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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The President, Cr Moira Girando, welcomed those present and opened the meeting at 3.00 pm

2. 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 D B McTaggart
Councillor G George
Councillor A Williams

President
Deputy President

Mr M J Hook
Mr S D Billingham
Mr D R Hadden
Mr K L Bean
Mrs B Johnson

Chief Executive Officer
Deputy Chief Executive Officer
Manager Regulatory Services
Principal Works Supervisor
Minutes Clerk

Leave of Absence/Apologies

Declarations of Interest

Councillor/Officer	Item	Interest	Nature
Cr McDonald	10.2.1	Impartiality Direct Financial	Owner of Building
Cr McTaggart	10.1.4	Impartiality Direct Financial	Director of Company

Visitors

Mr Simon Lancaster- Chapman Valley Planning Services
Mrs Kathryn Jackson- Chapman Valley Planning Services
Mrs Sandra Trenowden

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

4. PUBLIC QUESTION TIME:

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr McDonald requested Leave of Absence from 20 July 2010 to 27 July 2010 and 14 August 2010 to 25 August 2010

Cr McTaggart requested Leave of Absence from 5 July 2010 to 16 July 2010.

Cr Waite requested Leave of Absence from 26 June 2010 to 30 June 2010.

RESOLUTION: **2010/079A**

Moved: Cr Williams

Seconded: George

That Council grant Leave of Absence to:

- 1) Cr McDonald from 20 July 2010 to 27 July 2010 and 14 August 2010 to 25 August 2010*
- 2) Cr McTaggart from 5 July 2010 to 16 July 2010.*
- 3) Cr Waite from 26 June 2010 to 30 June 2010.*

CARRIED 8 /0

6. PETITIONS/DEPUTATIONS/PRESENTATIONS:

7. CONFIRMATION OF MINUTES:

7.1 ORDINARY MEETING HELD WEDNESDAY 19 MAY 2010 AT THE COOROW DISTRICT HALL

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 June 2010

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting held on Wednesday 19 May 2010 held at the Coorow District Hall, Coorow be confirmed as a true and correct record.

RESOLUTION: **2010/079**

Moved: Cr Williams

Seconded: Cr Bothe

That the Minutes of the Ordinary Meeting held on Wednesday 19 May 2010 held at the Coorow District Hall, Coorow as amended below be confirmed as a true and correct record.

CARRIED 8 /0

Amend Page 57 by inserting the following on to page 58 before item 10.2.1

Cr McDonald declared a partiality interest on 10.2.1 and left the Meeting at 4.02pm

Amended Resolution 2010/077 item10.4.2to read as follows

RESOLUTION:

2010/077

Moved: Cr George

Seconded: Cr Waite

1. *That Council receives the April 2008 Financial Management Review from UHY Haines Norton as presented in the confidential Separate attachment.*
2. *That the April 2008 Financial Management Review be presented to the next Audit Committee for review of officer actions in relation to the matters raised in the report.*

CARRIED 8/0

8. 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 Shire President raised the issued of the letter she has handed to the Chief Executive Officer regarding Council's refreshment and receptions-expenditure.

9. MATTERS FOR WHICH MEETING MAY BE CLOSED:

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

Items for which the meeting will be closed include: Nil

10. REPORTS:

10.1 CHIEF EXECUTIVE OFFICER:

10.1.1 PROPOSED MEETING DATES 2010/2011

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	31 May 2010
FILE	ADM0431

SUMMARY:

Consideration of Ordinary/Special/Elector's Meeting dates, locations and starting time for 2010/2011 financial year.

BACKGROUND:

Nil

COMMENT:

It is a legislative requirement for the public in general to be advised in advance of all meeting dates, place and starting times to facilitate attendance or participation in Council Meetings. Unforeseen circumstances may dictate a change to this schedule and local advertising will inform Electors accordingly.

The suggested meeting days are:

Month	Venue	Time	Date	Type
July	Coorow	1.00 PM	Wednesday 21 July 2010	Special Budget
July	Coorow	3.00 PM	Wednesday 21 July 2010	Ordinary
August	Leeman	3.00 PM	Wednesday 18 August 2010	Ordinary
September	Leeman	3.00 PM	Wednesday 15 September 2010	Ordinary
October	Coorow	3.00PM	Wednesday 20 October 2010	Ordinary
October	Coorow	7.30 PM	Wednesday 20 October 2010	Annual Electors
November	Leeman	3.00 PM	Wednesday 17 November 2010	Ordinary
December	Coorow	3.00 PM	Wednesday 15 December 2010	Ordinary
February	Leeman	2.00 PM	Wednesday 11 February 2011	Council Forum
February	Leeman	3.00 PM	Wednesday 11 February 2011	Ordinary
March	Coorow	2.00 PM	Wednesday 16 March 2011	Council Forum
March	Coorow	3.00 PM	Wednesday 16 March 2011	Ordinary
April	Green Head	2.00 PM	Wednesday 20 April 2011	Council Forum
April	Green Head	2.00 PM	Wednesday 20 April 2011	Ordinary
May	Coorow	3.00 PM	Wednesday 18 May 2011	Ordinary
June	Leeman	10.00 AM	Wednesday 16 June 2011	Special Draft Budget
June	Leeman	3.00 PM	Wednesday 16 June 2011	Ordinary

In selecting Council's meeting schedule Council needs to be aware of the following factors:

1. Eleven Council meetings each year require an uneven split between Coastal and Rural venues. In this schedule Coorow will hold five ordinary meetings, Leeman five and Green Head one:
2. The requirement to hold the October Meeting in alternative locations each year. This allows Council to hold its Annual Electors meeting in alternative locations in following years. Previous locations for the Annual Electors Meetings have been:

2004	Coastal
2005	Inland
2006	Coastal
2007	Inland
2008	Inland (Postponed to March 2009)
2009	Coastal

3. We will have two consecutive meetings in Leeman to accommodate the Annual Electors Meeting which is scheduled for Coorow.
4. Council no longer holds alternative Special Electors Meeting in the opposite venue to the Annual Electors Meeting because of relatively poor attendance.
5. Council meetings will be held at the Coorow District Hall, Leeman Administration Centre and Green Head Community Centre.

The Meeting schedule also includes Community Forums in Leeman, Green Head and Coorow in early 2011, this allows for community members to submit suggestions for Council's budget prior to Council setting their budget each year. These meetings are technically not meetings of Council and do not have to be advertised, but inclusion has proved to be a good public relations exercise.

To conduct Annual Electors Meeting in October 2011, Council will need to have received it's 2009/2010 Audit Report by the September 2011 meeting. Council staff will monitor the progress of the Audit Report with Council's UHY Haines Norton and will submit a change of meeting date item to Council if it is deemed necessary.

STATUTORY ENVIRONMENT:

Local Government (Administration) Regulations 1996

12 Public notice of council or committee meetings

- (1) "At least once a year Local Government is to give local public notice of the dates on what and the time and place at which:
 - a) the Ordinary Council Meetings
 - b) Committee Meetingsare to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation 1)

- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3) then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

POLICY IMPLICATIONS:

There are no implications at this point in time relating to this matter.

FINANCIAL IMPLICATIONS:

Local advertising can be carried out at "nil" cost to Council.

PUBLIC CONSULTATION:

Council advertises these dates annually

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That the following Ordinary, Annual Electors and Special Meeting dates, venue and starting time for 2010/2011 financial year be adopted and advertised:

Month	Venue	Time	Date	Type
July	Coorow	1.00 PM	Wednesday 21 July 2010	Special Budget
July	Coorow	3.00 PM	Wednesday 21 July 2010	Ordinary
August	Leeman	3.00 PM	Wednesday 18 August 2010	Ordinary
September	Leeman	3.00 PM	Wednesday 15 September 2010	Ordinary
October	Coorow	3.00PM	Wednesday 20 October 2010	Ordinary
October	Coorow	7.30 PM	Wednesday 20 October 2010	Annual Electors
November	Leeman	3.00 PM	Wednesday 17 November 2010	Ordinary
December	Coorow	3.00 PM	Wednesday 15 December 2010	Ordinary
February	Leeman	2.00 PM	Wednesday 11 February 2011	Council Forum
February	Leeman	3.00 PM	Wednesday 11 February 2011	Ordinary
March	Coorow	2.00 PM	Wednesday 16 March 2011	Council Forum
March	Coorow	3.00 PM	Wednesday 16 March 2011	Ordinary
April	Green Head	2.00 PM	Wednesday 20 April 2011	Council Forum
April	Green Head	2.00 PM	Wednesday 20 April 2011	Ordinary
May	Coorow	3.00 PM	Wednesday 18 May 2011	Ordinary
June	Leeman	10.00 AM	Wednesday 16 June 2011	Special Draft Budget
June	Leeman	3.00 PM	Wednesday 16 June 2011	Ordinary

RESOLUTION:**2010/80****Moved:** Cr Williams**Seconded:** Cr George

That the following Ordinary, Annual Electors and Special Meeting dates, venue and starting time for 2010/2011 financial year be adopted and advertised:

Month	Venue	Time	Date	Type
July	Coorow	3.00PM	Wednesday 14 July 2010	Special Budget
July	Coorow	1.00 PM	Wednesday 21 July 2010	Special Budget
July	Coorow	3.00 PM	Wednesday 21 July 2010	Ordinary
August	Leeman	3.00 PM	Wednesday 18 August 2010	Ordinary
September	Leeman	3.00 PM	Wednesday 15 September 2010	Ordinary
October	Coorow	3.00PM	Wednesday 20 October 2010	Ordinary
October	Coorow	7.30 PM	Wednesday 20 October 2010	Annual Electors
November	Leeman	3.00 PM	Wednesday 17 November 2010	Ordinary
December	Coorow	3.00 PM	Wednesday 15 December 2010	Ordinary
February	Leeman	2.00 PM	Wednesday 11 February 2011	Council Forum
February	Leeman	3.00 PM	Wednesday 11 February 2011	Ordinary
March	Coorow	2.00 PM	Wednesday 16 March 2011	Council Forum
March	Coorow	3.00 PM	Wednesday 16 March 2011	Ordinary
April	Green Head	2.00 PM	Wednesday 20 April 2011	Council Forum
April	Green Head	2.00 PM	Wednesday 20 April 2011	Ordinary
May	Coorow	3.00 PM	Wednesday 18 May 2011	Ordinary
June	Leeman	10.00 AM	Wednesday 16 June 2011	Special Draft Budget
June	Leeman	3.00 PM	Wednesday 16 June 2011	Ordinary

CARRIED 8 /0

10.1.2 GREEN HEAD ENTRY STATEMENT

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	3 June 2010
ATTACHMENT	
FILE	ADM0169

SUMMARY:

Council is being requested to authorise the repainting of the entry statement and contribute to the costs

BACKGROUND:

Council allocated \$20,000 to the Green Head Entry statements out off the 2008/09 Royalties for Regions allocations. The design and sighting and construction were left to the Green Head Community Association. Council has already resighted the Entry Statements which has cost Council.

Council has received the following letter from the Green Head Community Association

At our last Green Head Community Association meeting, members expressed dissatisfaction with the appearance of our entry statement, in particular the colour. It was felt the present colour is not in sympathy with the colours of our environment. It was suggested by a local artist, Deb O'Brien, repainting the present rustic colour with turquoise blue would better reflect the colours of the ocean surrounding Green Head, and make the entry statement more attractive. The members present agreed to this suggestion.

We write to inquire if the shire would agree to our request to have the entry statement re-painted and also whether the shire would be willing to contribute some funds towards the cost of this work.

Thank you for your consideration towards this subject.

COMMENT:

As the design and construction of the Entry Statement was left to the Green Head Community Association, and my understanding is that, it was agreed to by the Association members at the time of construction. I can see no reason as to why Council would contribute to the changing of the colour schemes unless Council feels they are of the wrong colour and want them changed.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

PUBLIC CONSULTATION:

There has been no public consultation about the colour of the entry statements and whether it is suitable or not.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council advise the Green Head Community Association that it does not agree to the colour change from the rustic colour to turquoise blue, and that Council will not contribute any more funds to this project.

RESOLUTION: **2010/**

Moved: Cr McDonald

Seconded:

CARRIED /

That Council advise the Green Head Community Association it does agree to changes to the Entry Statements once it has been put for public consultation and agreed upon, and that Council will not contribute any funding to this project.

Motion Lapsed for want of a seconder

Councillor Bothe left the Meeting at 3.19pm

RESOLUTION: **2010/81**

Moved: Cr Waite

Seconded: Cr George

That Council advise the Green Head Community Association that it does not agree to the colour change from the rustic colour to turquoise blue, and that Council will not contribute any more funds to this project.

CARRIED 6/1

Cr Bothe returned to the Meeting at 3.20pm

10.1.3	EXPRESSION OF INTEREST TO HOST WA STATE COASTAL CONFERENCE
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AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	3 June 2010
ATTACHMENT	
FILE	ADM0338 ICR10209

SUMMARY:

Council has been invited to put in an expression of interest to host the 6th WA State Coastal Conference 2011.

BACKGROUND:

The Western Australian Planning Commission is calling for expressions of interest to host the 6th WA State Coastal Conference 2011.

Applications for expressions of interest in January did not meet the submission requirements, and so the Planning Commission is re-advertising for Expressions of Interest, closing date is 5pm Friday 30 July 2010.

The WA State Coastal Conference could provide an important opportunity to review changing coastal planning and management issues, in the context of the major challenges that climate change and population pressures present for sustainability and maintaining the quality of the Shire of Coorow's coastal environments.

COMMENT:

The coast is one of Western Australia's most valuable natural assets and is used and enjoyed by a significant proportion of the State's population. The WA State Coastal Conference is an important opportunity to review changing coastal planning and management issues in the context of the major challenges of sustainability and maintaining the quality of coastal environments at regional and state-wide levels.

The objectives of the WA State Coastal Conference are to:

- provide a forum to communicate important and urgent coastal issues from around the State;
- provide a forum for the discussion of new advances in technology, ideas and research;
- bring together all key stakeholders from government, industry and community to promote new partnerships and enhance cooperation in the field; and
- share and learn from one another's experiences in coastal planning and management.

The WA State Coastal Conference provides a unique opportunity for the host town/city to showcase their local area to a diverse range of other West Australians and invokes a great sense of partnership and connection within the local and broader community.

The WA State Coastal Conference also incorporates the WA Coastal Awards for Excellence Ceremony. This ceremony provides an important opportunity to recognise local communities, coastal managers and individuals for their commitment and hard work in the protection and management of Western Australia's special coastal and marine environment.

The Conference may be hosted by regional bodies, local governments or consortia that have the necessary resources to organise such a conference.

Submissions for the WA State Coastal Conference in 2011 must address the following 13 components:

1. Completed application form
2. An outline case for the proposed host town/city.
3. Conference title, key issues and conference themes.
4. Proposed venue (conference and dinner).
5. List of all relevant parties proposed to be involved and represented.
6. Draft budget, including provision for the following costs:
 - a. professional conference organiser (hours and rates);
 - b. registration fees;
 - c. website development and maintenance;
 - d. venue including conference hall/s, catering costs (morning/afternoon teas, lunches and dinners);
 - e. keynote speakers and master of ceremonies (travel and accommodation);
 - f. printing of proceedings for delegates; and
 - g. promotional material.
7. An unequivocal guarantee from the host organisation to accept full financial responsibility for the event.
8. Management arrangements:
 - a. proposed professional conference organiser/manager (including resume of experience and responsibilities);
 - b. steering committee including secretariat (and a representative from the Department of Planning);
 - c. organising committee; and
 - d. preliminary outline of project schedule/timeline.
9. Preliminary outline of sponsorship.
10. Preliminary outline of the conference program (including potential speakers), social events and conference sessions.
11. Pre-conference field trips.
12. List of target groups (for example environmental/coastal planners, managers, community groups, industry groups, aboriginal groups, consultants, academics, local and state government agencies).
13. Letters of support (for example from regional bodies, community groups, and Members of Parliament).

I do not believe that the Shire of Coorow has the resources or venues to make a submission or hold the event in Leeman or Green Head.

STATUTORY ENVIRONMENT

Nil:

POLICY IMPLICATIONS:

Nil:

FINANCIAL IMPLICATIONS:

The cost of the organising and running the event would be at Councils cost and this has not been calculated but it would be covering costs of guest speaker's, venues, etc.

PUBLIC CONSULTATION:

Council has received the following letter from Aaron Augustson - MPIA

This letter forms a response to a "call for expression of interest" ("the EOI") to host the 2011 WA Coastal Conference authorised by the Western Australian Planning Commission earlier this month. The purpose of the conference as outlined by the EOI is to "provide a forum to communicate important and urgent coastal issues from around the State". I feel the hosting of this event by the Shire of Coorow ("the Shire") will present a significant benefit to the Shire of Coorow, in particular its coastal settlements of Leeman and Greenhead. The event has previously been held in small coastal localities such as Denmark and Busselton. As a personal introduction, I am an undergraduate student at Curtin University studying a Bachelor of Arts (Urban and Regional Planning) degree, and for my entire childhood, I lived in Leeman and its surrounds. There is obvious rationale for the potential hosting this event in the Shire, notably; The impending opening of the Indian Ocean Drive extension from Lancelin to Cervantes in late 2010; The existent economic decline of these town coastal localities; The existence of many Shire driven coastal projects nearby to these two localities in the past decades (particularly around Point Louise and Tee Tree Bay); The changing nature of "shack" and unofficial settlement in the area, particularly north of Leeman and at various locations between Geraldton and Perth. It is in my opinion; the hosting of such an event will provide an interesting coastal perspective for delegates and will provide the Shire and its coastal localities with much needed exposure to individuals who can have a large impact on how it develops. I encourage you to peruse the attached documents and consider the Shires position on this matter. I trust the Shire is already aware of the matter as contacted by the WAPC.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That the Shire of Coorow refrain from placing an expression of interest with the Western Australian Planning Commission to hold the 6th WA State Coastal Conference 2011.

RESOLUTION:

2010/82

Moved: Cr Bothe

Seconded: Cr Waite

- *That the Shire of Coorow refrain from placing an expression of interest with the Western Australian Planning Commission to hold the 6th WA State Coastal Conference 2011.*
- *That Council send a representative to the next WA State Coastal Conference to research and report back on the probability of the Shire of Coorow submitting a future expression of interest to hold a future WA State Coastal Conference.*

CARRIED 8 /0

Cr McTaggart declared a financial interest in 10.1.4 and left the meeting at 3.27.

10.1.4 PORTION RESERVE 34516 (LEEMAN LOT 53) CHANGE OF LEASE

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 June 2010
ATTACHMENT	
FILE	A857

SUMMARY:

Council is being requested to transfer the lease of Portion Reserve 34516 (Lot 53 Leeman) from Davlon Pty Ltd, McTaggart Fisheries Pty Ltd and Raymond Jay Wann and Jacqueline Dawn Wann to Coral Park Sea Foods of 46 Thomas Street Leeman.

BACKGROUND:

The Lease of Portion Reserve 34516 (Lot 53 Leeman) was assigned on the 24 January 2010 to R J and J D Wann, Davlon Pty Ltd and McTaggart Fisheries.

Council is being requested to transfer the lease to the new owner Coral Park Sea Foods of 46 Thomas Street Leeman.

COMMENT:

Council has the power to transfer the lease for the Portion of Reserve 34516 (Lot 53 Leeman) to the new owner as it still being used for purposes associated with the fishing industry as outlined in the lease.

The Portion of Reserve 34516 (Lot 53 Leeman) is being used for the repackaging of whole fish for transport. Council's Manager of Regulatory Services has spoken with the new owner and is happy that the facilities would be adequate for the purposes as explained for the repackaging of fresh fish for re-transport.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Land Administration Act 1996

Shire of Coorow Standing Orders Local Law 1999

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.

Penalty \$1,000

Minutes for Ordinary Meeting held Wednesday 16 June 2010, Leeman Administration Centre

Note Minutes are not yet confirmed

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

1. That the Shire of Coorow transfers the existing lease of portion Reserve No 34516 (Lot 53 Leeman) from R J and J D Wann, Davlon Pty Ltd and McTaggart Fisheries to Coral Park Sea Foods for purposes associated with the fishing industry.
2. That Council authorise the placing of the Common Seal on the documents to transfer the lease of portion Reserve No 34516 (Lot 53 Leeman) from R J and J D Wann, Davlon Pty Ltd and McTaggart Fisheries to Coral Park Sea Foods and give authority to the Shire President and Chief Executive Officer to sign the necessary documentation.

RESOLUTION:

2010/83

Moved: Cr Jack

Seconded: Cr Bothe

1. *That the Shire of Coorow transfers the existing lease of portion Reserve No 34516 (Lot 53 Leeman) from R J and J D Wann, Davlon Pty Ltd and McTaggart Fisheries to Coral Park Sea Foods for purposes associated with the fishing industry.*
2. *That Council authorise the placing of the Common Seal on the documents to transfer the lease of portion Reserve No 34516 (Lot 53 Leeman) from R J and J D Wann, Davlon Pty Ltd and McTaggart Fisheries to Coral Park Sea Foods and give authority to the Shire President and Chief Executive Officer to sign the necessary documentation.*

CARRIED 7 /0
ABSOLUTE MAJORITY

Cr McTaggart returned to the meeting at 3.29

10.1.5 LEEMAN COUNTRY & SPORTING CLUB (INC) – COMMUNITY BUS

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 June 2010
ATTACHMENT	
FILE	ADM 0188- ICR 10205

SUMMARY:

Council is being requested to allocate a further \$1,000 to the Leeman Sporting Clubs Budgeted contribution of \$3,000 for Councils contribution towards the purchase of a new Community Bus.

