Salary package from \$113,970 per annum to \$119,866 from 16 September 2009.

RESOLUTION: 2009-185

Moved: Cr Jack

Seconded: Cr Williams

That Council:

1. *increase the Deputy Chief Executive Officer base salary from \$78,000 per annum to \$80,000 from 16 September 2009;*
2. *Increase the Deputy Chief Executive Officer Salary package from \$113,970 per annum to \$119,866 from 16 September 2009; and*
3. *review the salary package of the Deputy Chief Executive Officer annually prior to setting the budget for the following financial year.*

CARRIED 7/0

Mr Mark Hook declared a Direct Financial Interest in Item 14.3 being that he is the Chief Executive Officer.

| | |
|-------------|-------------------------------|
| 14.3 | CEO PERFORMANCE REVIEW |
|-------------|-------------------------------|

| | |
|-------------------------------|--|
| AUTHOR | Mark Hook |
| DISCLOSURE OF INTEREST | The CEO is the person who wrote the report and is the officer receiving the increase |
| DATE OF REPORT | 12 October 2009 |
| ATTACHMENT | Confidential Attachment 14.3 CEO Performance Review Criteria 2010 |
| FILE | Personnel File |

SUMMARY:

Council is to adopt the Chief Executive Officer's Performance Review Assessment form attached under separate cover for the 2010 Review and increase the Chief Executive Officers Salary Package.

BACKGROUND:

Council undertook the annual Chief Executive Officer Performance Review at the August Ordinary Meeting of Council and it was resolved.

RESOLUTION: 2009-125
Moved: Cr Waite Seconded: Cr Williams
That Council:

1. accept the 2009 Chief Executive Officer's Review as contained in Confidential Attachment 13.1; and
2. complete the 2010 Chief Executive Officer's Performance Review in April 2010 based on criteria to be formalised at the October 2009 Ordinary Meeting.

CARRIED 8/0

COMMENT:

Included at Attachment 14.3, under separate cover are the 2010 Chief Executive Officer's Performance Review criteria for April 2010.

Under the Salary Review clauses of my employment contract, the Chief Executive Officer requests an increase in base salary from \$105,000 to \$108,000, an increase of \$2,000 and an associated increase on total salary package from \$156,037 to \$159,870.

STATUTORY ENVIRONMENT:

Local Government Act 1995

5.38. Annual review of certain employees' performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

Chief Executive Officer's Contract

STRATEGIC & POLICY IMPLICATIONS:

There appears to be no strategic or policy implications regarding this matter.

FINANCIAL IMPLICATIONS:

A comparison of the Chief Executive Officer actual and proposed salary and conditions are set out below:

| Date Commenced January 2008 | Actual | | Recommended | |
|---|-----------|------------------|-------------|------------------|
| | July 2006 | Est Value | July 2007 | Est Value |
| Gross Salary | | \$105,000 | | \$108,000 |
| Leave Loading | | \$1,767 | | \$1870 |
| Housing Allowance | No | | No | |
| Utilities paid by Council | Yes | \$3,000 | Yes | \$3,000 |
| Telephone Rent and some calls paid by Council | No | | No | |
| Clothing Contribution | Yes | \$750 | Yes | \$750 |
| Superannuation Guarantee Charge | 9% | \$9,450 | 9% | \$9,720 |
| Council Sponsored Superannuation | 7% | \$7,350 | 7% | \$7,560 |
| Subsidised Rental | Yes | \$10,000 | Yes | \$10,000 |
| Communication Allowance Internet | Yes | 750 | Yes | 1,000 |
| Rent contribution per week | No | | No | |
| Unrestricted vehicle use | Yes | \$20,000 | Yes | \$20,000 |
| Vehicle Contribution per week | \$39 | (\$2,030) | \$39 | (\$2030) |
| | | | | |
| | | \$156,037 | | \$159,870 |

Increase allowed for in 2009/10 Budget allocations.

PUBLIC CONSULTATION:

No public consultation required.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. increase the Chief Executive Officer's base salary from \$105,000 per annum to \$108,000 effective from 1 July 2009; and
2. increase the Chief Executive Officer's salary package from \$156,037 annum to \$159,870 from 1 July 2009.
3. adopt the 2010 Chief Executive Officer's Performance Review criteria for 2010 as attached under separate cover.

RESOLUTION: 2009-186

Moved: Cr Waite

Seconded: Cr Williams

That Council adopt the 2010 Chief Executive Officer's Performance Review criteria for 2010 as attached under separate cover.

CARRIED 7/0

RESOLUTION: 2009-187

Moved: Cr Bothe

Seconded: Cr McTaggart

That Council:

1. *increase the Chief Executive Officer's base salary from \$105,000 per annum to \$108,000 effective from 1 July 2009;*
2. *increase the Chief Executive Officer's salary package from \$156,037 annum to \$159,870 from 1 July 2009; and*
3. *review the salary package of the Chief Executive Officer annually prior to setting the budget for the following financial year.*

CARRIED 7/0

RESOLUTION: 2009-188

Moved: Cr Waite

Seconded: Cr Williams

That Council come out from behind closed doors.

CARRIED 7/0

Council came out from behind closed doors at 4.47pm.

The President read out the resolutions aloud to the returning staff members.

15. DATE OF NEXT MEETING:

| |
|---|
| 15.1 ORDINARY MEETING OF COUNCIL |
|---|

Wednesday 18 November 2009 at the Coorow District Hall, Coorow from 3pm.

16. CLOSURE:

There being no further business, the President Cr Girando closed the meeting at 4.48pm