BACKGROUND:

Council budgeted \$3,000 as a contribution towards the Leeman Country and Sporting Clubs application for a Community Bus through a Lottery West Grant.

Council has received the following letter from the Leeman Country and Sporting Club (Inc) requesting an additional \$1,000 contribution making Councils contribution \$4,000.

As you are aware, the Club has been successful in securing funding to purchase a brand new Toyota Coaster Community Bus at a cost of \$107,000. Currently we have the following financial contributions towards the bus:

- *Lottery west* \$79,291
- *MWDC* \$10,000
- *Shire of Coorow* \$ 3,000
- *Sale of old Bus* \$ 5,000
- *LCSC* \$ 3,000

That gives us a total of \$100,291 leaving us with a shortfall of \$6,709.00. As the original quote for \$102,000 was requested over 8 months ago, the cost has now increased by \$5,000. I am writing to you and also to all of the Club's associated sporting groups and community groups who utilise the bus, in the hope of raising the additional funds that are required. We would like to request an additional \$1000 from the Shire of Coorow. I'm sure you will agree that the community bus is a vital service within our small communities, and we will continue to provide bus hire at a reduced rate, which is more than 50% less than the private hire rate, for all community and sporting groups. As payment is due upon delivery of the bus at the end of June 2010, I would appreciate your response within the next few weeks if possible. I look forward to hearing from you soon.

COMMENT:

Council placed an amount of \$3,000 towards the purchase of a Community Bus by the Leeman Country and Sporting Club (Inc) in the 2009/10 Budget. The additional amount of \$1,000 seems warranted as the cost of the bus has gone up over time.

STATUTORY ENVIRONMENT:

Local Government Act 1995 Financial Regulations

STRATEGIC IMPLICATIONS:

Complies with Councils Strategic Plan

GOAL 2 - SERVICES

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

GOAL 3 - INFRASTRUCTURE

Introduce, maintain and upgrade assets and infrastructure which meet community needs through a timely and cost effective process.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The Additional \$1,000 towards the cost of the Community Bus will affect Councils 2009/10 Budget by \$1,000 as Council, at the moment, has not fully expended its Budget Allocations for donations. It will do so as it is anticipated that all the current Donations will be requested prior to the 30th June 2010.

Allocated as at the 04 June 2010

<u>DESCRIPTION</u>	<u>DONATION</u>
Warradarge Bushfire Brigade - Meeting Room	330.00
Heart Foundation - Go Red For Women Merchandise	14.55
Heart Foundation -Go Red For Women - Heart Foundation	45.00
Midwest Group Affiliated Ag Societies - Donation For Perth	150.00
Royal Show Display	
Coorow Branch Of CWA- Roof Replacement	500.00
Coorow Xmas Tree - Sun downer	100.00
Leeman Choir - iPod	200.00
Leeman Sea Search & Rescue – Lease Renewal	581.50
Leeman Ratepayers & Progress Assn Inc- Australia Day	200.00
Breakfast	
Paul & Anne Biddle- Christmas Light Competition	100.00
Gloria Litchfield - Christmas Light Competition	100.00
Paul & Selena Thompson - Christmas Light Competition	100.00
Coorow Hotel Donation Australia Day 2010	200.00
Leeman Progress Association Clean Up Day	50.00
TOTAL	2871.05

2009/10 Budget Figures

Donations & Grants	
North Midlands Ag Society	\$150
Coorow Primary School	\$100
Leeman Primary School	\$100
Leeman Playgroup	\$500
Midwest Group Affiliated Ag Societies	\$150

Coorow CWA Roof contrib.	\$500
Christmas Lights Prizes	\$300
RSL Quiet Lion Tour	\$400
Jurien Bay Youth Care District Council	\$500
Coorow Seniors Expo	\$200
Leeman Progress Association-Citizen of the Year Function	\$200
Green Head Anzac Day Service	\$300
Leeman Anzac Day Service	\$300
Leeman Sporting Club Community Bus donation	\$3,000
Other	\$1,500
TOTAL	\$8,200

PUBLIC CONSULTATION:

Nil

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council allocate a further \$1,000 to the Leeman Country and Sporting Club towards a contribution for the Community Bus Lotterywest Grant bringing Councils total contribution to \$4,000.

RESOLUTION: **2010/84**

Moved: Cr Williams

Seconded: Cr George

That Council allocate a further \$1,000 to the Leeman Country and Sporting Club towards a contribution for the Community Bus Lotterywest Grant bringing Councils total contribution to \$4,000.

CARRIED 8 /0

10.1.6 LIVING TOWNS CORPORATIONS-FEDERAL GRANT APPLICATION

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 June 2010
ATTACHMENT	
FILE	ADM0297-ICR10174

SUMMARY:

The Chief Executive Officer is requesting Council to delegate to the Shire President and the Chief Executive the ability to appoint Living Towns Corporations Ltd, to prepare a grant for the Shire of Coorow through the Federal Government Drought Pilot Project and for Living Towns Corporations Ltd to run their Living Communities program in the towns within the Shire of Coorow and Shire of Carnamah if the Federal Grant Application is successful.

BACKGROUND:

The Chief Executive Officer received the following letter from Mr. Greg Winning of Living Town Corporations Ltd.

The federal government recently announced the Drought Pilot Project covering a large area of Western Australia, including the Shire of Coorow. The pilot is designed to test "a package of new measures developed in response to the national review of drought policy. The measures are designed to move from a crisis management approach to risk management. The aim is to better support farmers, their families and rural communities in preparing for future challenges, rather than waiting until they are in crisis to offer assistance."

In response to the third tier of this pilot program the government is offering Shires within the pilot area grants of up to \$300,000 that build resilience by:

- developing or enhancing social and community services*
- facilitating the development of new or existing community networks*
- increasing the decision making and planning capacity of community organisations to manage the impacts of hardship on their activities*
- improving facilities and infrastructure that will build the social capital of the community*
- supporting community events aimed at increasing social ties and community participation*

My organisation, Living Towns Corporation Ltd. is a not-for-profit company developing a community resilience program called Living Communities TM. We are currently about a third of the way through conducting a pilot project in the Shire of Goomalling. Our team consists of highly credentialed economists, community engagement facilitators and successful business people. We are currently seeking one or two more towns in which to run the project and would welcome an opportunity to talk to your shire about doing so in your community.

Living Communities works with the local community to build resilience by
1. Identifying a vision or purpose for the community.

2. Identifying enterprise opportunities by auditing the local economy's money flows and establishing an asset inventory to indentify any leaks or gaps in the local economy.

3. Plugging those gaps and leaks by encouraging local enterprise through planning and mentoring with local entrepreneurs.

We believe Living Communities offers an extremely valuable tool for communities in all of the areas described in the federal government's list above.

COMMENT:

The Chief Executive Officer has held discussion with Mr Greg Winning of Living Towns Corporation Ltd on this issue and believes that the Shire of Coorow and Carnamah would benefit from such a project.

Mr Winning has advised that he is at no cost to Council, for the preparation of the grant other than the officer's time to provide the requested details required in the grant application. The cost of the program would also be fully borne by the grant received from the Federal Government.

The Chief Executive Officer will be discussing this as a joint project with the Shire of Carnamah.

However, it is felt that even if Carnamah does not decide to be part of the program it would still benefit the towns in the Shire of Coorow.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

This covers the five goals within the Shire of Coorow Strategic Plan.

GOAL 1 - LEADERSHIP

Achieve positive community outcomes within a financially responsible framework through a process of innovation, consultation and decisive leadership.

GOAL 2 - SERVICES

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

GOAL 3 - INFRASTRUCTURE

Introduce, maintain and upgrade assets and infrastructure which meet community needs through a timely and cost effective process.

GOAL 4 - ECONOMY

Support and promote a resilient local economy.

GOAL 5 - ENVIRONMENT

Work to enhance, utilise and conserve natural resources.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The grant application will be at no cost to Council and the Federal Grant will cover the entire cost of the Living Communities Program.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

1. That the Shire of Coorow delegate to the Chief Executive officer and the Shire President the ability to appoint Living Towns Corporations Ltd to prepare a grant for the Shire of Coorow through the Federal Government drought pilot project
2. That if the Grant is successful the Chief Executive Officer appoints Living Towns Corporations Ltd to run their Living Communities program in the towns within the Shire of Coorow at no cost to Council other than staff resources.

RESOLUTION:

2010/85

Moved: Cr Bothe

Seconded: Cr George

That the Chief Executive officer, Shire President and Deputy President meet with the representative of the Living Towns Corporations to discuss the Living Communities program on Thursday 17 June 2010 and report back to Council on the outcomes of the meeting with a recommendation to Council on whether the Shire of Coorow should participate in the Living Communities Program with Living Towns Corporation.

CARRIED 8 /0

Council's motion differed to the Officers Recommendation as Council felt it needed to have further information from the meeting with Living Towns Corporation before making any decisions on this issue.

10.1.7 WALGA ANNUAL GENERAL MEETING- VOTING DELEGATES

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	4 June 2010
ATTACHMENT	
FILE	ADM0059 ICR10117

SUMMARY:

Council is being requested to appoint its Voting Delegates for the WALGA Annual General Meeting being held on Saturday 7 August 2010.

BACKGROUND:

The 2010 Annual General Meeting 'for the WA Local Government Association is being held during the Local Government Convention on Saturday 7 August 2010 at the Perth Convention and Exhibition Centre,.

Pursuant to the WALGA Constitution, all Member Councils are entitled to be represented by two (2) Voting Delegates. Voting Delegates may be either elected members or serving officers. Member Councils seeking to exercise their voting entitlements must ensure that their voting delegates are appropriately registered.

Voting Delegates must be registered by the Chief Executive Officer by faxing a completed nomination form to the Western Australian Local government Association by Monday, 14 July 2010. In the event that a Voting Delegates is unable to attend, provision is made for proxy delegates to be registered on the attached fax back. Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be elected members or serving officers.

COMMENT:

Council's voting delegates to the Annual General Meeting of WALGA is normally the President and Deputy President.

The following Councillors are attending Local Government Week Cr Girando, Cr Williams. Cr McTaggart, Cr Waite, Cr McDonald and the Chief Executive Officer will be attending the Local Government Week and the WALGA AGM.

STATUTORY ENVIRONMENT:

WALGA AGM Standing Orders

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS

1.1.4

Policy Statement:	Attendance at Local Government Week
Policy:	That Council provide within each Financial Year Budget for the cost of Council Delegates to attend Local Government Week with first preferences being given to NCZ of WALGA Delegates.
Objectives:	To recognise the importance of providing Councillors with the opportunity to meet fellow Councillors from other Local Authorities and to participate in a state wide forum on issues relevant to Local Government.
Guidelines:	<ol style="list-style-type: none">1) In relation to bookings to the Conference, the following shall apply:<ul style="list-style-type: none">• NCZ OF WALGA Delegates - two (2) as appointed by Council• Observers - two (2) Councillors and the Chief Executive Officer2) That all accommodation and incidental expenses of partners accompanying Councillors and Staff Members be met by Councillors or Staff Members3) Bookings to the Conference/Hotel shall be made as soon as notice is given of the venue/Conference in order to avoid problems with accommodation

FINANCIAL IMPLICATIONS

Part of conference registrations

PUBLIC CONSULTATION

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council nominate the Shire President and Deputy Shire President as voting delegates and Councillors Williams and Cr McTaggart as proxy voting delegates to the Western Australian Local Government AGM being held on the 7 August 2010

RESOLUTION: 2010/86

Moved: Cr Bothe

Seconded: Cr Waite

That Council nominate the Shire President and Deputy Shire President as voting delegates and Councillors Williams and Cr McTaggart as proxy voting delegates to the Western Australian Local Government AGM being held on the 7 August 2010

CARRIED 8 /0

10.1.8 SHIRE OF COOROW HOUSING TENANCY POLICY

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	8 June 2010
ATTACHMENT	6.1.2 Shire of Coorow Employee Housing Policy
FILE	ADM0059 ICR10117

SUMMARY:

Council is being requested to adopt a new Policy 6.1.2 Shire of Coorow Employee Housing Policy

BACKGROUND:

At the 19 May 2010 Meeting Council requested that the following Agenda Item 10.1.5 Shire of Coorow Housing Policy lay on the table so that the requested amendments could be made to the policy and it be re-presented to the June Meeting with all the Council requested changes.

The Chief Executive officer has received no further comments from Councillors from the amended copy forwarded by Brenda Johnson on Wednesday 26 May 2010.

SHIRE OF COOROW HOUSING POLICY

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 May 2010
ATTACHMENT	6.1.2 Shire of Coorow Employee Housing Policy
FILE	ADM 0104,ADM 0103

SUMMARY:

Council is being requested to adopt a new Policy 6.1.2 Shire of Coorow Employee Housing Policy

BACKGROUND:

Council requested at the November Forum Session that Council workshop a Staff Housing Policy for the Shire of Coorow. The Chief Executive officer has received no comments on the proposed Staff Housing Policy and Attached under attachment 10.1.5 is a Staff Housing Policy for Adoption.

COMMENT:

Council owns 14 houses of varying size and throughout the Shire of Coorow, 9 houses are located in Coorow and 5 houses are located in Leeman. These houses are offered to full time staff members at a subsidised rental.

To attract employees to reside in Coorow, the provision of suitable housing is a key component of the employment package, particularly for families.

Council currently has 10 full time employees who provide their own accommodation, and offers a housing subsidy to these employees of \$40 per week.

It should be acknowledged that, given the relatively low cost of purchasing established housing in Coorow, the Council policy of increasing the value of Council's Housing Allowance has been effective in encouraging Coorow based employees to purchase housing in Coorow.

Council does not currently have any tenancy agreement with staff members residing in Council owned housing and no guidelines for employees to follow upon commencing tenancy or terminating tenancy in Council's housing. There is also no current provision to request Council staff to place down a bond deposit for the rented property

The locations, which apply to the Shire of Coorow Housing has been categorised into 2 groups. The eligibility for Housing varies between these groups.

- 1. Executive Housing – housing reserved for Council's Executive Staff members as per contract agreements.*
- 2. Staff Housing – housing reserved for Works Crew Employees, Administration Staff, and Swimming Pool Manager.*

The Shire of Coorow Staff Housing Policy, as included at Attachment 10.1.5 covers the responsibilities of both the Tenant and Council and will be signed by both the incoming Tenant and the Chief Executive Officer.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

New Policy for Staff Housing

FINANCIAL IMPLICATIONS:

No financial implications to Councils Budget. The new policy allows for Bonds on housing to be placed in the Trust Fund.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt policy 6.1.2 Shire of Coorow Employee Housing Policy

NOTE: *Council requested this matter lay on the table.*

COMMENT:

The Shire of Coorow Staff Housing Policy, as included at Attachment 10.1.8 covers the responsibilities of both the Tenant and Council and will be signed by both the incoming Tenant and the Chief Executive Officer.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

New Policy for Staff Housing

FINANCIAL IMPLICATIONS:

No financial implications to Councils Budget. The new policy allows for Bonds on housing to be placed in the Trust Fund.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt policy 6.1.2 Shire of Coorow Employee Housing Policy

RESOLUTION: *2010/87*

Moved: Cr Williams

Seconded: Cr Bothe

That Council adopt policy 6.1.2 Shire of Coorow Employee Housing Tenancy Policy

CARRIED 8/0

10.1.9	MAIN ROADS – MID WEST LOCAL COUNCILS SERVICES AGREEMENT
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AUTHOR	Suzanne Ward
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	9 June 2010
ATTACHMENT	
FILE	ADM0055

SUMMARY:

Council is being requested to advise Main Roads WA the position set out in the current draft of the Services Agreement issued to the Councils on 14 May 2010 in respect of the matters covered in that draft and the process for finalising any outstanding substantive matters under the Services Agreement in accordance with the MOU as set out in this letter.

The substantive matters are:

- a. the relevant services and the relevant roads to which the Services Agreement will apply;
- b. the standards to which the Councils must deliver those relevant services under the Services Agreement;
- c. the term of the Services Agreement;
- d. the obligations of each of the parties under the Services Agreement; and
- e. the commercial model which will apply under the Services Agreement.

BACKGROUND:

The working group comprised of Mark Hook, Stan Scott and Ian Fitzgerald have been working in conjunction with the Chief Executive Officer of the Mid West Regional Council, representatives of Main Roads WA, other MWRC CEO's and Staff (as required) on the proposed Main Roads Service Agreement and accompanying schedules.

Legal advice has been sought on behalf of Councils to comment on the draft agreement. Some drafting changes recommended by Civic Legal are agreeable to Main Roads, however there still requires further negotiation on some points of the agreement. Schedules to the agreement have been constructed which set out at a high level the processes and organisational structure underpinning the agreement. Although a risk assessment has taken place, the insurance aspect is still to be workshopped and added as a schedule to the agreement.

Each Council received the following letter from Main Roads WA in relation to the Service Agreement with Main Roads:

I refer to the ongoing discussions between Main Roads and Council representatives in our attempt to reach an agreement on the above. In particular, I refer to:

- (a) the Memorandum of Understanding entered into between Main Roads and the Shires of Coorow, Mingenew, Morawa, Mullewa, Perenjori and Three Springs dated 22 February 2010, under which Main Roads and the Councils agreed to use their best endeavors to reach agreement on a services agreement for the delivery by the Councils of certain road asset management services on a portion of Main Roads' road network; and*
- (b) the numerous discussions and workshops held between Main Roads and the Council representatives in respect of the development of the Services Agreement. Notwithstanding the works undertaken to date, clause 2(a)(2) of the MOU provides that, unless otherwise agreed, the MOU will terminate if the parties have not reached agreement in respect of all of the substantive matters of the Services Agreement by 25 June 2010.*

The substantive matters of the Services Agreement include:

- (a) the relevant services and the relevant roads to which the Services Agreement will apply;*
- (b) the standards to which the Councils must deliver those relevant services under the Services Agreement;*
- (c) the term of the Services Agreement;*
- (d) the obligations of each of the parties under the Services Agreement;*
- and*
- (e) the commercial model which will apply under the Services Agreement.*

The details of a number of these matters are included in the current draft of the Services Agreement which was issued to the Councils on 14 May 2010 and additional information has been provided which is being included into the draft agreement. It is my intention that Main Roads will issue a revised draft of the Services Agreement that will address these additional matters later this week.

However, to date, Main Roads has not received any formal advice from your Council in respect to the content of current draft.

To enable Main Roads to understand your Council's acceptance of the content of the current draft agreement, can you please advise me as soon as possible of your Council's position with respect to its agreement of all of the substantive matters by 25 June 2010 as set by clause 2(a)(2) of the MOU.

A key outstanding matter to be included in the Services Agreement is the liability and insurance regime. Main Roads considers this to be a substantive matter requiring agreement prior to 25 June 2010.

As previously discussed, Main Roads would propose holding a workshop with the Council representatives and advisers as soon as practicable to agree and finalise the liability and insurance regime for insertion in the

Services Agreement. However, until there is an understanding that the Councils are in agreement with the other matters, it is considered that there may not be value in holding this workshop.

Therefore, as a matter of urgency and given the timeframe set by clause 2(a)(2) of the MOU, would you please advise me in writing of your Councils position on the following:

- (a) the position set out in the current draft of the Services Agreement issued to the Councils on 14 May 2010 in respect of the matters covered in that draft; and*
- (b) the process for finalising any outstanding substantive matters under the Services Agreement in accordance with the MOU as set out in this letter.*

COMMENT:

Council received the following email from the Chief Executive Officer of the MWRC on the 9th June 2010:

There have been some changes since our meeting with Main Roads last Tuesday (1st June 2010).

- a) Main Roads are to submit an application (today or tomorrow) to the Commissioner for Main Roads for a 2 week extension of time (from 25th June in acknowledgement of Brian's 2 week leave taking). Brian is to send me a copy of the application today and councils are going to be requested to endorse this action as well as reply that they have a basic understanding of the 5 main elements of the MOU we are seeking to bed down by the cut off date.*
- b) On receipt of our legal advice, Main Roads have instructed Freehills to make the drafting changes suggested by Civic Legal and will add comments on other sections of the agreement that need further discussion between all parties. The latest draft (with the changes and comments) will be circulated later this week.*

Council will be given the full documentation in relation to the Service Agreement when it is completed.

Response to Main Roads Correspondence

The position set out in the current draft of the Services Agreement issued to the Councils on 14 May 2010 in respect of the matters covered in that draft:

- (i) Mid West Regional Council instructed Civic Legal to review the draft service agreement (as of 18th May 2010) and identify clauses or other aspects of the agreement that might carry risks that the Council should be alerted to and propose action and alternative wording to the agreement to strengthen the Council's position.

- (ii) Civic Legal were also asked by MWRC to advise on whether competition policy or law would operate in relation to the agreement and whether the proposed prohibition against Council adding a margin or profit could be construed as anti competitive conduct prohibited by law.

The advice provided by Civic Legal on both matters above has been conveyed to Main Roads who have instructed their legal representatives to make the drafting changes suggested by and also to add comments on other sections of the agreement that need further discussion between all parties. i.e. Main Roads do not necessarily agree with all of Civic Legal's recommendations for change and wish to have further dialogue with the working group on certain points.

Main Roads will forward the amended agreement later this week and it is planned to hold further discussion at the TAG meeting on 18th June 2010 to develop our position on the comments to the agreement before meeting with Main Roads.

The process for finalising any outstanding substantive matters under the Services Agreement in accordance with the MOU:

Substantive Matters	Status	Process for Finalising
a. The relevant services and the relevant roads to which the Services Agreement will apply;	Finalised	
b. The standards to which the Councils must deliver those relevant services under the Services Agreement;	Have agreed at high level.	A number of operational plans and methods of operations will require development and/or finalisation prior to the execution of the agreement and will be developed with the assistance of Main Roads. Governance Plan to be developed / finalised following the execution of the agreement.
c. The term of the Services Agreement;	The draft suggests 5 years, with a 1 year extension option based on strategic reviews. The yearly strategic reviews will enable the term to be extended more than once if positive results are obtained from those reviews.	Individual Councils required to provide their preference for either: 5years with a 1 year option for extension at MRWA discretion; or 10 years initial term, with a similar option to extend, with such extension being a

	There has been a suggestion of extending to a 10 year initial term, with a similar option to extend, with such extension being a joint review process and agreement between the Shires and MRWA (not at MRWA sole discretion).	joint review process and agreement between the Shires and MRWA.
d. The obligations of each of the parties under the Services Agreement; and	Individual Councils required to accept arrangement as presented with this agenda item. (formal agreement required by each council that they agree with the arrangement as presented)	a) Litter collection – detail of how this is to be delivered to be finalised by councils and added to schedule of services. b) How works will be delivered: - i.e. - Location of maintenance crews; - Which council would host / supervise / house and employ them; - Employment of Project Manager and Inspection Crews by MWRC.
e. The commercial model which will apply under the Services Agreement.	Individual Councils required to accept arrangement.	Concept of Direct Cost plus overhead (no margin or profit) to be agreed to by Individual Councils.

STATUTORY ENVIRONMENT:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

\$1,500 to \$2,000 per Km is a rough guide to the MRWA annual budget for routine maintenance on the network.

Direct costs and overheads will be reimbursed. There is no margin or profit to be added however there is also no financial risk to bear as Main Roads will carry cost of any rework required.

PUBLIC CONSULTATION:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council replies to the correspondence received from Main Roads WA advising that:

- 1) As a result of legal advice received in relation to the draft Service Agreement there remains some matters still to be determined and Council is committed to continuing negotiations to reach mutual agreement. It is proposed that the working group will meet to establish a position on the matters to be resolved prior to meeting with Main Roads.
- 2) Council understands and agrees to the service delivery arrangements proposed by the working group as presented in attachment 1.
- 3) In relation to the outstanding substantive matters under the service agreement in accordance with the MOU, Council is proposing the following actions to finalise the process:
 - a. The relevant services and the relevant roads to which the Services Agreement will apply have been finalised;
 - b. The standards to which the Councils must deliver those relevant services under the Services Agreement - A number of operational plans and methods of operations will be developed and/or finalised prior to the execution of the agreement with the assistance of Main Roads while the Governance Plan is to be developed / finalised following the execution of the agreement;
 - c. Term - An initial term of 5 years, with a 5 year extension option based on annual strategic reviews with such extension being a joint review process and agreement between the Shires and MRWA will be requested.
 - d. Council agrees to the service delivery arrangements / structure proposed by the working group as presented in attachment 1.

The commercial model to apply under the Services Agreement being the concept of Reimbursement of Direct Costs plus overheads (no margin or profit to be included) is understood and agreed to by Council

RESOLUTION:

2010/88

Moved: Cr George

Seconded: Cr Waite

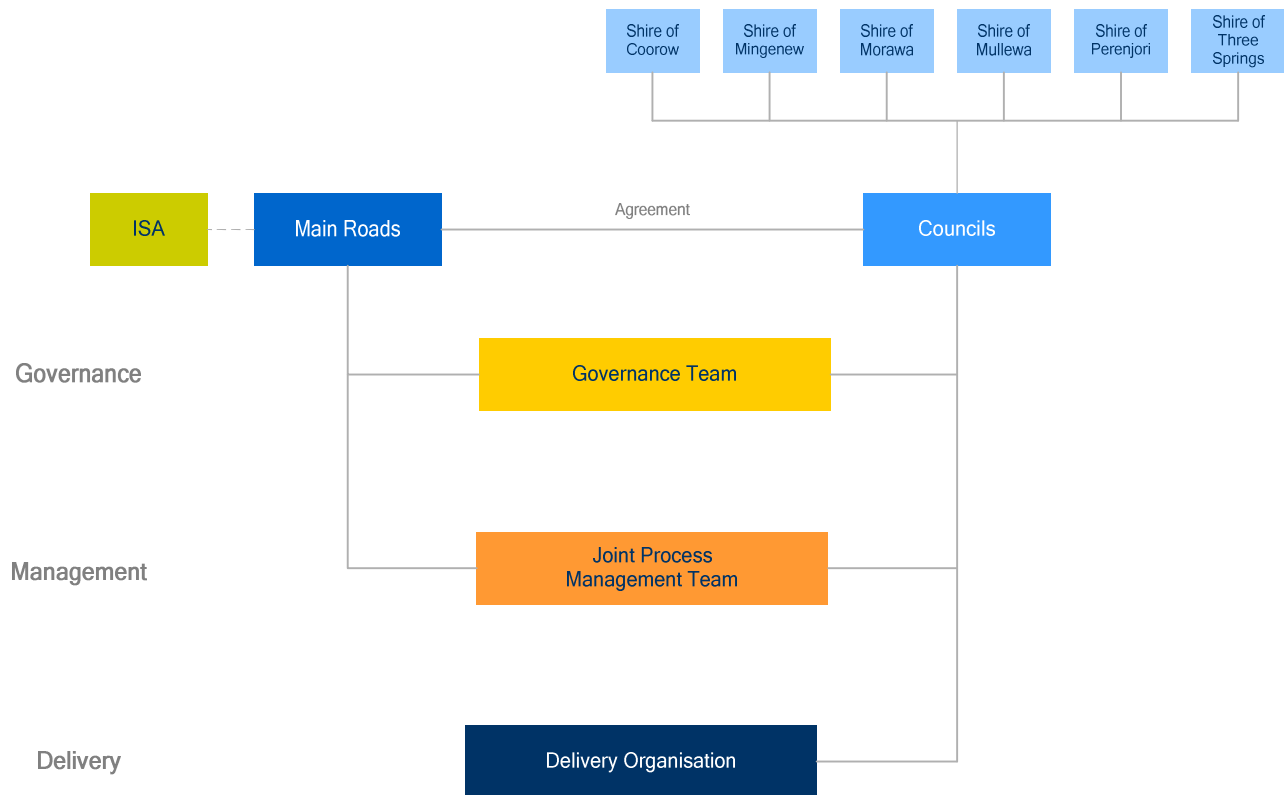
That Council replies to the correspondence received from Main Roads WA advising that:

- 1) As a result of legal advice received in relation to the draft Service Agreement there remains some matters still to be determined and Council is committed to continuing negotiations to reach mutual agreement. It is proposed that the working group will meet to establish a position on the matters to be resolved prior to meeting with Main Roads.*
- 2) Council understands and agrees to the service delivery arrangements proposed by the working group as presented in attachment 1.*
- 3) In relation to the outstanding substantive matters under the service agreement in accordance with the MOU, Council is proposing the following actions to finalise the process:*
 - a. The relevant services and the relevant roads to which the Services Agreement will apply have been finalised;*
 - b. The standards to which the Councils must deliver those relevant services under the Services Agreement - A number of operational plans and methods of operations will be developed and/or finalised prior to the execution of the agreement with the assistance of Main Roads while the Governance Plan is to be developed / finalised following the execution of the agreement;*
 - c. Term - An initial term of 5 years, with a 5 year extension option based on annual strategic reviews with such extension being a joint review process and agreement between the Shires and MRWA will be requested.*
 - d. Council agrees to the service delivery arrangements / structure proposed by the working group as presented in attachment 1.*

The commercial model to apply under the Services Agreement being the concept of Reimbursement of Direct Costs plus overheads (no margin or profit to be included) is understood and agreed to by Council

CARRIED 8 /0

Service Delivery Structure a)



Governance Team

Composition

- 1 from each council
- 2 from Main Roads
- Maximum number of 8
- Observers can attend e.g. ISP
- Flexibility built in to allow for amalgamations etc

Joint Process Management Team (JMT)

Composition

- A core team of 2
 - 1 from main Roads to act as an initial Project Manager
 - 1 from the LG Delivery Organisation (The "Manager" of the LG Delivery Organisation)
 - Others to be invited as required

Role of the Joint Process Management Team

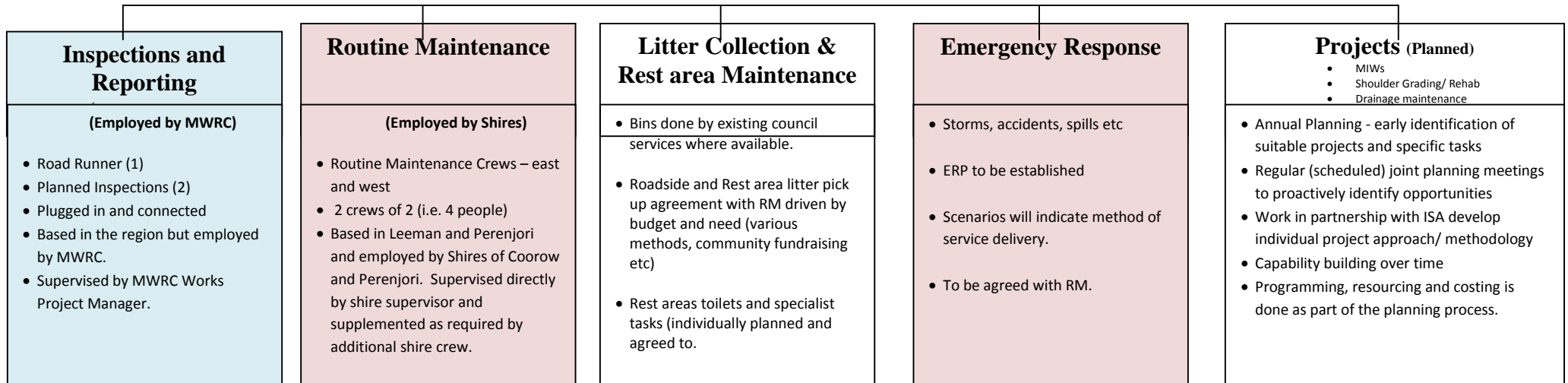
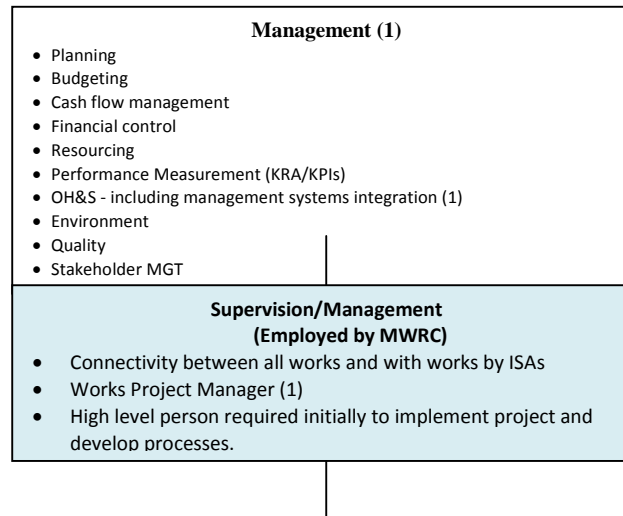
- To “jointly” manage the shared processes required to manage and operate the Mid West Road Service Delivery Organisation
- Manage the Transition
 - Initially develop a Transition Plan
 - Required ASAP
- Development of the Annual Works Plan
- Performance Monitoring
- Review of Audit Reports
- Improvement Planning and Implementation
- Systems integration (compatibility)
 - E.g. Safety process integration
- Drive continuous improvement
- Identify opportunities
- Operational Risk Management

Service Delivery Structure b)

Employed by Councils



Employed by MWRC



Minutes for Ordinary Meeting held Wednesday 16 June 2010, Leeman Administration Centre

Note: Minutes are not yet confirmed

Cr McDonald declared a financial interest in item 10.2.1 and left the Meeting at 3.48 pm
10.2 MANAGER REGULATORY SERVICES:

10.2.1 RESTRICTIVE COVENANT LOT 402 GREENHEAD RD GREEN HEAD DEPOSITED PLAN 190294
--

AUTHOR	David Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	24 May 2010
ATTACHMENT	Restrictive Covenant
FILE	A 1002

SUMMARY:

Amended Planning Approval issued to the applicant on Tuesday 22 January 2008 to construct a 42 bed accommodation facility included a planning condition requiring placement of a Restrictive Covenant on the title to protect areas where septic tanks and leach drains are installed.

BACKGROUND:

At the time the application was being processed the Health Department of WA placed an approval condition of the septic system requiring lodgement of a Restrictive Covenant on the title to protect the septic system. Councils Planner at the time placed the same approval condition on the planning approval documentation. As such the required Restrictive Covenant is tabled for Council approval in accordance with Part 1.6 of the Shire of Coorow Standing Orders *Local Law 1999*.

STATUTORY ENVIRONMENT:

Compliance with Shire of Coorow Standing Orders *Local Law 1999*

STRATEGIC IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council authorise the affixing of the Common Seal and signing by the Shire President and Chief Executive Officer on the Restrictive Covenant.

RESOLUTION:

2010/89

Moved: Cr Williams

Seconded: Cr McTaggart

That Council authorise the affixing of the Common Seal and signing by the Shire President and Chief Executive Officer on the Restrictive Covenant.

CARRIED 7 /0

Cr McDonald returned to the meeting at 3.49

FORMBYS

Lawyers

COPY

Correspondence to: Subiaco
Our Ref: HF:DP:12779_S
Contact: Harry Formby
Email: hformby@formbyslawyers.com
Your Ref: G402: GRE DH/GM

ABN: 65 109 691 947

20 May 2010

The Chief Executive Officer
Shire of Coorow
PO Box 238
LEEMAN WA 6514

Attention: Mr Dave Hadden

Dear Chief Executive Officer

RESTRICTIVE COVENANT LOT 402, DEPOSITED PLAN 190294

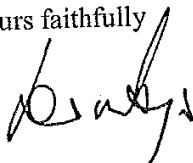
We refer you to your letter to us of 23 February 2010. We now have the Restrictive Covenant signed by our client Mr McDonald.

We enclose two copies of the Restrictive Covenant which have been executed by Mr McDonald. The documents have inadvertently been slightly damaged, however they are still acceptable at Landgate.

We will be pleased if you can have the Shire execute both copies of the Restrictive Covenant and then return the executed copies to us so that we can attend to their registration on the title at Landgate.

The Mortgagee has consented to the granting of the Restrictive Covenant so as soon as the executed copies are returned to us so we can attend to registration.

Yours faithfully



Encl:

FORMBYS LEGAL PTY LTD
ACN 109 691 947
trading as
FORMBYS LAWYERS
JEmail:

Offices at:
116 Churchill Avenue
Subiaco WA 6008
PO Box 8085
Subiaco WA 6008

Ph: (08) 9380 3600
Fax: (08) 9388 3452
A/H: 0419 924 659

Unit 15, Koombana Court
141 Victoria Street
Bunbury WA 6230

ALL CORRESPONDENCE TO SUBIACO OFFICE

Note: Minutes are not yet confirmed

FORM B2

FORM APPROVED
NO. B4682

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

BLANK INSTRUMENT FORM

RESTRICTIVE COVENANT

(Note 1)

This DEED is made the _____ day of _____ 2010

BY:

TERRENCE MICHAEL MCDONALD formerly of c/o Post Office now of 1 Farley Street, Green Head, Western Australia ("the Land Owner")

AND

SHIRE OF COOROW of Morcombe Road, Leeman, Western Australia ("Shire of Coorow")

RECITALS:

- A. The Land Owner is the registered proprietor of Lot 402 on Deposited Plan 190294 whole of the land in Certificate of Title Volume 2010 Folio 884 (the land burdened) and the land burdened is subject to the encumbrances noted in the schedule to this Deed.
- B. The land burdened is located within the Shire of Coorow.
- C. The parties to this Deed have agreed to create a Restrictive Covenant on the land burdened pursuant to section 129BA of the Transfer of Land Act 1893 (WA) restricting the use of the land burdened as hereafter provided in this Deed for the benefit of the Shire of Coorow.

OPERATIVE PART:

1. RESTRICTIVE COVENANTS:

The Land Owner for himself and his successors in title with the intention of binding the Land Owner and so far as is possible the land burdened, **CREATES**, pursuant to section 129BA of the *Transfer of Land Act 1893* (WA), for the benefit of the Shire of Coorow, the following restrictions and covenants on the land burdened:

1.1 LAND USE

- (a) The Land Owner will not construct or permit to be constructed any building, structure or improvement on or so that it encroaches onto, that portion of the Land Burdened as is marked "A" on Deposited Plan 66570 ("the affected area") whether partially or fully, nor will the Land Owner permit the affected area to be paved with concrete, bricks, pavers asphalt or with or by any other form or method of paving.
- (b) The Land Owner will not permit the land burdened or any part of it or any improvement on it to be used to accommodate or to be furnished with more than 42 beds.
- (c) The Land Owner will not allow or permit more than 200 persons per day to be served or provided with services by any café, restaurant, cafeteria or other similar facility operating on the land burdened

The above restrictions and covenants on the land burdened will continue until the Shire of Coorow grants planning approval to do otherwise

INTERPRETATION:

Reference to the Land Owner includes the Land Owner's personal representative, successors in title and lawful assigns.

Where there is more than one Land Owner the rights and obligations of those persons are joint and several.

Headings have been inserted for guidance only and do not to form part of this Deed.

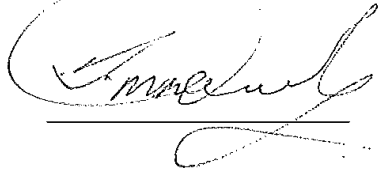
SCHEDULE

ENCUMBRANCES

The land described in Recital A above as the land burdened is subject to Mortgage L204636 to the Commonwealth Bank of Australia.

Signed by **TERRENCE MICHAEL)**

MCDONALD in the presence of)



B. J. McDonald.

Witness Signature

Balinda Joy McDonald.

Witness Full Name

1 Farley St - Granddawn. 6514

Witness Address

Shire Councillor

Witness Occupation

The Common seal of the Shire of Coorow
was hereunto affixed in the presence of

Chief Executive Officer

Full Name

President

Full Name

INSTRUCTIONS

1. This form may be used only when a "Box Type" form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

OFFICE USE ONLY

Lodged By Formbys Lawyers
116 Churchill Ave
SUBIACO WA 6008

Address

Phone No. (08) 9380 3600

Fax No (08) 9388 3452

E-Mail mail@formbyslawyers.com.au

Reference No. HF:JJ:12779_S McDonald

Issuing Box No. 87H

Prepared By Formbys Lawyers
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Phone No. (08) 9380 3600

Fax No. (08) 9388 3452

E-Mail mail@formbyslawyers.com.au

Reference No. HF:JJ:12779_S McDonald

Issuing Box No. 87H

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

- | | |
|----------|-----------------|
| 1. _____ | Received Items |
| 2. _____ | |
| 3. _____ | Nos. |
| 4. _____ | |
| 5. _____ | Receiving Clerk |
| 6. _____ | |

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

EXAMINED

10.2.2 ENVIRONMENTAL PROTECTION (CONTROLLED WASTE) REGULATIONS 200-REVIEW OF REGISTERED DISPOSAL SITES

AUTHOR	David Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	24 May 2010
FILE	ADM 0235
ATTACHMENT	Application for Registering as a Disposal Site – Form 13

SUMMARY:

Correspondence from the Environmental Protection Controlled Waste Branch, requesting council, to re-apply for registration of the septage disposal pond. The application form requires the Common Seal and signing by the Shire President and Chief Executive Officer.

BACKGROUND:

The Controlled Waste Tracking and Permitting Section of the Department of Environment and Conservation are currently undertaking a review of the disposal sites and treatment plants registered for the acceptance of controlled waste, in the electronic Controlled Waste Tracking System (CWTS). To continue accepting liquid septic waste at the Leeman Refuse Site, Council must re-apply for registration.

STATUTORY IMPLICATION:

Compliance with the Environmental Protection (Controlled Waste) Regulations 2004

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATION:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council authorise the affixing of the Common Seal and signing by the Shire President And Chief Executive Officer of the attached Form 13. Application for registering as a Disposal Site or Treatment Plant in accordance with the Shire of Coorow Standing Orders Local Law 1999

RESOLUTION:

2010/90

Moved: Cr Bothe

Seconded: Cr McTaggart

That Council authorise the affixing of the Common Seal and signing by the Shire President and Chief Executive Officer of the attached Form 13. Application for registering as a Disposal Site or Treatment Plant in accordance with the Shire of Coorow Standing Orders Local Law 1999

CARRIED 8 /0



Government of Western Australia
Department of Environment and Conservation

ADM 0235

Your ref:

Our ref: Louise Sindall

Enquiries: 6467 5336

Phone: 6467 5520

Fax: louise.sindall@dec.wa.gov.au

Email:

Mr Garry Agnew
Shire of Coorow
1 Main Street
COOROW WA 6515

SHIRE OF COOROW RECEIVED		
12 MAY 2010		
FILE	IFLS	DATE
CEO		
MFA		
MWS		
MCD		
CEO		
FINANCE		

Dear Mr Agnew

**ENVIRONMENTAL PROTECTION (CONTROLLED WASTE) REGULATIONS 2004-
REVIEW OF REGISTERED DISPOSAL SITES**

The Controlled Waste Tracking and Permitting Section (CWTPS) is currently undertaking a review of the disposal sites and treatment plants registered for the acceptance of controlled waste, in the electronic Controlled Waste Tracking System (CWTS).

The vast majority of registered controlled waste disposal sites and treatment plants were entered into the CWTS in 2004 and 2005, as part of the implementation of the Environmental Protection (Controlled Waste) Regulations 2004 (Regulations). The information collected from disposal sites and treatment plants at that time was not as comprehensive as is now required.

As such a review of all registered disposal sites and treatment plants is being undertaken to ensure that the CWTPS has accurate contact and location details for each site, and to confirm that all registered disposal and treatment plants comply with the definition of a disposal site detailed in the Regulations. Regulation 41 of the Regulations outlines the obligations of the occupier of a disposal site. These obligations include signing a controlled waste tracking form for the delivery of controlled waste to the site, issuing a receipt to the carrier for the load delivered and notifying the CEO of the Department of Environment and Conservation (DEC) of the waste delivered to the site.

The CWTS currently has Shire of Coorow Septage Pit listed as a registered disposal site or treatment plant. Can you please complete and return the attached *Application Form for Registration as a Controlled Waste Disposal Site or Treatment Plant* to cwts@dec.wa.gov.au or Controlled Waste Tracking and Permitting Section, Department of Environment and Conservation, Locked Bag 104, Bentley Delivery Centre WA 6983. Guidelines for treatment plants and disposal sites and the user guide for the CWTS are available at the DEC website, www.dec.wa.gov.au.

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000

Phone: (08) 6467 5000 Fax: (08) 6467 5562 TTY: 1880 555 630

PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009

Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151

Phone: (08) 9219 8000 Fax: (08) 9334 0498 TTY: 9334 0546

POSTAL ADDRESS FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983

www.dec.wa.gov.au

wa.gov.au



Government of Western Australia
Department of Environment and Conservation

Application for Registering as a Disposal Site or Treatment Plant

Environmental Protection (Controlled Waste) Regulations 2004

Guide to Becoming Registered as a Controlled Waste Disposal Site or Treatment Plant

Environmental Protection (Controlled Waste) Regulations 2004

HOW TO BECOME A LICENSED CONTROLLED WASTE DISPOSAL SITE OR TREATMENT PLANT

Who needs to be registered?

The Department of Environment and Conservation (DEC) regulates the transportation of controlled wastes that may cause environmental or health risks. This is carried out through the application of the Environmental Protection (Controlled Waste) Regulations 2004. The Regulations cover the obligations as to disposal of a controlled waste; the procedure on unloading a controlled waste; and the obligations of the occupier of a disposal site. Controlled wastes include wastes listed in Schedule 1 of the Regulations such as septage, grease wastes, waste mineral oils, chromium, acids, alkalis, paints and resins, tyres, contaminated soils (Class IV and V), clinical waste and low strength waste waters.

Applicant and Signatory

Correct details of the applicant must be completed on the application form.

- If the applicant is an *individual* (not a company), the individual must sign and date the application.
- If the applicant is a *company*, the company name must be entered on the application. Note that this must be the exact name used on the Certificate of Incorporation. The Australian Securities and Investments Commission (ASIC) controls company details. *A person of authority within the company must sign and date the application.* A copy of the Certificate of Incorporation must be provided with the application.

The Australian Company Number (ACN) must be provided. An ABN must also be provided for invoicing and finance purposes.

If the applicant also wishes to have a trading or business name acknowledged as well, a copy of the Western Australian Certificate of Registration of Business Name must be attached.

- If the applicant is a *business*, but not a company, a copy of the Western Australian Certificate of Registration of Business Name must be attached, together with details of the proprietor (s) of the business.

The application form must be signed by all person (s) listed as Carrying on the Business. Details must include the full name of all person (s) carrying on the business, the business/trading name and the business registration number (BRN).

An ABN must also be provided for invoicing and finance purposes.

- Organisations incorporated under any other Australian Law (for example Associations) must provide a copy of the organisation's Certificate of Incorporation or other legal document that creates the body as a legal entity as evidence of identity. The name and address of the public officer must be provided.

An ABN must also be provided for invoicing and finance purposes.

- If the applicant is a *Trust*, the application must be made by the trustee(s) as trustee for the Trust. *The application form must be signed by all trustees of the Trust. The full name (s) of all trustees must also be provided.*

An ABN must also be provided for invoicing and finance purposes.



Government of Western Australia
Department of Environment and Conservation

OFFICE USE ONLY

FORM 13

Application for registration as a controlled waste disposal site or treatment plant

Environmental Protection (Controlled Waste) Regulations 2004

The Department of Environment and Conservation regulates the transportation of wastes that may cause environmental or health risks.

Applications for all controlled waste licences should be forwarded to:

Department of Environment and Conservation, Controlled Waste Section, Locked Bag 104, BENTLEY DC WA 6983

Please retain a copy of this form for your records

If there is insufficient room on any part of this form, please continue on a separate sheet of paper and attach to this form numbering ALL pages.

IMPORTANT

Incomplete or illegible application forms will not be processed. Please ensure that your application is complete by using our checklist on the next page. If you are unsure about any part of this application, please contact the Controlled Waste Section on 6467 5000.

Part 1: Applicant - Is the applicant an individual, a Registered Business or a Company / Incorporated Body or a Trustee of a Trust?

Individual	<input type="checkbox"/>	Go to part 2	Company / Incorporated Body/Shire or Local Government Authority	<input checked="" type="checkbox"/>	Go to part 3
Registered Business	<input type="checkbox"/>	Go to part 4	Trustee of a Trust	<input type="checkbox"/>	Go to part 5

Part 2: Individual applicant - details of individual seeking controlled waste carrier licence

A copy of the individual's current motor vehicle driver licence must be submitted with this application.

NAME MR ☐ MRS ☐ MISS ☐ OTHER _____
SURNAME OR FAMILY NAME _____
GIVEN OR FIRST NAMES _____
PLEASE NOW GO TO PART 6 OF THIS FORM

Part 3: Company or Incorporated Body - details of company or Incorporated body seeking to be registered as a disposal or treatment plant

A copy of the company or Incorporated body's Certificate of Registration of a Company/ Certificate of Incorporation issued by the Australian Securities and Investments Commission and copy of Certificate of Registration of Business Name where relevant must be submitted with this application.

COMPANY / INCORPORATED BODY NAME or SHIRE/LOCAL GOVERNMENT AUTHORITY DETAILS
Australian Company Number (please note, not the ABN)
DETAILS OF CONTACT FOR COMPANY
NAME MR ☒ MRS ☐ MISS ☐ OTHER _____
SURNAME OR FAMILY NAME Hadden
GIVEN OR FIRST NAMES David
DATE OF BIRTH 20/1/59
TELEPHONE and FACSIMILE NUMBER T 99531388 F 99531377
MOBILE NUMBER 0428 521101
EMAIL ADDRESS daveh@coorow.wa.gov.au
BUSINESS ADDRESS Main Street
SUBURB / POST CODE Coorow WA 6515
POSTAL ADDRESS PO Box 42
SUBURB / POST CODE Coorow WA 6515
PLEASE NOW GO TO PART 6 OF THIS FORM

- 1 -



Government of Western Australia
Department of Environment and Conservation

OFFICE USE ONLY

FORM 13

Application for registration as a controlled waste disposal site or treatment plant

Environmental Protection (Controlled Waste) Regulations 2004

Part 6: Type of Disposal Site

Please provide the details below for verification of eligibility for registration as a controlled waste disposal site or treatment plant

- ☒ Part V Licence issued under the Environmental Protection Act 1986, Licence No: L7234/1997/11
- ☐ Dangerous Goods Disposal/Storage Site, Licence No: _____
- ☐ Industrial Waste Permits issued by Water Corporation Licence No: _____
- ☐ Permit issued under Regulation 5B of the Environmental Protection Regulations 1987, Licence No: _____
- ☐ Other please specify _____

Part 7: Disposal Site Details

Please provide the following information.

Name of Site: Coorow Coastal Tip

Is this site locally referred to by other names. If yes please provide details: _____

Location/Address of Site: VL 11679 (Reserve 40671) Indian Ocean Drive
Leeman

Key Contact Person for Site Enquiries (Prefer on-site):

Name: David Hadden Position: Manager Regulatory Services

Contact Telephone Number: 99531388 / 0428521101

Part 8: Controlled Waste to be stored or treated at disposal site or treatment plant

Note: Licensing under Part V of the Environmental Protection Act 1986 may be required if the throughput exceeds 500 tonnes per annum (for packaged) or 100 tonnes per annum (for bulk).

Annual throughput of packaged controlled waste

13,500 L

Packaged waste storage capacity (tonnes)

90,000 L

Annual throughput of bulk controlled waste

Bulk waste storage capacity (tonnes)

Please note, that under the Environmental Protection (Controlled Waste) Regulations 2004:

- **Bulk controlled waste** is controlled waste that is transported in an enclosed tank. Only a DEC licensed carrier, using a DEC licensed controlled waste vehicle and driver, may transport bulk controlled waste on public roads.
- **Packaged controlled waste** is any controlled waste not transported in an enclosed tank. It is transported in containers, drums, etc. Packaged controlled waste also includes contaminated soils and clinical waste. Only a DEC licensed carrier may transport packaged controlled waste on public roads. However, unlike with 'bulk' controlled waste drivers are not required to hold an individual controlled waste driver licence.

Minutes for Ordinary Meeting held Wednesday 16 June 2010, Leeman Administration Centre

Note: Minutes are not yet confirmed



Application for registration as a controlled waste disposal site or treatment plant

Environmental Protection (Controlled Waste) Regulations 2004

Part 9 (continued): Controlled Waste Category Groups - Packaged

(Packaged controlled waste is any controlled waste not transported in an enclosed tank. It is transported in containers, drums, etc. Packaged controlled waste also includes contaminated soils and clinical waste).

	Method	Method	Method
<p>Mark the box for each waste category that you require and write the number of the corresponding treatment method.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Method of Treatment of Disposal</p> <p>13. Incineration</p> <p>14. Interstate</p> <p>15. Landfill (Class II & III)</p> <p>16. Landfill (Class IV & V)</p> <p>17. Physico-Biological Treatment</p> <p>18. Physico-Chemical Treatment</p> <p>19. Reuse</p> <p>20. Overseas</p> <p>21. Septage pond</p> <p>22. Sewer</p> <p>23. Storage (General)</p> <p>24. Storage (Tank)</p> </div>	<p>Category Group 1 Biological Wastes</p> <p><input type="checkbox"/> 1.01</p> <p><input type="checkbox"/> 1.02</p> <p><input type="checkbox"/> 1.03</p> <p><input type="checkbox"/> 1.04</p> <p><input checked="" type="checkbox"/> 1.05 <u>21</u></p> <p><input type="checkbox"/> All Category 1</p>	<p>Category Group 7 Solvents</p> <p><input type="checkbox"/> 7.01</p> <p><input type="checkbox"/> 7.02</p> <p><input type="checkbox"/> 7.03</p> <p><input type="checkbox"/> 7.04</p> <p><input type="checkbox"/> All Category 7</p>	<p>Category Group 13 Inorganic Chemicals</p> <p><input type="checkbox"/> 13.01</p> <p><input type="checkbox"/> 13.02</p> <p><input type="checkbox"/> 13.03</p> <p><input type="checkbox"/> 13.04</p> <p><input type="checkbox"/> 13.05</p> <p><input type="checkbox"/> 13.06</p> <p><input type="checkbox"/> 13.07</p> <p><input type="checkbox"/> 13.08</p> <p><input type="checkbox"/> 13.09</p> <p><input type="checkbox"/> 13.10</p> <p><input type="checkbox"/> 13.11</p> <p><input type="checkbox"/> 13.12</p> <p><input type="checkbox"/> 13.13</p> <p><input type="checkbox"/> 13.14</p> <p><input type="checkbox"/> 13.15</p> <p><input type="checkbox"/> 13.16</p> <p><input type="checkbox"/> 13.17</p> <p><input type="checkbox"/> 13.18</p> <p><input type="checkbox"/> 13.19</p> <p><input type="checkbox"/> 13.20</p> <p><input type="checkbox"/> 13.21</p> <p><input type="checkbox"/> 13.22</p> <p><input type="checkbox"/> 13.23</p> <p><input type="checkbox"/> 13.24</p> <p><input type="checkbox"/> All Category 13</p>
	<p>Category Group 2 Solids/Sludge Waste</p> <p><input type="checkbox"/> 2.02</p> <p><input type="checkbox"/> 2.03</p> <p><input type="checkbox"/> 2.04</p> <p><input type="checkbox"/> 2.05</p> <p><input type="checkbox"/> 2.06</p> <p><input type="checkbox"/> 2.07</p> <p><input type="checkbox"/> 2.08</p> <p><input type="checkbox"/> All Category 2</p>	<p>Category Group 8 Other organic wastes</p> <p><input type="checkbox"/> 8.01</p> <p><input type="checkbox"/> 8.02</p> <p><input type="checkbox"/> 8.03</p> <p><input type="checkbox"/> 8.04</p> <p><input type="checkbox"/> 8.05</p> <p><input type="checkbox"/> 8.06</p> <p><input type="checkbox"/> 8.07</p> <p><input type="checkbox"/> 8.08</p> <p><input type="checkbox"/> 8.09</p> <p><input type="checkbox"/> 8.10</p> <p><input type="checkbox"/> 8.11</p> <p><input type="checkbox"/> 8.12</p> <p><input type="checkbox"/> 8.13</p> <p><input type="checkbox"/> 8.14</p> <p><input type="checkbox"/> All Category 8</p>	<p>Category Group 14 Low strength waste water</p> <p><input type="checkbox"/> 14.01</p> <p><input type="checkbox"/> 14.02</p> <p><input type="checkbox"/> 14.03</p> <p><input type="checkbox"/> 14.04</p> <p><input type="checkbox"/> All Category 14</p>
	<p>Category Group 3 Clinical/pharmaceutical Wastes</p> <p><input type="checkbox"/> 3.05</p> <p><input type="checkbox"/> All Category 3</p>	<p>Category Group 9 Acids</p> <p><input type="checkbox"/> 9.01</p> <p><input type="checkbox"/> All Category 9</p>	<p>Category Group 15 Miscellaneous</p> <p><input type="checkbox"/> 15.01</p> <p><input type="checkbox"/> 15.02</p> <p><input type="checkbox"/> 15.03</p> <p><input type="checkbox"/> 15.04</p> <p><input type="checkbox"/> 15.05</p> <p><input type="checkbox"/> 15.06</p> <p><input type="checkbox"/> All Category 15</p>
	<p>Category Group 4 Pesticide Wastes</p> <p><input type="checkbox"/> 4.01</p> <p><input type="checkbox"/> 4.02</p> <p><input type="checkbox"/> 4.03</p> <p><input type="checkbox"/> All Category 4</p>	<p>Category Group 10 Alkalis</p> <p><input type="checkbox"/> 10.01</p> <p><input type="checkbox"/> All Category 10</p>	
	<p>Category Group 5 Paints & resins</p> <p><input type="checkbox"/> 5.01</p> <p><input type="checkbox"/> 5.02</p> <p><input type="checkbox"/> 5.03</p> <p><input type="checkbox"/> All Category 5</p>	<p>Category Group 11 Chromium</p> <p><input type="checkbox"/> 11.01</p> <p><input type="checkbox"/> All Category 11</p>	
	<p>Category Group 6 Oils & emulsions</p> <p><input type="checkbox"/> 6.01</p> <p><input type="checkbox"/> 6.02</p> <p><input type="checkbox"/> 6.03</p> <p><input type="checkbox"/> 6.04</p> <p><input type="checkbox"/> All Category 6</p>	<p>Category Group 12 Cyanide</p> <p><input type="checkbox"/> 12.01</p> <p><input type="checkbox"/> 12.02</p> <p><input type="checkbox"/> All Category 12</p>	



Government of Western Australia
Department of Environment and Conservation

OFFICE USE ONLY

FORM 13

Application for registration as a controlled waste disposal site or treatment plant

Environmental Protection (Controlled Waste) Regulations 2004

Part 10: Declaration and Signature

For your application to be accepted, it must be signed by the most relevant person.

If additional space is required, please photocopy this page and attach as part of your application.

By signing this form you are declaring that the statements on this form are true and correct. Providing false or misleading information is grounds for revocation or suspension of a licence.

If additional space is required, please photocopy this page and attach as part of your application.

I/We have read and understood the Guideline for Controlled Waste Treatment or Disposal Sites. I/We declare that the statements made in this application are true and correct.

INDIVIDUAL

Signature of individual

Printed name in full

OR

REGISTERED BUSINESS PROPRIETORS / PARTNERS

Signature of proprietor / partner

Signature of proprietor / partner

Printed name in full

Printed name in full

OR

COMPANY/INCORPORATED BODY (NB. SHIRE OR LOCAL GOVERNMENT AUTHORITY TO SIGN IN THIS SECTION)

If you are authorised to sign on behalf of your company, sign this part of the form.

Signature of person duly authorised to sign for and on behalf of Incorporated body or company/Shire or Local Government Authority

Printed name in full

Date

Signature of director duly authorised to sign for and on behalf in accordance with the Corporations Law

Printed name in full

Date

AND

If your company is required to use a common seal, you must affix this seal and have this application signed by an authorised director(s) in accordance with the Corporations Law.

Affix company seal here

Signature of trustee (s)

Signature of trustee (s)

OR

TRUST

All trustees must sign this application form.

Printed name in full

Printed name in full



ENVIRONMENTAL PROTECTION (CONTROLLED WASTE) REGULATIONS 2004

WASTE CATEGORIES AND DESCRIPTIONS

Category group No.	Category group name	Category No.	Description
1	Biological wastes	1.01	Animal wastes – smallgoods; tallow; and animals slaughtered for quarantine purposes
		1.02	Septage wastes - wastes from apparatus for the treatment of sewage
		1.03	Grease wastes - wastes resulting from food preparation processes
		1.04	Vegetable oils and derivatives and other wastes (excluding wastes referred to in categories 1.01, 1.02, 1.03 and 1.05)
		1.05	Sewage waste from the reticulated sewage system (ie Water Corporation)
2	Solid/sludge waste requiring special handling	2.02	Contaminated soils (Class IV or V)
		2.03	Fly ash
		2.04	Filter cake
		2.05	Containers or drums contaminated with residues of a controlled waste
		2.06	Encapsulated, chemically-fixed, solidified or polymerised wastes
		2.07	Waste of an explosive nature not subject to other legislation
		2.08	Industrial waste treatment plant sludges and residues
3	Clinical and pharmaceutical wastes	3.05	Clinical and related wastes – biomedical wastes, pathogenic substances, cytotoxic substances, waste from the production or use of pharmaceutical products
4	Pesticide wastes	4.01	Concentrates
		4.02	Solutions
		4.03	Organochlorine pesticides
5	Paints and resins	5.01	Wastes from the production formulation or use of inks, dyes, resins, adhesives, glues, latex or plasticisers
		5.02	Oil based paints (all options)
		5.03	Water based and acrylic paints (all options)
6	Oils and emulsions	6.01	Oil interceptor waste
		6.02	Oil/water mixtures
		6.03	Oil sludges i.e. plate separators
		6.04	Waste mineral oils unfit for their originally intended use
7	Solvents	7.01	Halogenated aliphatics
		7.02	Non-halogenated aliphatics
		7.03	Halogenated aromatics
		7.04	Non-halogenated aromatics

10.2.3 RUBBISH COLLECTION SERVICE AGREEMENT

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	2 June 2010
FILE	ADM0117

SUMMARY:

Council rubbish collection service contractor Avon Waste has requested the last option to extend the term of agreement for an additional two years under the existing Rubbish Collection Service Agreement.

BACKGROUND:

The current agreement provides an option for the term of the contract to be rolled over for two year period two times during the term if both parties agree. This request by Avon Waste is for the last two year option provided for within the Agreement. That is the end of this two year term (July 2012) the Rubbish Collection Service Agreement will lapse and require re-tendering for a new term.

COMMENT:

Avon Waste has for the last four years carried out the rubbish collection service to a high standard with few problems noted. Avon's Management Team has been very easy to work with and is always very helpful. As such staff, are confident that Avon Waste will complete the final term of the existing contract to the same standard as demonstrated to date, if approved by Council.

STATUTORY ENVIRONMENT:

As per the current Rubbish Collection Agreement

STRATEGIC IMPLICATIONS:

The Midwest Regional Council are working on a Strategic Waste Management Plan 2008-2013 but is unlikely to have any effect during the final term of Councils rubbish collection service agreement.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

No change from Council's normal budgetary process.

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council approve Avon Wastes request to extend the term of the Rubbish Collection Service Agreement by an additional two years thereby ending the existing contract in July 2012.

RESOLUTION:

2010/91

Moved: Cr Williams

Seconded: Cr Bothe

That Council approve Avon Wastes request to extend the term of the Rubbish Collection Service Agreement by an additional two years thereby ending the existing contract in July 2012.

CARRIED 8 /0
ABSOLUTE MAJORITY

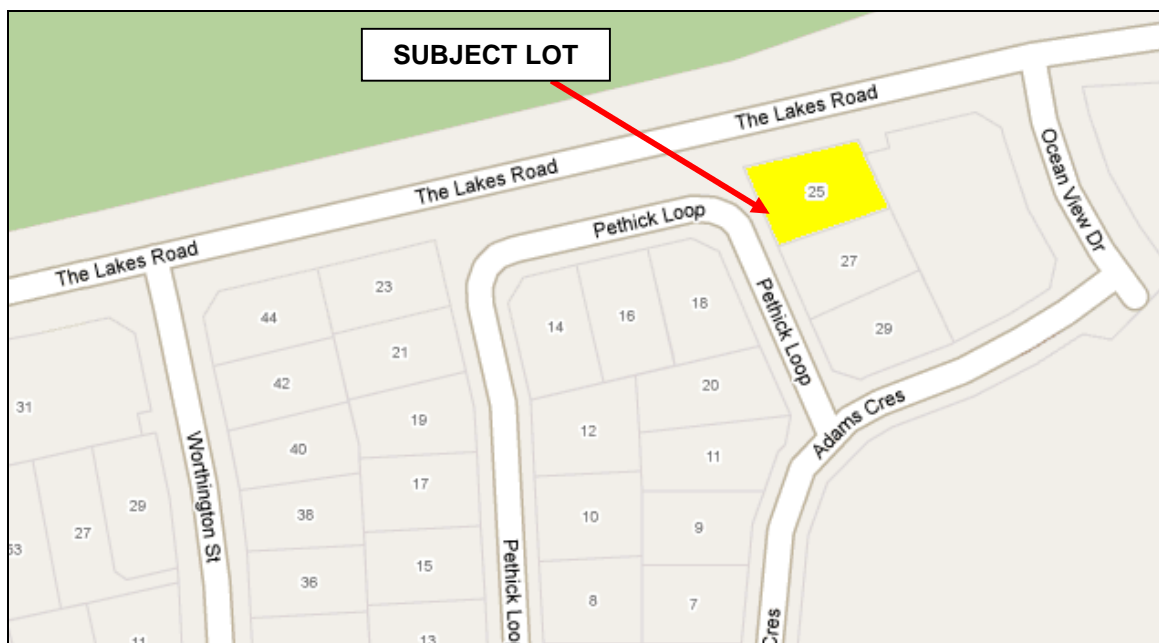
10.2.4 PROPOSED NEW TRANSPORTABLE DWELLING LOT 723 PETHICK LOOP, GREEN HEAD – CONCESSION FOR BUILDING DESIGN GUIDELINES

AUTHOR	Kathryn Jackson and Simon Lancaster
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	3 June 2010
ATTACHMENT:	10.2.4.1
FILE	A1524

SUMMARY/BACKGROUND

Council is in receipt of an application from Nordic Homes seeking to site a transportable dwelling upon Lot 723 Pethick Loop, Green Head. In accordance with Shire of Coorow Town Planning Scheme No.2 (the 'Scheme') an application for a transportable dwelling requires the planning consent of Council. Additionally the applicant is requesting a concession to vary the dwelling's roof pitch from the 15° prescribed under *Greenhead South Bay Development Guidelines* to a pitch of 5°. This report recommends conditional approval of the application.

Figure 1 - Location plan for Lot 723 Pethick Loop, Green Head



COMMENT:

The proposed transportable dwelling is to be elevated approximately 350mm above natural ground level and will possess hardiplank wood grain wall cladding and a colorbond custom orb roof. The design is modern in style and similar to other homes which have been constructed within the South Bay Estate.

A copy of the submitted site, floor and elevation plans are provided as Attachment 10.2.4.1 to elaborate upon this application.

Figure 2 – Site Photographs of Lot 723 Pethick Loop, Green Head



The underlying intent of the South Bay Development Guidelines is to guide built form, maintain an open streetscape and prevent development that is not considered to be in the general interest of the community. This position is broadly supported by the Residential

Design Codes 2008 ('R-Codes'), where the explanatory guidelines of the R-Codes states in Part 6 that:

"In newly developing areas there is a growing tendency for subdivision to be accompanied by design guidelines. These generally do not bear heavily on architectural style as such. Nevertheless, now as in the past, fast-developing areas tend to develop a consistent building appearance, simply because most people adopt whatever styles are common, or in vogue, at the time."

The case for design controls rests essentially on the visual impact of buildings on the streetscape, and to a lesser extent, on the adjoining properties. In established areas there appears to be consensus that new development should follow the characteristic patterns of the housing type, street setbacks, scale, front gardens and street rhythm. Street rhythm here means the degree of regularity of building frontages along the street.

However, too often controls which attempt to impose harmony simply encourage poor imitations or pastiches of the style of the original housing."

With this in mind, the South Bay Development Guidelines clearly serves an important function in achieving and maintaining consistency in housing design. However, Council has the discretion to apply some flexibility in its management of the design guidelines so as not to deny innovation and variation in housing design that would comfortably fit with the coastal environs and complement the local streetscape.

In the assessment of previous applications for transportable residences, and applications seeking a reduced roof pitch in the South Bay Estate, the Shire has liaised with the developer (LandCorp) who has confirmed their support for the Council determining applications outside of the prescribed guidelines provided proper and orderly planning principles are being applied and adhered too. Therefore, on this understanding and in consideration of the previous comments and arguments presented in the application, particularly in relation to the streetscape presentation, appropriateness of design, and the more innovative use of lower pitch skillion and/or curved roof structures of today, it is recommended the variation to the roof pitch, as proposed, be supported.

STATUTORY ENVIRONMENT:

The subject property is zoned 'Residential R15' under Shire of Coorow Town Planning Scheme No.2 and pursuant to Section 4.3 (Table 1) a dwelling is a permitted use in the 'Residential' zone. The proposed dwelling is deemed to comply with the prescribed standards of the R-Codes however Section 5.8.2 of the Scheme requires that applications for new transportable dwellings obtain the planning consent of Council.

“5.8.1 Relocated Residential Building”

Within the Scheme area a building may not be placed on a lot and occupied as a dwelling following transportation as a whole or as parts of a building unless in the opinion of the Council, such a building is in a satisfactory condition and will not detrimentally affect the amenity of the area; or the building has been specifically constructed as a transportable dwelling.

5.8.2 Transportable Residential Buildings

Transportable residential dwellings over 5 years old will not be supported in areas zoned Residential or Commercial.

The erection or re-erection of a transportable residential dwelling shall be regarded as being the erection of a new building and shall require the planning consent of Council.”

The Scheme does not specifically prescribe guidelines for new transportable dwellings and it is therefore assumed that as the transportable is of a quality design and meets the requirements of the R-Codes in terms of setbacks and privacy that the siting of a new transportable residence can be supported and will be in keeping with the orderly and proper planning of the locality.

The applicant will be advised (should Council grant conditional approval to this development) of the following, in the correspondence sent to them advising of Council’s determination:

“Notes

- i. The applicant is reminded that all future development (i.e. sheds/carports, patio/verandah extensions, letterbox, and front boundary fencing) is to accord with the Policy Objectives of the Green Head South Bay Development Guidelines, endorsed as the Shire of Coorow Local Planning Policy 6.6.6, that may be amended from time to time.*
- ii. Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.”*

STRATEGIC IMPLICATIONS:

Section 6.2.3 of the Shire of Coorow Local Planning Strategy Council sets the following objective for the Green Head town site:

“To provide for diversity in housing type consistent with the Council’s objective of developing the town as a holiday centre.”

POLICY IMPLICATIONS:

The proposed development does not comply with the Shire's Local Planning Policy 6.6.6 'South Bay Development Guidelines' and therefore the proposed variation, being the roof pitch in this instance, requires the discretion of Council. Point 8 of Policy 6.6.6 states that:

"No dwelling shall be constructed with a roof pitch of less than 15 degrees."

The Scheme, however, affords flexibility to relax the standards of a Local Planning Policy should the Council be satisfied there will not be any detrimental affect on the streetscape and/or local amenity. Section 2.3.2 of the Scheme states:

"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."

Furthermore Point 4 of the Policy states:

"Where a lot fronts two streets, or a street and POS, the house is to be designed to address both street frontages, or the POS and the Street."

In light of the previous discussions with the developer who prepared the Guidelines and the desire to have decisions based on proper and orderly planning principles being applied, approval is recommended for the proposed dwelling in this instance. It is considered that the design of the dwelling will address both street frontages and provide for continuity between the development and the streetscapes of both road frontages.

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

Consultation with the developer or the landowners of the adjoining properties was not conducted in this instance as the proposed dwelling is of similar design (including wall cladding and roof pitch) to applications previously granted on-merit discretionary approval by Council through a relaxation of the design guidelines.

VOTING REQUIREMENT:

Simple majority required.

OFFICER RECOMMENDATION:

That Council resolve to grant formal planning consent for a new transportable dwelling to be sited upon Lot 723 Pethick Loop, Green Head, subject to compliance with the following:

Conditions

- (a) Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- (b) The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- (c) Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- (d) The roof cladding for the house shall be of a colorbond finish in a colour complementary to the coastal environs. The use of zincalume cladding or similar is not permitted.
- (e) All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such as underground soak wells.
- (f) The driveway/car-parking bays and access crossover from the street shall be consistent in material, colour and pattern, with the exception of an existing footpath.
- (g) All water tanks and clothes drying areas shall be positioned to the rear of the property or alternatively placed behind a privacy screen complementary in material and colour with the house and boundary fencing.
- (h) The side and rear boundary fencing shall be no greater than 1.8 metres in height and complementary in colour with the house. The use of bare zincalume metal, bare galvanized metal or unpainted hardi-fence or the like is not permitted.
- (i) The applicant is required to install cladding of an appropriate material and colour for the purpose of concealing the clearance between the natural ground level and the finished floor level of the residence to the satisfaction of the Local Government.

- (j) This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

RESOLUTION:

2010/92

Moved: Cr Waite

Seconded: Cr George

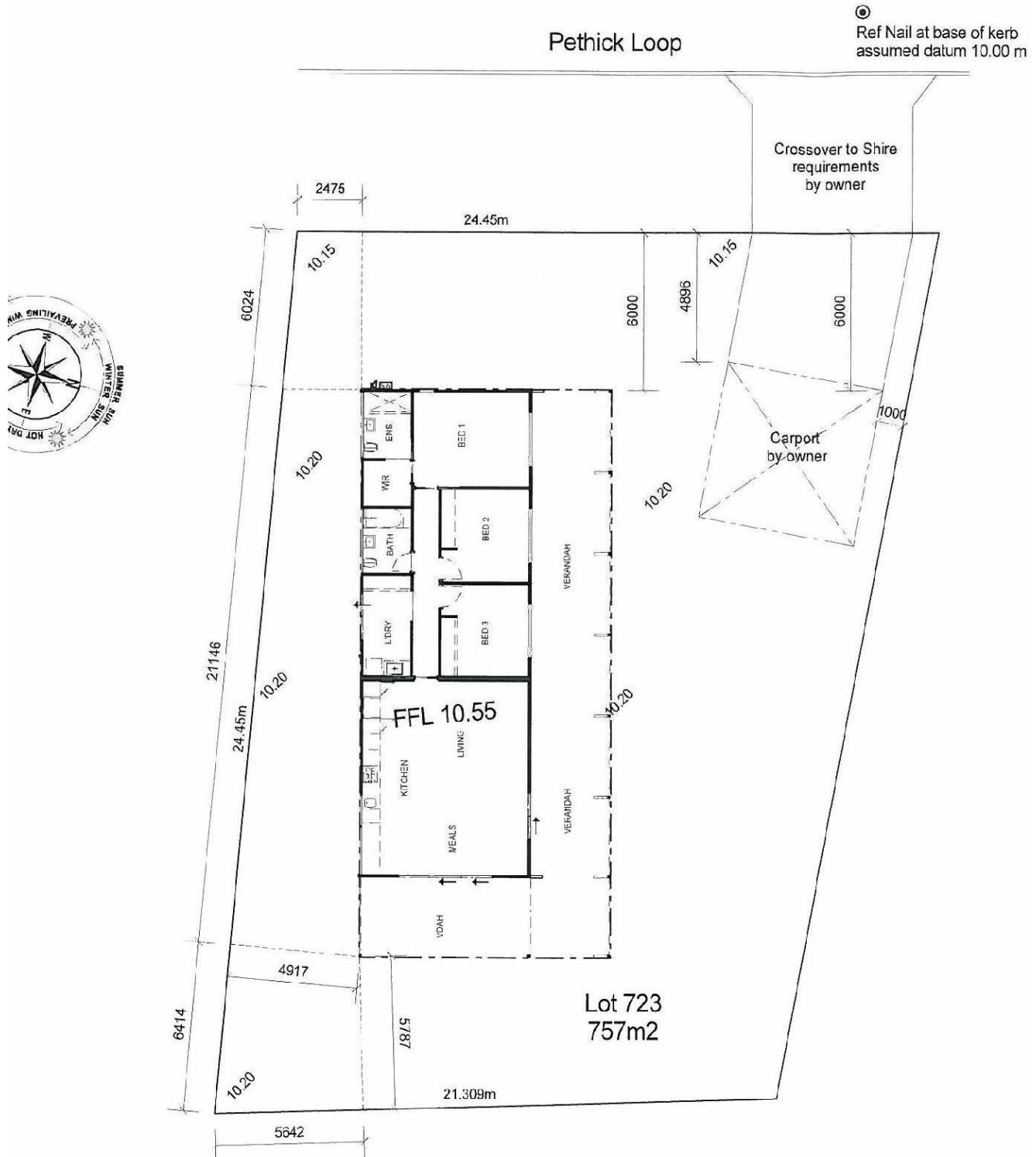
That Council resolve to grant formal planning consent for a new transportable dwelling to be sited upon Lot 723 Pethick Loop, Green Head, subject to compliance with the following:

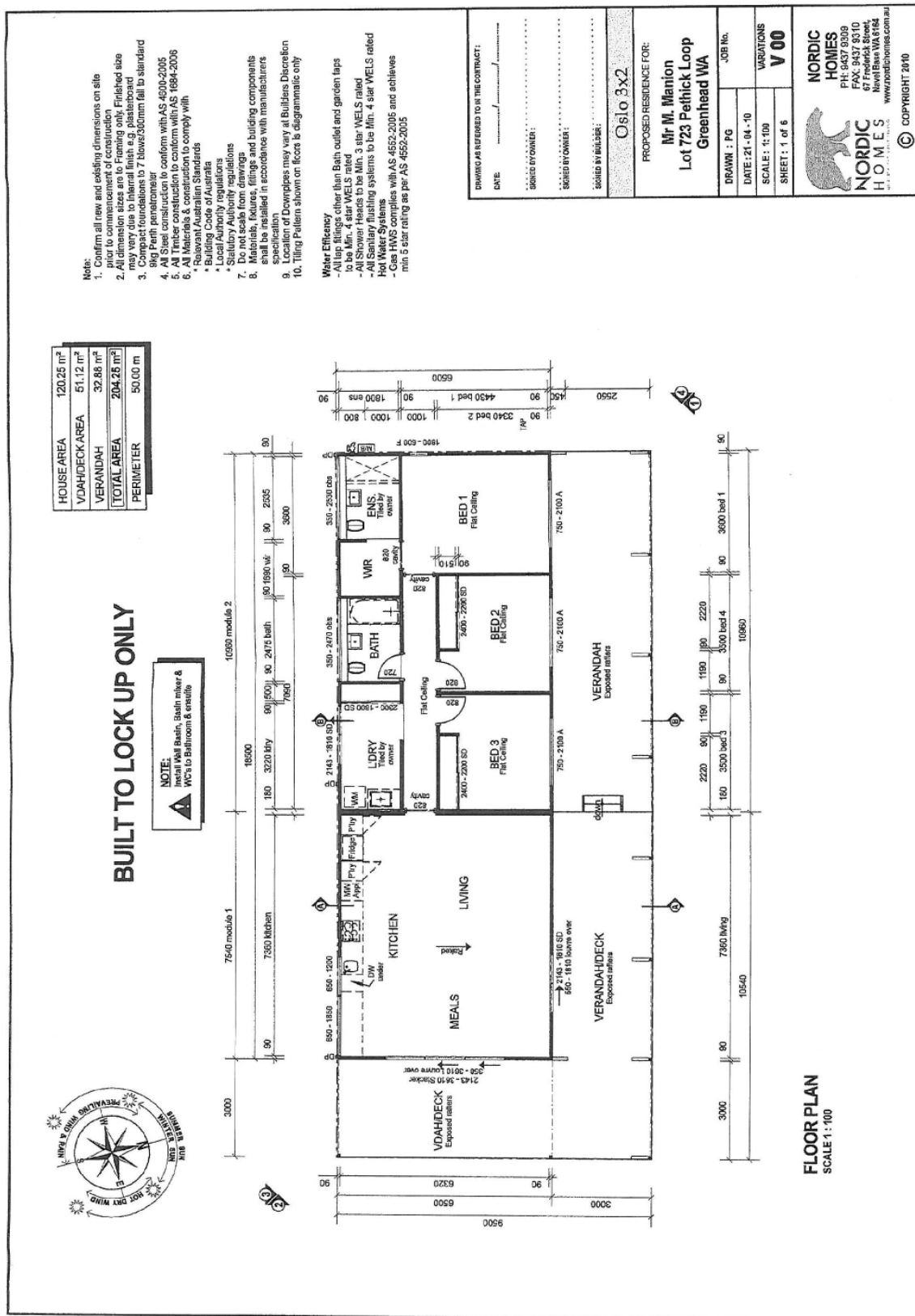
Conditions

- a. *Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- b. *The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*
- c. *Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.*
- d. *The roof cladding for the house shall be of a colorbond finish in a colour complementary to the coastal environs. The use of zincalume cladding or similar is not permitted.*
- e. *All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such as underground soak wells.*
- f. *The driveway/car-parking bays and access crossover from the street shall be consistent in material, colour and pattern, with the exception of an existing footpath.*
- g. *All water tanks and clothes drying areas shall be positioned to the rear of the property or alternatively placed behind a privacy screen complementary in material and colour with the house and boundary fencing.*
- h. *The side and rear boundary fencing shall be no greater than 1.8 metres in height and complementary in colour with the house. The use of bare zincalume metal, bare galvanized metal or unpainted hardi-fence or the like is not permitted.*
- i. *The applicant is required to install cladding of an appropriate material and colour for the purpose of concealing the clearance between the natural ground level and the finished floor level of the residence to the satisfaction of the Local Government.*
- j. *This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period.*

CARRIED 8 /0

ATTACHMENT 10.2.4.1





10.2.5 LOCAL PLANNING POLICY - OUTBUILDINGS

AUTHOR	Kathryn Jackson & Simon Lancaster
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	3 June 2010
ATTACHMENT	10.2.5.1 & 10.2.5.2
FILE	Policy Manual

SUMMARY:

Council resolved at its 21 April 2010 meeting to advertise an amended Local Planning Policy 6.6.8 - Outbuildings pursuant to Section 2.4 of Coorow's Town Planning Scheme No.2.

Advertising is now complete and the purpose of this report is to present the Local Planning Policy 6.6.8 – Outbuildings for Council's consideration and formal adoption.

BACKGROUND:

Council resolved at its 17 March 2010 meeting to review Local Planning Policy 6.6.8 – Outbuildings, and Shire staff presented a revised Policy to the 21 April 2010 meeting at which Council resolved to initiate advertising for the purpose of seeking comment upon the proposed changes.

All Local Planning Policies are to be reviewed annually by the Chief Executive Officer and during the operation of Policy 6.6.8 – Outbuildings it has become apparent that some minor amendments to the Policy will improve its ability to meet the strategic direction of Council, and enable greater efficiency when dealing with applications, thereby providing an improved level of service to the community.

The amended Policy was advertised from 6 May 2010 until 28 May 2010 with 2 notices being placed in the Mid West Times (6 May and 13 May 2010). 1 submission was received during this time.

A copy of the advertised version of Local Planning Policy 6.6.8 - Outbuildings has been included as Attachment 10.2.5.1 to this report.

COMMENT:

The operation of Local Planning Policy 6.6.8 – Outbuildings has revealed that there are two areas where the policy could be improved to meet with Council's direction and improve efficiency in dealing with applications:

Currently the maximum outbuilding size permitted within residential zoned areas under Policy 6.6.8 is 90m², and it is recommended that the policy review increase this to 120m². The basis for this being that:

- 120m² offers a storage area better able to meet the demands of residents without creating outbuildings of such an area that they dominate the lot and reduce the amenity of the surrounding area.
- Since the 'Outbuilding' Policy was last reviewed in September 2009 there have been three (3) outbuildings approved by Council in residential zones excess of the 90m² aggregate area:
 - o Lot 348 Croft Court, Green Head 120m²
 - o Lot 631 Oceanview Drive, Green Head 99m²
 - o Lot 349 Croft Court, Green Head 94.5m²
- Currently the maximum outbuilding wall height permitted within residential zoned areas under Policy 6.6.8 is 3.6m, and it is recommended that the policy review increase this to 4m. The basis for this being that 4m offers improved clearance area to meet the demands of residents for items such as caravans and boats without creating outbuildings of such height that they are intrusive on the streetscape or reduce the amenity of neighbouring residents through their visual appearance bulk or shadow cast.

A review of recent Council approvals for outbuildings in excess of policy requirements bears out the proposed amendments, and the adoption of the updated policy would reflect the dimensions that Council has established as being acceptable in its residential zone, and streamline the development process for applicants.

By comparison, the following table compares maximum heights and aggregate areas for outbuildings as set by other Local Governments in the region.

MAXIMUM STANDARDS FOR R10 AND HIGHER DENSITY							
Local Government	Geraldton-Greenough	Northampton	Irwin	Dandaragan	Chapman Valley	Gingin	Coorow (proposed)
Wall Height	3m	3m	3m	3.6m	3m	3m	4m
Apex Height	4.5m	4.5m	4m	4.5m	4m	4.2m	5m
Aggregate Area	120m ²	120m ²	75m ²	80m ²	75m ²	90m ²	120m ²

The above table demonstrates that an aggregate area of 120m² is an acceptable aggregate outbuilding area for this region's lifestyle requirements. The 4m wall height proposed to be adopted as part of this report does not appear to align with other authorities' standards, however it should be noted that Leeman and Green Head are coastal towns where there is a recognisable high ownership of boats for both recreational and business purposes.

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.”

Sections 2.4.1 and 2.4.6 of the Town Planning Scheme requires the Council to publish a notice of the proposed amendments to its 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 amended 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).

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 aid 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.

This report and the draft amended Policy highlight the importance of a continued review of Local Planning Policies to keep pace with current development trends, demands and Council expectations.

POLICY IMPLICATIONS:

It is suggested that the version of Local Planning Policy 6.6.8 – Outbuildings presented to the 21 April 2010 meeting of Council supersede Local Planning Policy 6.6.8 – Outbuildings as adopted by Council at its 16 September 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 Council’s existing Planning budget allocation.

PUBLIC CONSULTATION

One submission was received during the advertising period and has been included as Attachment 10.2.5.2 to this report.

The submission objects to the Policy restricting the approval of sheds upon residential properties prior to the construction of a residence. Part 2 of the Policy states:

“The erection of an outbuilding on vacant residential and rural residential zoned land shall not be approved unless the applicant or their builder has been issued with a Building Licence by the local government for the construction of a residence upon that lot, and the builder has commenced construction of the residence up to slab height or erection of the sub-floor structure.”

It is past experience that the approval of outbuildings upon vacant residential zoned land can lead to amenity and enforcement issues for Councils. Many instances have occurred of outbuildings upon a vacant residential property subsequently being used for; commercial activity which has lead to amenity issues for neighbours; habitation which has lead to enforcement issues for Councils; and significant time delays between the construction of the shed and the subsequent residence which can result in issues of theft and poor visual appearance and amenity. It is recommended that this section of the Policy continue to be included as it sets strict criteria by which staff may approve outbuildings upon vacant residential properties, and entails that applications that do not meet these criteria are to be presented to Council for its deliberation.

The submission also objects to outbuildings being permitted forward and in-line with the residence upon lots less than 20 hectares, submitting that they should be sited behind the residence. Part 5 of the Policy states:

“Regardless of zoning, on lots of 4ha or less, an outbuilding is to be located behind or to the side, but not forward of any existing dwelling on the lot unless the outbuilding is consistent in design and constructed in the same materials and colours as the dwelling.”

Section 6.10.1 of the Residential Design Codes of Western Australia (2008), notes that outbuildings are an acceptable development so long as they are not located within the primary street setback area (and subject to various area, height and plot ratio requirements).

VOTING REQUIREMENT:

Simple Majority:

OFFICER RECOMMENDATION:

That Council adopt the amended Local Planning Policy 6.6.8 – Outbuildings pursuant to Sections 2.4.2 and 2.4.6 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:

2010/93

Moved: Cr George

Seconded: Cr Williams

That Council adopt the amended Local Planning Policy 6.6.8 – Outbuildings pursuant to Sections 2.4.2 and 2.4.6 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 8 / 0

POLICY – HOUSING AND COMMUNITY AMENITIES

Sub Section: Town Planning and Regional Development

Policy Number: 6.6.8

Policy Subject: Outbuildings

Policy Statement: Pre-fabricated garden sheds, ‘cubby houses’, shade houses, kennels and other animal enclosures (such as aviaries) less than 9m² in total aggregate area and less than 2.1m in height (measured from natural ground level) are exempt from this policy.

1. Maximum standards for outbuildings are prescribed as follows:
 - a) Residential zoned land - R10 and higher density - 120m² in area, with a maximum wall height of 4m and a total maximum height of 4.5m measured from natural ground level. (These area requirements do not override the open space requirements of Table 1 of the Residential Design Codes (2008) or any specific Scheme requirement);
 - b) Residential zoned land – R5 and lower density - 180m² in area with a maximum wall height of 4m and a total maximum height of 5m measured from natural ground level. (These area requirements do not override the open space requirements of Table 1 of the Residential Design Codes (2008) or any specific Scheme requirement);
 - c) Rural Residential zoned land - 200m² in aggregate area with a maximum wall height of 4.0m and a total maximum height of 6.5m measured from natural ground level;
 - d) Rural zoned land generally less than 20ha and adjacent to settlements or within a town site boundary - 240m² in aggregate area with a maximum wall height of 4.0m and a total maximum height of 6.5m measured from natural ground level;
 - e) Rural zoned land greater than 20ha and not adjacent to settlements or within a town site boundary are not limited by this policy.

- f) Regardless of zoning, in the case of lots with the potential for further subdivision, outbuildings may be approved by the local government that meet the maximum standards comparable to the size of the lot. In considering applications of this type due regard will be given to the objectives of this policy, and in order to protect the future amenity of the lots once subdivided, the local government may impose a condition of approval requiring that a legal agreement be lodged with the local government requiring that in the event of further subdivision of that property, the outbuilding must be removed or reduced in size to conform with this policy.

e.g. A lot zoned R10 that is 2,000m² in area may (subject to the provision of a legal agreement as outlined in part 'f' above) have an outbuilding of 180m² approved.

2. The erection of an outbuilding on vacant residential and rural residential zoned land shall not be approved unless the applicant or their builder has been issued with a Building Licence by the local government for the construction of a residence upon that lot, and the builder has commenced construction of the residence up to slab height or erection of the sub-floor structure.
3. Other than for general storage and/or agricultural purposes an outbuilding shall not be used for any residential habitation, commercial or industrial use without the prior approval of the local government.
4. The storage of any items in connection with a commercial or industrial operation (e.g. crays, building materials, etc) upon residential or rural-residential zoned land, is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards as prescribed in this Policy.
5. Regardless of zoning, on lots of 4ha or less, an outbuilding is to be located behind or to the side, but not forward of any existing dwelling on the lot unless the outbuilding is consistent in design and constructed in the same materials and colours as the dwelling.
6. All outbuildings proposed to be constructed in the South Bay subdivision are to be clad of non-reflective material as required under Statement 14 of Local Planning Policy 6.6.6.

Objectives: The Policy objectives are as follows:

- To allow for variation to the Residential Design Codes for Element 6.10 – Incidental development requirements.

- To provide a clear definition of what constitutes an ‘outbuilding’.
- To ensure that outbuildings are not used for residential habitation, commercial (other than agricultural) or industrial purposes.
- To limit the visual impact of outbuildings.
- To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.
- To ensure that the outbuilding remains an ancillary use to the main dwelling or the principal land use on the property.

Definitions:

- Outbuilding – is defined in the Residential Design Codes of WA (2008) as: ‘an enclosed non-habitable structure that is detached from any dwelling’.
- Enclosed – means the enclosure of any side of an outbuilding, including the roof being clad with a non-permeable material. The use of permeable materials such as open lattice or shade cloth does not constitute an enclosed side. For example:
 - An enclosed side includes walls with a number of openings (windows etc.);
 - A shade sail is not considered an outbuilding;
 - An open sided, roofed patio completely detached from the dwelling is considered an outbuilding;
 - A non-enclosed addition to an existing outbuilding (veranda, patio or carport etc.) shall constitute an extension to that outbuilding.
- Non-habitable – means a Class 10 building as defined under the BCA.

Note: For a structure detached from the dwelling to be considered ‘habitable’ it must be built to a Class 1 standard as prescribed under the BCA (i.e. Must contain ablution, kitchen, laundry facilities etc.).

- Detached – means detached in the sense of ‘not belonging’, ‘standing apart’ or ‘not contiguous’ to another building and being of a ‘free standing’ nature.

Note: If a new structure is proposed to be connected to any part of an existing habitable building (i.e. via veranda, walkway, breezeway, carport, garage etc.) then for it NOT to be considered an outbuilding it must be constructed in the same materials and finish to the existing

habitable building, and to the Class 1 building standards under the BCA. If not then the proposed structure shall be considered an 'attached' outbuilding.

Guidelines: Any variation to any part of the above policy in relation to Residential zoned land will require consultation with affected landowners and/or occupiers and their written neighbour consent to these variations should preferably be given.

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 (2008)

Resolution No:

Resolution Date: 19 November 2008, 18 February 2009, 15 July 2009 and 16 September 2009.

Source: Shire of Chapman Valley Planning Department

Date of Review: June Annually

Review Responsibility: Chief Executive Officer

From: Mark Hook
Sent: Monday, 17 May 2010 8:43 AM
To: 'Simon Lancaster'; Dave Hadden
Subject: FW: Outbuildings...Policy Review.

Public Comment received on the Outbuilding Policy

*Mark John Hook
Chief Executive officer
Shire of Coorow
Phone 99520100 - Coorow Thursday and Friday
Phone 99531388 - Leeman Monday to Wednesday*

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From: Geraldton Sales [mailto:wingtn@perthtv9.net.au]
Sent: Friday, 14 May 2010 4:55 PM
To: Mark Hook
Subject: Outbuildings...Policy Review.

Mark thanks, much appreciated.

My public comment includes the following.

1. I do not oppose property owners being given approval to construct outbuildings on vacant land prior to having a residential building approval. All other regulations such as residing, size, location on the block and use should still apply.
2. I do not agree with outbuildings (other than rural properties of 20 hectares or more) being forward of the rear of the roof line at the rear of the residence. In other, behind the residential structure not alongside, in line or in front of.

Regards.

Graham

Graham Eaton

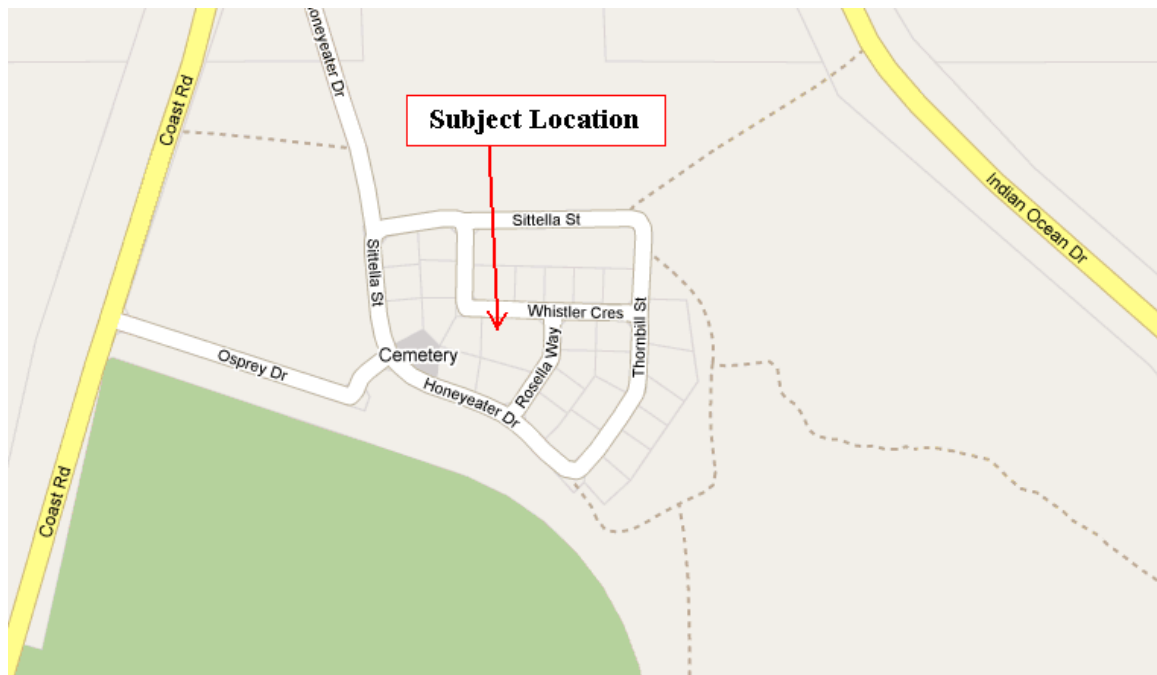
10.2.6 PROPOSED MOBILE PHONE BASE STATION- LOT 537 (No.12) WHISTLER CRESCENT, GREEN HEAD

AUTHOR	Simon Lancaster
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	5 June 2010
ATTACHMENT	10.2.6.1 and 10.2.6.2
FILE	A932

SUMMARY / BACKGROUND:

Council is in receipt of an application from Optus seeking to site a mobile phone base station, involving a 50m high tower upon Lot 537 Whistler Crescent, Green Head. This report recommends conditional approval of the application.

Figure 1 - Location plan for Lot 537 Whistler Crescent, Green Head



COMMENT:

The proposed development would consist of a 50m high lattice tower with 3 x 26.3m panel antennas (with provision for a further 6 panel antennas if required) and 3 parabolic antennas, associated equipment would be stored in a 7.5m² shed at the base of the tower, along with a satellite dish if required, all to be situated in a 2.4m high chain link fence security compound. The security compound would be 176m² (16m x 11m) in area with access to the site via the existing crossover onto Whistler Crescent. The development would provide enhanced digital mobile telephone coverage and wireless broadband coverage within the Green Head area.

The proposed tower would be linked via parabolic antenna to nearby base stations at Jurien, Eneabba and Leeman (subject to a separate application on the 16 June 2010 Council Agenda). The applicant has advised that co-location with the Telstra Greenhead Road site was investigated but that the tower was considered too low to meet cell coverage objectives, necessitating a purpose built structure.

Figure 2 – Site Photographs of Lot 537 Whistler Crescent, Green Head



A copy of the complete application has been provided to Councillors separate to the Agenda and includes the submitted site and elevation plans to elaborate upon this proposal.

STATUTORY ENVIRONMENT:

The subject property is zoned 'Industrial' under Shire of Coorow Town Planning Scheme No.2 ('the Scheme') the objective of this zone being:

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

The application may be assessed as a 'Public Utility' which is listed as a permitted use within the 'Industrial' zone under Table 1 of the Scheme.

'Public Utility' is defined by Schedule 1.2 of the Scheme as follows:

"means any work or undertaking constructed or maintained by a public authority or the council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services."

The application may also be considered to meet the definition for 'telecommunications infrastructure' as defined by Schedule 1.2 of the Scheme:

"means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network."

Despite being defined in the Scheme Schedule, 'telecommunications infrastructure' is not listed amongst the Use Classes for Table 1 of the Scheme, therefore Section 4.4.2 of the Scheme would apply in this instance:

"4.4.1 If a person proposed to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus or activity of any other use category the local government may;

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval;*
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted."*

Given that the structure would be visually prominent Shire staff advertised the application under Sections 9.4.1.b and 9.4.3 of the Scheme:

“9.4.1 Where an application is made for planning approval to commence a use or commence or carry out development, which involves a use which is —

- (a) an ‘A’ use as referred to in clause 4.3.2; or*
- (b) a use not listed in the Zoning Table, or*
- (c) a development subject to discretionary consideration under Clause 5.2.5*

the local government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.”

“9.4.3 The local government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways —

- (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;*
- (b) notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the local government by a specified day being not less than 14 days from the day the notice is published;*
- (c) a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.”*

Given the proposed tower will be 51.5m in total height then Section 5.14 of the Scheme must also be considered in the assessment of this application:

“5.14 Height and Appearance of Buildings

With the exception of buildings and structures required for agricultural use in Rural Zones, no building in excess of two storeys or a height of 8 metres above natural ground level shall be erected within the Scheme Area.

Council may approve buildings which exceed the height specified after considering information provided and any submissions made by persons owning or having an interest in land affected directly or indirectly by the proposed building:

- will be in harmony with the general character of buildings in the locality.*
- will not be detrimental to the amenity or character of the locality or the quality of environment or the townscape.*
- will observe the required setbacks from the boundaries of the lot on which it is to be constructed and will not prejudice the siting, design, aspect and privacy of buildings on other nearby lots.*
- will not impair the potential for development of other vacant blocks in the vicinity with particular regard to amenity, aspect and views.*
- has been designed in harmony with the natural land form of the site.*

Any such decision shall only be made by an absolute of Council.”

Portions of Section 10.2 of the Scheme may also be considered relevant to this application:

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

- (i) the compatibility of a use or development with its setting;*
- (j) any social issues that have an affect on the amenity of the locality;*
- (n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (y) any relevant submissions received on the application.”*

The Telecommunications Act 1997 exempts Optus from Environmental and Planning Legislation in Western Australia except where the facility does not meet the definition of a low impact facility, in this case requiring Optus to lodge a development application with the Shire of Coorow.

The applicant is also required to comply with the Telecommunications Code of Practice 1997 and the Industry Codes and Standards of the Australian Communications Authority.

The applicant will be advised (should Council grant conditional approval to this development) of the following, in the correspondence sent to them advising of Council's determination:

"Notes

- iii. The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is your responsibility to obtain any additional approvals required before the development/use lawfully commences.*
- iv. Compliance is required with the Building Code of Australia.*
- v. All operations upon this site are to comply with the requirements of the Environmental Protection Act and the Australian Communications and Media Authority;*
- vi. Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision."*

STRATEGIC IMPLICATIONS:

The purpose of the Green Head Industrial area is to provide a location for uses that should be kept separate from the residential portions of the townsite due to their potential to cause emissions (such as dust, noise or odour), the levels of traffic they may generate, or the 'unsightly' visual appearance of many industrial activities. It is considered that the siting of a telecommunications infrastructure within an industrial area is an appropriate development. It is recommended that conditions be attached to any approval requiring that landscaping be undertaken at the street frontage to the property, and that compliance with Australian Standards be specifically listed as conditions of approval (in spite of separate legislation already requiring this of the proponent) to ensure the development does not impact upon public health. The proposed total height of the development being 51.5m will inevitably make it visually apparent both within the industrial area and to passing traffic along Green Head Road and Indian Ocean Drive (the tower would be located approximately 500m back from each of these roads) but it is considered that towers of this type have become commonplace in many areas and are generally accepted as being part of modern living and its associated demands for higher speed verbal and computer communication.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

The application was advertised for public comment for a period of 14 days commencing on 17 May 2010 and included the following consultation actions:

- placement of a notice in a newspaper inviting comment;
- writing directly to the landowners of the 29 lots in vicinity of the subject site inviting comment;
- writing directly to the Department of Health, Department of Environment and Conservation and the Civil Aviation Safety Authority inviting comment.

At the conclusion of the advertising period on 2 June 2010, 5 submissions had been received with 4 of these offering no objection to the proposed development (1 being from a landowner and the others from the Department of Environment and Conservation, Civil Aviation Safety Authority and LandCorp) and 1 in objection (from a landowner).

Copies of the submissions received have been provided as Attachment 10.2.6.1 to this report.

The issues and perceptions raised in objection to the application were as follows:

- object because there are residents within 80m of the tower;
- dog boarding kennels within 80m of the tower and worried about low frequency signals that could be harmful to hearing or health, also have se eagles nesting nearby;
- the tower should be a minimum of 5 metres from my boundary as per Shire fire access rules.

The applicant was advised of the issues raised during the submission period and given the opportunity to address these, a copy of the applicant's correspondence has been provided as Attachment 10.2.6.2 to this report.

The applicant has provided further elaboration to that contained within their development application advising that the Australian Standard – Radiation Protection Standard sets the maximum exposure levels to radiofrequency fields as being in the range of 3kHz to 300GHz, and that the estimated cumulative radiofrequency electromagnetic energy level in this instance will be at 0.064% of this standard (1500 times less than the Australian Standard). The applicant also cites examples of birds building their nests on mobile phone towers as an indication that they are not harmful to birdlife. It is recommended that in the event that Council approve the application it be made subject to compliance with the Australian Standard –Radiation Protection Standard, to ensure that this estimation is adhered to in operation.

The applicant has also stated that the reason for sitting the development in its proposed location upon the lot was to avoid obstructing vehicles using the existing driveway

Under Section 5.12.1 of the Scheme Council has the discretion to impose a side boundary setback as it believes appropriate within the Industrial zone. The submitted plan proposes that the shed be located 3m from the side property boundary and the tower 4.5m from the side property boundary.

VOTING REQUIREMENT:

Absolute majority required.

OFFICER RECOMMENDATION:

That Council grant formal planning consent for a mobile phone base station upon Lot 537 Whistler Crescent, Green Head subject to compliance with the following:

Conditions

- a. Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- b. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- c. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- d. All operations must be carried out in accordance with Australian Standard – Radiation Protection Standard
- e. All operations must be carried out in accordance with the Australian Communications and Media Authority requirements pertaining to electromagnetic energy;
- f. All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system to the specifications and approval of the local government.
- g. Upgrading of crossing place/s to the standards and specifications of the local government.
- h. The front verge area being landscaped effectively and maintained thereafter to the approval of the local government.
- i. This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

RESOLUTION:

2010/94

Moved: Cr Waite

Seconded: Cr Williams

That Council grant formal planning consent for a mobile phone base station upon Lot 537 Whistler Crescent, Green Head subject to compliance with the following:

Conditions

- a. Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. Tower to be setback 5 metres from property boundary. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- b. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*
- c. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.*
- d. All operations must be carried out in accordance with Australian Standard – Radiation Protection Standard*
- e. All operations must be carried out in accordance with the Australian Communications and Media Authority requirements pertaining to electromagnetic energy;*
- f. All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system to the specifications and approval of the local government.*
- g. Upgrading of crossing place/s to the standards and specifications of the local government.*
- h. The front verge area being landscaped effectively and maintained thereafter to the approval of the local government.*
- i. This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.*

CARRIED 8 /0



DEVELOPMENT APPLICATION SUBMISSION FORM

Attention: Dave Hadden

Proposed Development: TELECOMMUNICATIONS INFRASTRUCTURE (TOWER AND EQUIPMENT SHELTER)
Location: LOT 537 (No.12) WHISTLER CRESCENT, GREEN HEAD

Name: WAYNE McI
Postal Address: P.O. Box 14 GREENHEAD 6514
Phone Number: 0428860025

SUBMISSION: ☐ Support ☒ Object ☒ Indifferent

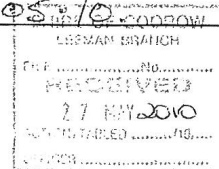
Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I OBJECT BECAUSE YOU DO HAVE RESIDENTS WITHIN
1KM OF TOWER YOU HAVE RESIDENTS WITHIN 80 METERS

AND MY INDIFFERENT IS I HAVE BOARDING KENNELS
WITHIN 80 METERS OF TOWER AND WORRIED ABOUT
LOW FREQUENCY SIGNALS THAT COULD BE HARMFUL
TO HEARING OR HEALTH. AND ALSO HAVE SIX EAGLES
NESTING CLOSE BY.

Signature: [Signature] Date: 24.05.10

Please return to: Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532



NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 2 June 2010



DEVELOPMENT APPLICATION SUBMISSION FORM

RECEIVED
28 MAY 2010

BY: _____
Attention: Dave Hadden

Proposed Development: **TELECOMMUNICATIONS INFRASTRUCTURE (TOWER AND EQUIPMENT SHELTER)**

Location: **LOT 537 (No.12) WHISTLER CRESCENT, GREEN HEAD**

Name: S.A. & R.A. McDonnell

Postal Address: PO Box 40 GREEN HEAD WA 6514

Phone Number: 08 99531066 0429107274

SUBMISSION: ☒ Support * ☐ Object ☐ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

* No Problems so long as the tower is
a min. of 5m from my boundary (Lot 471 Whistler
Crescent, Green Head) as per Shire Fire Access Rules.

Signature: _____

Date: 26.05.2010

Please return to:
Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

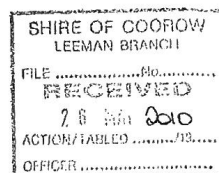
Submissions Close: 2 June 2010



Government of Western Australia
Department of Environment and Conservation

Your ref: L537 WHI DH/GM
Our ref:
Enquiries: Steven Bultenhuis
Phone: 9652 1911
Fax: 9652 1922
Email: steven.bultenhuis@dec.gov.au

Shire of Coorow
Leeman Administration
PO Box 238
Leeman WA 6514



ATTENTION: Mr. Mark Hook
Chief Executive Officer

**SHIRE OF COOROW REF L537 WHI DH/GM – PROPOSED TELECOMMUNICATIONS
INFRASTRUCTURE - LOT 537 (NO:12) WHISTLER CRESCENT, GREEN HEAD.**

The Department of Environment and Conservation (DEC) Moora District has no objection to this application.

Please note that DEC Moora District has reviewed the available information in relation to nature conservation issues and potential impacts on DEC managed areas only. For guidance on managing issues on which DEC Moora District does not provide site specific advice, you are referred in the first instance to the environmental planning policies and criteria for Western Australia published by WAPC, EPA, DEC and other agencies with responsibilities in environmental protection.

Thank you for the opportunity to comment on this application. Please contact Steven Bultenhuis at the DEC Moora District office (9652 1911) if you have any queries regarding this advice.

Yours sincerely

Keith Hockey
District Manager
Moora District, Jurien Bay
21st May 2010

Moora District - Jurien Bay: Lot 124 Bashford Street, Jurien Bay
Phone: (08) 9652 1911 Fax: (08) 9652 1922
Postal Address: PO Box 638, Jurien Bay, Western Australia 6516
www.dec.wa.gov.au

SHIRAZ

Simon Lancaster

From: DEUCHAR, BILL [BILL.DEUCHAR@casa.gov.au]
Sent: Thursday, 27 May 2010 9:35 AM
To: Glenda Mackenzie
Subject: FW: Green Head Telecommunications Infrastructure - Invitation to comment [SEC=UNCLASSIFIED]
Attachments: Civil Aviation.doc; Advertising - Information Plans Green Head 14.5.2010.pdf; Advertising - Supporting Information Green Head 14.5.2010.pdf

Glenda,
CASA has assess the impact of the mast on aviation, as there is no known or readily identifiable aeroplane landing area (ALA) in the vicinity of the proposed mast, it is not a hazard to aviation. However if you are aware of an ALA within 2 kms radius of the mast we would be grateful for the information, so CASA can re-assess the effect the mast may have on the safety of aviation.
Thank you for your interest in aviation safety.

Regards
Bill Deuchar
Aerodrome Inspector
Perth Office
Telephone (08) 93662871
Fax (08) 93662810
Mobile 0417482498
Email deuchar_wb@casa.gov.au

From: Glenda Mackenzie [mailto:leemanadmin@coorow.wa.gov.au]
Sent: Wednesday, 19 May 2010 10:47
To: DEUCHAR, BILL
Cc: Kathryn Jackson
Subject: Green Head Telecommunications Infrastructure - Invitation to comment

Original in the mail

Regards
Glenda

Glenda Mackenzie
Shire of Coorow
Administration Officer
20 Morcombe Road
(PO Box 238)
LEEMAN WA 6514

Tel: 08 99 531 388
Fax: 08 99 531 377
E-mail: leeman@coorow.wa.gov.au

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This email message and any accompanying attachments may contain information that is confidential and intended only for the use of the addressee named above. It may also be privileged. If you are not the intended recipient do not read,



DEVELOPMENT APPLICATION SUBMISSION FORM

Attention: Dave Hadden

Proposed Development: TELECOMMUNICATIONS INFRASTRUCTURE (TOWER AND EQUIPMENT SHELTER)

Location: LOT 537 (No 12) WHISTLER CRESCENT, GREEN HEAD

Name: Kyle Cornish Landcorp

Postal Address: Unit 3, Wagfarms House, 40 The

Phone Number: Esplanade Perth WA 6000

SUBMISSION: ☐ Support ☐ Object ☒ Indifferent

Give in full your comments and any arguments supporting your comments. (If insufficient space, please attach additional sheets)

Landcorp will be guided by the Shire of
Cornish

Signature: [Signature] Date: 27/5/10

Please return to: Chief Executive Officer
Shire of Chasman Valley
PO Box 1
NABAWA WA 6532

NOTE: The local government in determining this application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 2 June 2010



Our Ref: P8064 – Green Head
Your ref.: L537 WHI DH/GM

Simon Lancaster
Manager of Planning
Shire of Coorow
Main Street
PO Box 42
Coorow WA 6515

3 June 2010

Dear Simon,

**Development Application – Proposed Mobile Phone Base Station at P8064 Green Head –
12 Whistler Crescent, Green Head WA 6514**

This response refers to your email on 28/05/2010.

Thank you for your correspondence regarding the above proposed telecommunications facility. Optus acknowledges the matters raised and is committed to addressing the concerns.

CASA

Daly International is not aware of an ALA within 2kms radius of the mast. However this is a matter for Shire of Coorow.

Landcorp

Indifferent – matter for the Shire of Coorow.

Department of Environment and Conservation

No objections.

Mr Wayne Mol (Po Box 14 Greenhead WA 6514)

Resident within 1km of tower and within 80m:

In order to provide service to mobile telephone customers Optus needs to locate telecommunications facilities where people use their mobiles. This means being located where people work and live.

There is a limit as to how far a base station can be located away from the target coverage area. Hence if Optus moves the location of the base station then the coverage afforded by the base station would also be impacted. This alters the area it can service and the quality of service it can provide. This can result in no/poor coverage and "dropouts" when using your phone and devices.

Optus are obliged to adopt a Precautionary Approach to siting. We believe that the selection of this site in an industrial precinct located approximately 1km from residential precinct is evidence of this approach. The site also has a good separation from sensitive uses such as schools, churches etc.

DALY INTERNATIONAL Pty Ltd, A.B.N. 17 054 002 461
Suite 2/ 18 Harvest Terrace, West Perth, WA 6005
Telephone: 61 8 6267 0283 Facsimile: 61 8 6267 0286

www.dalyinternational.com



Harmful to Hearing and Health of animals and sea eagles:

Up to date, there is not been enough research of the EME impact on non- humans. However it should be noted that there a numerous telecommunications facilities where birds, including Ospreys build their nests on these telecommunications facilities, and keep on coming back to the same nest each nesting season.

Regarding health concerns for humans: Safety of nearby residents is ensured by Optus compliance with the Australian Standard - Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz. The ARPANSA Standard sets limits for human exposure to radiofrequency (RF) fields in the frequency range 3 kHz to 300 GHz. The ARPANSA Standard also includes requirements for protection of the general public and the management of risk in occupational exposure, together with additional information on measurement and assessment of compliance. I would refer you the ARPANSA website for more detail on the Standard and how it is formulated. http://www.arpansa.gov.au/pubs/eme/EME_factsheet_4.rtf

Prior to the construction of a facility an EME report is carried out by an Optus radiofrequency engineer. This report summarises the estimated maximum cumulative radiofrequency (RF) electromagnetic energy (EME) levels at ground level emitted from the proposed mobile phone base station antennas. In this instance, the Optus EME report determines that the maximum EME level will be 225,57m away (sprinkler effect) at 0.064% of the standard (which is 1500 times less than the Australian Standard).

S.A. & R.A. McDonnell (Po Box 40 Greenhead WA 6514)

Neighbouring property owner at No. 8 Whistler Crescent, Green Head

Support the proposed development. In the DA that was submitted to Council we have requested that a side setback be relaxed to ensure that the compound fits into the corner of the property without blocking vehicles using the driveway. This issue will most likely be decided by the discretion of Council as is stated in the Shire of Coorow Town Planning Scheme No. 2, Section 5.12.1.

If you require further information please do not hesitate to contact me on 0407110997.

Yours faithfully

Maria Engelbrecht
Town Planner
Daly International
Office: 08 62670283
Fax: 08 6267 0286
E-mail: mengelbrecht@dalyinternational.com.au

DALY INTERNATIONAL Pty Ltd, A.B.N. 17 054 002 461
Suite 2/ 18 Harvest Terrace, West Perth, WA 6005
Telephone: 61 8 6267 0283 Facsimile: 61 8 62670286

www.dalyinternational.com

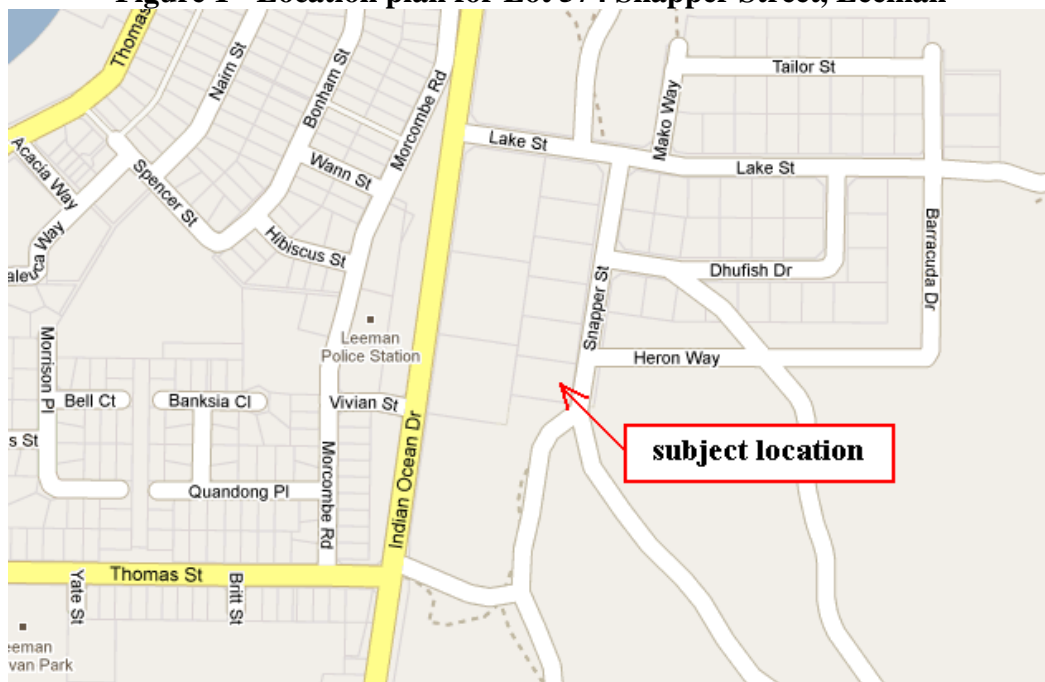
10.2.7 PROPOSED MOBILE PHONE BASE STATION- LOT 574 (No.3) SNAPPER STREET, LEEMAN

AUTHOR	Simon Lancaster
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	5 June 2010
ATTACHMENT	10.2.7.1 and 10.2.7.2
FILE	A772

SUMMARY / BACKGROUND:

Council is in receipt of an application from Optus seeking to site a mobile phone base station, involving a 50m high tower upon Lot 574 Snapper Street, Leeman. This report recommends conditional approval of the application.

Figure 1 - Location plan for Lot 574 Snapper Street, Leeman



COMMENT:

The proposed development would consist of a 50m high lattice tower with 3 x 26.3m panel antennas (with provision for a further 6 panel antennas if required) and 2 parabolic antennas, associated equipment would be stored in a 7.5m² shed at the base of the tower, along with a satellite dish if required, all to be situated in a 2.4m high chain link fence encircling a 126m² (14m x 9m) security compound. The development would provide enhanced digital mobile telephone coverage and wireless broadband coverage within the Leeman area.

The proposed tower would be linked via parabolic antenna to nearby base stations at Jurien, Eneabba and Green Head (subject to a separate application on the 16 June 2010 Council Agenda). The applicant has advised that they have investigated co-location but there are no structures of sufficient height to meet cell coverage objectives, necessitating a purpose built structure.

Figure 2 – Site Photographs of Lot 574 Snapper Street, Leeman



“means any work or undertaking constructed or maintained by a public authority or the council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.”

The application may also be considered to meet the definition for ‘telecommunications infrastructure’ as defined by Schedule 1.2 of the Scheme:

“means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network.”

Despite being defined in the Scheme Schedule, ‘telecommunications infrastructure’ is not listed amongst the Use Classes for Table 1 of the Scheme, therefore Section 4.4.2 of the Scheme would apply in this instance:

“4.4.1 If a person proposed to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus or activity of any other use category the local government may;

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval;*
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”*

Given that the structure would be visually prominent Shire staff advertised the application under Sections 9.4.1.b and 9.4.3 of the Scheme:

“9.4.1 Where an application is made for planning approval to commence a use or commence or carry out development, which involves a use which is —

- (a) an ‘A’ use as referred to in clause 4.3.2; or*
- (b) a use not listed in the Zoning Table, or*
- (c) a development subject to discretionary consideration under Clause 5.2.5*

the local government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.”

“9.4.3 The local government may give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways —

- (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specified date being not less than 14 days from the day the notice is served;*
- (b) notice of the proposed use or development published in a newspaper circulating in the Scheme area stating that submissions may be made to the local government by a specified day being not less than 14 days from the day the notice is published;*
- (c) a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.”*

Given the proposed tower will be 51.5m in total height then Section 5.14 of the Scheme must also be considered in the assessment of this application:

“5.14 Height and Appearance of Buildings

With the exception of buildings and structures required for agricultural use in Rural Zones, no building in excess of two storeys or a height of 8 metres above natural ground level shall be erected within the Scheme Area.

Council may approve buildings which exceed the height specified after considering information provided and any submissions made by persons owning or having an interest in land affected directly or indirectly by the proposed building:

- will be in harmony with the general character of buildings in the locality.*
- will not be detrimental to the amenity or character of the locality or the quality of environment or the townscape.*
- will observe the required setbacks from the boundaries of the lot on which it is to be constructed and will not prejudice the siting, design, aspect and privacy of buildings on other nearby lots.*
- will not impair the potential for development of other vacant blocks in the vicinity with particular regard to amenity, aspect and views.*

has been designed in harmony with the natural land form of the site.

Any such decision shall only be made by an absolute of Council.”

Portions of Section 10.2 of the Scheme may also be considered relevant to this application:

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

- (i) the compatibility of a use or development with its setting;*
- (j) any social issues that have an affect on the amenity of the locality;*
- (n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (y) any relevant submissions received on the application.”*

The Telecommunications Act 1997 exempts Optus from Environmental and Planning Legislation in Western Australia except where the facility does not meet the definition of a low impact facility, in this case requiring Optus to lodge a development application with the Shire of Coorow.

The applicant is also required to comply with the Telecommunications Code of Practice 1997 and the Industry Codes and Standards of the Australian Communications Authority.

The applicant will be advised (should Council grant conditional approval to this development) of the following, in the correspondence sent to them advising of Council’s determination:

“Notes

- i. The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is your responsibility to obtain any additional approvals required before the development/use lawfully commences.*
- ii. Compliance is required with the Building Code of Australia.*
- iii. All operations upon this site are to comply with the requirements of the Environmental Protection Act and the Australian Communications and Media Authority;*
- iv. Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.”*

STRATEGIC IMPLICATIONS:

The purpose of the Leeman Industrial area is to provide a location for uses that should be kept separate from the residential portions of the town-site due to their potential to cause emissions (such as dust, noise or odour), the levels of traffic they may generate, or the 'unsightly' visual appearance of many industrial activities. It is considered that the siting of a telecommunications infrastructure within an industrial area is an appropriate development. It is recommended that conditions be attached to any approval requiring that landscaping be undertaken at the street frontage to the property, and that compliance with Australian Standards be specifically listed as conditions of approval (in spite of separate legislation already requiring this of the proponent) to ensure the development does not impact upon public health. The proposed total height of the development being 51.5m will inevitably make it visually apparent both within the industrial area and to passing traffic along Indian Ocean Drive (the tower would be located approximately 100m back from this road) but it is considered that towers of this type have become commonplace in many areas and are generally accepted as being part of modern living and its associated demands for higher speed verbal and computer communication.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

The application was advertised for public comment for a period of 14 days commencing on 17 May 2010 and included the following consultation actions:

- placement of a notice in a newspaper inviting comment;
- writing directly to the landowners of the 12 lots in vicinity of the subject site inviting comment;
- writing directly to the Department of Health, Department of Environment and Conservation and the Civil Aviation Safety Authority inviting comment.

At the conclusion of the advertising period on 2 June 2010, 4 submissions had been received with 3 of these offering no objection to the proposed development (these being from the Department of Environment and Conservation, Civil Aviation Safety Authority and (LandCorp) and 1 in objection (from a landowner).

Copies of the submissions received have been provided as Attachment 10.2.7.1 to this report.

The issues and perceptions raised in objection to the application were as follows:

- it will be too close to our shed and worksite;
- worry how it will affect our health;
- will devalue our property as no one will want to purchase a shed so close to the tower;
- there are people living at 9 Snapper Street and it will be too close for them also.

The applicant was advised of the issues raised during the submission period and given the opportunity to address these, a copy of the applicant's correspondence has been provided as Attachment 10.2.7.2 to this report.

The applicant has provided further elaboration to that contained within their development application advising that the Australian Standard – Radiation Protection Standard sets the maximum exposure levels to radiofrequency fields as being in the range of 3kHz to 300GHz, and that the estimated cumulative radiofrequency electromagnetic energy level in this instance will be at 0.064% of this standard (1500 times less than the Australian Standard). It is recommended that in the event that Council approve the application it be made subject to compliance with the Australian Standard –Radiation Protection Standard, to ensure that this estimation is adhered to in operation.

Under Section 5.12.1 of the Scheme Council has the discretion to impose a side boundary setback as it believes appropriate within the Industrial zone. The submitted plan proposes that the tower would be located 1.5m from the southern side property boundary.

VOTING REQUIREMENT:

Absolute majority required.

OFFICER RECOMMENDATION:

That Council grant formal planning consent for a mobile phone base station upon Lot 574 Snapper Street, Leeman subject to compliance with the following:

Conditions

- a. Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- b. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- c. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- d. All operations must be carried out in accordance with Australian Standard – Radiation Protection Standard
- e. All operations must be carried out in accordance with the Australian Communications and Media Authority requirements pertaining to electromagnetic energy;
- f. All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system to the specifications and approval of the local government.

- g. Upgrading of crossing place/s to the standards and specifications of the local government.
- h. The front verge area being landscaped effectively and maintained thereafter to the approval of the local government.
- i. The applicant shall provide to the local government as-constructed AHD structure heights so that this information may be passed onto the Royal Flying Doctor Service and other users of the Leeman airstrip;

This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period

RESOLUTION: **2010/95**

Moved: Cr Girando

Seconded: Cr Waite

That Council grant formal planning consent for a mobile phone base station upon Lot 574 Snapper Street, Leeman subject to compliance with the following:

Conditions

- a. Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. Tower to be setback 5 metres from side property boundary. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- b. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*
- c. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.*
- d. All operations must be carried out in accordance with Australian Standard – Radiation Protection Standard*
- e. All operations must be carried out in accordance with the Australian Communications and Media Authority requirements pertaining to electromagnetic energy;*
- f. All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system to the specifications and approval of the local government.*

- g. Upgrading of crossing place/s to the standards and specifications of the local government.*
- h. The front verge area being landscaped effectively and maintained thereafter to the approval of the local government.*
- i. The applicant shall provide to the local government as-constructed AHD structure heights so that this information may be passed onto the Royal Flying Doctor Service and other users of the Leeman airstrip;*

This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period

CARRIED 8 /0

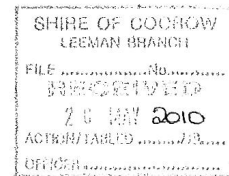
ATTACHMENT 10.2.7.1



Government of Western Australia
Department of Environment and Conservation

Your ref: L574 SNA DH/GM
Our ref:
Enquiries: Steven Buitenhuys
Phone: 9652 1911
Fax: 9652 1922
Email: steven.buitenhuys@dec.gov.au

Shire of Coorow
Leeman Administration
PO Box 238
Leeman WA 6514



ATTENTION: Mr. Mark Hook
Chief Executive Officer

SHIRE OF COOROW REF L574 SNA DH/GM – PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE - LOT 574 (NO:3) SNAPPER STREET, LEEMAN.

The Department of Environment and Conservation (DEC) Moora District has no objection to this application subject to the following advice.

Advice:

- The proponent should be made aware that the clearing of native vegetation in Western Australia is prohibited unless the clearing is authorised by a clearing permit obtained from the Department of Environment and Conservation or is of a kind that is exempt in accordance with *Schedule 6 or Regulation 5 Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Please note that DEC Moora District has reviewed the available information in relation to nature conservation issues and potential impacts on DEC managed areas only. For guidance on managing issues on which DEC Moora District does not provide site specific advice, you are referred in the first instance to the environmental planning policies and criteria for Western Australia published by WAPC, EPA, DEC and other agencies with responsibilities in environmental protection.

Thank you for the opportunity to comment on this application. Please contact Steven Buitenhuys at the DEC Moora District office (9652 1911) if you have any queries regarding this advice.

Yours sincerely

Keith Hockey
District Manager
Moora District, Jurien Bay
21st May 2010

Moora District - Jurien Bay: Lot 124 Bashford Street, Jurien Bay
Phone: (08) 9652 1911 Fax: (08) 9652 1922
Postal Address: PO Box 638, Jurien Bay, Western Australia 6516
www.dec.wa.gov.au

SL10000000



DEVELOPMENT APPLICATION SUBMISSION FORM

Attention: Dave Hadden

Proposed Development: **TELECOMMUNICATIONS INFRASTRUCTURE (TOWER AND EQUIPMENT SHELTER)**

Location: **LOT 574 (NO.3) SNAPPER STREET, LEEMAN**

RECEIVED
27 MAY 2010

BY: _____

Name: MR & MRS LES MELVIN

Postal Address: 33 KEEL RETREAT. BUSSELTON. WA

Phone Number: 97515736 — 0428554351

SUBMISSION:

☐

Support

☒

Object

☐

Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

I do not want the telecommunications infrastructure to be located at LOT 574 Snapper St, Leeman. I feel that it will be too close to our shed and worksite at N°7 Snapper St, Leeman. I worry how it may affect our health. Also it will devalue our property as no one will want to purchase a shed so close to the tower. There are people living at number 9 Snapper St and it will be too close for them also.

Signature: M. Melvin

Date: 21/5/10.

Please return to: Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 2 June 2010

Simon Lancaster

From: Dave Hadden [mrs@coorow.wa.gov.au]
Sent: Thursday, 27 May 2010 12:39 PM
To: Kathryn Jackson; Simon Lancaster
Subject: FW: Leeman Telecommunications Infrastructure - Invitation to Comment [SEC=UNCLASSIFIED]
Attachments: Civil Aviation Authority.doc; Advertising - Information Leeman 14.5.2010.pdf; Advertising - information plans Leeman 14.5.2010.pdf

Manager Regulatory Services
David Hadden
0428 521 101
Leeman Office: (08) 99 531 388
Fax: (08) 99 531 377

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From: Glenda Mackenzie
Sent: Thursday, 27 May 2010 10:28 AM
To: Dave Hadden
Subject: FW: Leeman Telecommunications Infrastructure - Invitation to Comment [SEC=UNCLASSIFIED]

From: DEUCHAR, BILL [mailto:BILL.DEUCHAR@casa.gov.au]
Sent: Thursday, 27 May 2010 9:28 AM
To: Glenda Mackenzie
Subject: FW: Leeman Telecommunications Infrastructure - Invitation to Comment [SEC=UNCLASSIFIED]

Glenda,
the mast should have no adverse affect on the safe use of the Leeman aeroplane landing area ALA; not-with-standing this, as the Shire is the operator of the aeroplane landing area (ALA) which is approximately 2200m south of the proposed mast, we recommend that you notify the RDFS in particular, and advise any pilots intending to use the ALA of the mast's height above ground level (160ft) and its location. If you have a diagram for the ALA you may choose to identify the mast on that diagram.

Further the ALA details may be published in documents published by AOPA and WA Country Airstrip Guide (Windsock Productions P/l), so you could inform them of the details of the mast.

Thank you for your interest in aviation safety.

Yours faithfully

Bill Deuchar

Aerodrome Inspector

Perth Office

Telephone (08) 93662871

Fax (08) 93662810

Mobile 0417482498

Email deuchar_wb@casa.gov.au

From: Glenda Mackenzie [mailto:leemanadmin@coorow.wa.gov.au]
Sent: Wednesday, 19 May 2010 10:42



DEVELOPMENT APPLICATION SUBMISSION FORM

Attention: Dave Hadden

Proposed Development: TELECOMMUNICATIONS INFRASTRUCTURE (TOWER AND EQUIPMENT SHELTER)

Location: LOT 574 (NO.3) SNAPPER STREET, LEEMAN

Name: Kylie Comen, Landcorp

Postal Address: level 3, Wesfarmers House, 40 The

Phone Number: Esplanade Perth WA 6000.

SUBMISSION: ☐ Support ☐ Object ☒ Indifferent

Give in full your comments and any arguments supporting your comments (if insufficient space, please attach additional sheets) -

Landcorp will be guided by the Shire of
Coorow

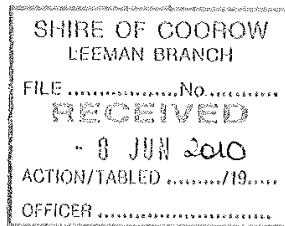
Signature: [Signature] Date: 27/5/10.

Please return to: Chief Executive Officer
Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

NOTE: The local government in determining the application will take into account the submissions received but is not obliged to support those views.

Submissions Close: 2 June 2010

Your Ref: R34533 (L685 IND) DH/GM
Our Ref: GN1 2009 00730 V01 Doc 3447075
Enquiries: Phil Gale
Direct Tel: 08 9923 4942 Fax: 08 9923 4966



02 June 2010

Shire Of Coorow
PO Box 238
LEEMAN WA 6514

Midwest Region

45 Cathedral Avenue
Geraldton WA 6530

PO Box 43
Geraldton WA 6531

Fault Enq **13 13 75**
Account Enq **13 13 85**
Technical Enq **13 13 95**
Fax (08) 9923 4966

www.watercorporation.com.au
ABN 28 003 434 917

Attention: Dave Hadden

**SHIRE OF COOROW
LOT 574 SNAPPER STREET LEEMAN TELECOMMUNICATIONS TOWER**

I refer to your letter of 17 May 2010 regarding the above telecommunications infrastructure being constructed on Lot 574 Snapper Street Leeman

The Water Corporation has no objections to this proposed development with the following being noted for your information.

WATER

A supply of reticulated water is available for Lot 574 Snapper Street Leeman.

SEWERAGE

There is no reticulated sewerage available to Lot 574 Snapper Street Leeman and it is remote from the existing scheme.

Should you have any queries, please do not hesitate to contact the Enquiries Officer.

A handwritten signature in black ink, appearing to read "Phil Gale".

PHIL GALE
LAND DEVELOPMENT OFFICER
MID WEST REGION



Our Ref: P8063 Leeman
Your ref.: L574 SNA DH/GM

Simon Lancaster
Manager of Planning
Shire of Coorow
Main Street
PO Box 42
Coorow WA 6515

3 June 2010

Dear Simon,

Development Application – Proposed Mobile Phone Base Station at P8063 Leeman – 3 Snapper Street, Leeman WA 6514

This response refers to your email on 28/05/2010.

Thank you for your correspondence regarding the above proposed telecommunications facility. Optus acknowledges the matters raised and is committed to addressing the concerns.

CASA

Daly international is not aware of an ALA within 2kms radius of the mast. However this is a matter for Shire of Coorow.

Landcorp

Indifferent – matter for the Shire of Coorow.

Department of Environment and Conservation

No objections.

Mr & Mrs Les Melvin (33 Keel Retreat, Busselton, WA)

Property owners of No. 7 Snapper Street Leeman:

In order to provide service to mobile telephone customers Optus needs to locate telecommunications facilities where people use their mobiles. This means being located where people work and live.

There is a limit as to how far a base station can be located away from the target coverage area. Hence if Optus moves the location of the base station then the coverage afforded by the base station would also be impacted. This alters the area it can service and the quality of service it can provide. This can result in no/poor coverage and "dropouts" when using your phone and devices.

Optus are obliged to adopt a Precautionary Approach to siting. We believe that the selection of this site in an industrial precinct located approximately 200m from a residential precinct is evidence of this approach. The site also has a good separation from sensitive uses such as schools, churches etc.

DALY INTERNATIONAL Pty Ltd, A.B.N. 17 054 002 461
Suite 2/ 18 Harvest Terrace, West Perth, WA 6005
Telephone: 61 8 6267 0283 Facsimile: 61 8 62670286

www.dalyinternational.com

Health:

Safety of nearby residents is ensured by Optus compliance with the Australian Standard - Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz. The ARPANSA Standard sets limits for human exposure to radiofrequency (RF) fields in the frequency range 3 kHz to 300 GHz. The ARPANSA Standard also includes requirements for protection of the general public and the management of risk in occupational exposure, together with additional information on measurement and assessment of compliance. I would refer you the ARPANSA website for more detail on the Standard and how it is formulated.
http://www.arpansa.gov.au/pubs/eme/EME_factsheet_4.rtf

Prior to the construction of a facility an EME report is carried out by an Optus radiofrequency engineer. This report summarises the estimated maximum cumulative radiofrequency (RF) electromagnetic energy (EME) levels at ground level emitted from the proposed mobile phone base station antennas. In this instance, the Optus EME report determines that the maximum EME level will be approximately 228m away (sprinkler effect) at 0.064% of the standard (which is 1500 times less than the Australian Standard).

Devalue of property:

This is not a planning issue and therefore not a matter to impact on the outcome of a development application.

People living in No 9 Snapper street:

As indicated, previously in the comments regarding health, Optus comply with the Australian standard at all their telecommunications facilities, including the one proposed in Leeman.

If you require further information please do not hesitate to contact me on 0407110997.

Yours faithfully



Maria Engelbrecht
Town Planner
Daly International
Office: 08 62670283
Fax: 08 6267 0286
E-mail: mengelbrecht@dalyinternational.com.au

10.3 PRINCIPAL WORKS SUPERVISOR:

NO ITEMS

10.3.1

AUTHOR	Kelvin Bean
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	
FILE	
ATTACHMENT	

10.4 DEPUTY CHIEF EXECUTIVE OFFICER:

10.4.1 ACCOUNTS FOR PAYMENT

AUTHOR	Erika Clement
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	8 June 2010
ATTACHMENT	10.4.1 Accounts Due and Submitted To Council Meeting 16 June 2010

SUMMARY:

Council approval is required for payment of accounts made within the months of May 2010 and June 2010 and to approve payments of accounts due in June 2010.

COMMENT:

Approval is sought for the following list of payments of accounts made since Council's last meeting on 19 May 2010 and of accounts that are now due.

A list of all payments submitted for approval is contained at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 16 June 2010

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 sub regulation (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 is no financial, policy or strategic implications regarding this matter.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That payment's listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 16 June 2010 including:

1. Vouchers 18348 to 18358, 18399 to 18433, PR71010610 to PR72310510, DD 12/05/2010 to DD 26/05/2010, EFT2701, EFT 2705 to EFT2808, totalling \$516768.23 from Council's Municipal Fund
2. Vouchers 154-155 from Council's Trust Fund totalling \$1823.88

be authorised and passed for payment.

RESOLUTION:

2010/96

Moved: Cr Bothe

Seconded: Cr Williams

That payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 16 June 2010 including:

1 Vouchers 18348 to 18358, 18399 to 18433, PR71010610 to PR72310510, DD 12/05/2010 to DD 26/05/2010, EFT2701, EFT 2705 to EFT2808, totalling \$516768.23 from Council's Municipal Fund

2 Vouchers 154-155 from Council's Trust Fund totalling \$1823.88

be authorised and passed for payment.

CARRIED 8 /0

LIST OF ACCOUNTS DUE AND SUBMITTED TO COUNCIL 16/06/2010

Chq/EFT	Date	Name	Description	Trust	Muni
154	21/05/2010	FAMILY SHOPPING CENTRE	CATERING FOR DEC MEETING 28.4.10	\$ 208.13	
155	26/05/2010	DARYL SCHRODER	REIMBURSEMENT FOR AIR CONDITIONER UNIT 4 AGED UNITS LEEMAN	\$ 1,615.75	
EFT2701	10/05/2010	W A TREASURY CORPORATION	REPAYMENT LOAN #81A		\$ 7,959.93
EFT2705	12/05/2010	ADVANCE SIGNAGE CONCEPTS	COOROW MAIN ENTRY ROAD SIGNAGE		\$ 1,100.00
EFT2706	24/05/2010	AUSTRALIA POST-LPO	POSTAGE		\$ 188.02
EFT2707	24/05/2010	AVON WASTE	AVON WASTE COLLECTION COASTAL AND INLAND		\$ 10,489.48
EFT2708	24/05/2010	AIT SPECIALISTS PTY LTD	REVIEW OFF ROAD PLANT AND EQUIPMENT FUEL REBATE 1 JULY 2006 TO MARCH 2010		\$ 5,729.13
EFT2709	24/05/2010	BOC GASES	GAS BOC GASES		\$ 177.61
EFT2710	24/05/2010	BEAN KJ	WATER		\$ 479.90
EFT2711	24/05/2010	BROADWATER RESORT APARTMENTS	ACCOMMODATION FOR TRAINING RO & DCEO		\$ 740.00
EFT2712	24/05/2010	COVENTRY GROUP LTD	GLOBES FAN HELMET LENS FREEZE AND RELEASE		\$ 1,317.13
EFT2713	24/05/2010	COOROW HIGHWAY STORE	REFRESHMENTS		\$ 23.50
EFT2714	24/05/2010	CUNNINGHAMS AG SERVICES	OIL AND OIL PUMP AIR FILTER ELEMENTS FILTERS		\$ 1,268.28
EFT2715	24/05/2010	COOROW HOTEL	MEALS LGMA MEETING		\$ 396.00
EFT2716	24/05/2010	DRUMMOND JOE ELECTRICS	SEWERAGE PUMPS LEEMAN RECREATION CENTRE		\$ 756.80
EFT2717	24/05/2010	DURACK INSTITUTE OF TECHNOLOGY	TRAINING COURSE - CLEANERS LEEMAN & COOROW		\$ 124.00
EFT2718	24/05/2010	DOLPHIN LIGHTING PTY LTD	MID HINGED FULL SOLAR SYSTEM		\$ 16,712.18
EFT2719	24/05/2010	FAMILY SHOPPING CENTRE	REFRESHMENTS		\$ 675.98
EFT2720	24/05/2010	GREEN HEAD PLUMBING & GAS	REPAIRS TO CARAVAN PARK SEWER LINES AT COOROW		\$ 2,443.88
EFT2721	24/05/2010	GREEN HEAD COMMUNITY CENTRE MANAGEMENT	GREENHEAD COMMUNITY CENTRE REIMBURSEMENT CLEANING		\$ 150.00
EFT2722	24/05/2010	HOIST HYDRAULICS WA PTY LTD	REPAIR TROLLY JACK CLEVIS WITH PINS		\$ 587.40

EFT2723	24/05/2010	HITACHI CONST MACHINERY (AUST) P/L	INNER AIR ELEMENT, OIL FILTER, INSERTS AND LED TURN SIGNAL LIGHT		\$ 1,238.64
EFT2724	24/05/2010	HARE & FORBES MACHINERY HOUSE	TREE NUTS AND ROTARY TABLE		\$ 603.90
EFT2725	24/05/2010	IFAP	SAFETY AND HEALTH REPRESENTATIVE COURSE - EMMA GLADMAN		\$ 1,135.00
EFT2726	24/05/2010	LEEMAN HARDWARE	GAZEBO 5.4M PIONEER PARK		\$ 12,166.69
EFT2727	24/05/2010	LANDMARK	FENCE DROPPER		\$ 1,375.74
EFT2728	24/05/2010	ML COMMUNICATIONS	PHONE SYSTEM RENTAL MEDICAL CENTRE & COAST		\$ 321.25
EFT2729	24/05/2010	MIDWEST AUTO GROUP	10000 SERVICE CW001		\$ 301.07
EFT2730	24/05/2010	MCINTOSH & SON	SEAL, NUT, AND CONTROL		\$ 1,499.03
EFT2731	24/05/2010	NEAT N' TRIM UNIFORMS PTY LTD	UNIFORMS LEONIE QUANTOCK		\$ 581.63
EFT2732	24/05/2010	NORTH MIDLANDS AGRICULTURAL SOCIETY	DONATION TO THE NMAS ART EXHIBITION		\$ 150.00
EFT2733	24/05/2010	OFFICEWORKS BUSINESS DIRECT	STATIONARY		\$ 693.99
EFT2734	24/05/2010	PURCHER-INTERNATIONAL PTY LTD	LIGHT FRONT INDICATOR, DIRECTION LAMP		\$ 176.90
EFT2735	24/05/2010	LEONIE JOY QUANTOCK	EXPENSES LEONIE QUANTOCK DPI COURSE		\$ 175.75
EFT2736	24/05/2010	RNR CONTRACTING PTY LTD	BITUMEN SEALING WORK		\$ 31,773.83
EFT2737	24/05/2010	RUMBOLD FORD	DRIVE BELT, STRAP ELASTIC LAMP SET		\$ 452.45
EFT2738	24/05/2010	RICOH FINANCE	COPIER LEASE CHARGES		\$ 663.49
EFT2739	24/05/2010	SHERIDANS FOR BADGES	BADGE LEONIE QUANTOCK BRASS PLATE Cr WILLIAMS		\$ 123.39
EFT2740	24/05/2010	SNAG ISLAND ROADHOUSE	POSTAGE		\$ 126.25
EFT2741	24/05/2010	RELIANCE PETROLEUM	ENERGREASE		\$ 694.78
EFT2742	24/05/2010	SNAP PRINT	BUSINESS CARDS ALLAN WILLIAMS		\$ 133.00
EFT2743	24/05/2010	WATTLEUP TRACTORS	STAY, OIL PRESSURE SWITCH AND CABLE		\$ 363.45
EFT2744	24/05/2010	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	ADVERT FOR PLANT OPERATOR		\$ 2,063.46
EFT2745	26/05/2010	COURIER AUSTRALIA	FREIGHT - HITACHI ADVANCED SIGNAGE		\$ 68.72
EFT2746	26/05/2010	COVENTRY GROUP LTD	FLOOR MATS CW008		\$ 63.06
EFT2747	26/05/2010	CUNNINGHAMS AG SERVICES	BATTERY CW0025		\$ 484.45

EFT2748	26/05/2010	COOROW HOTEL	REFRESHMENTS COUNCIL MEETING 19/05/2010		\$ 625.50
EFT2749	26/05/2010	COOROW AG PTY LTD	SHOVELS,BOLTS,TAPE,THINNERS,PAINT,SHACKLES AND PRESSURE SPRAYER		\$ 2,244.11
EFT2750	26/05/2010	DRUMMOND JOE ELECTRICS	REPAIRS TO LIGHTS LEEMAN OFFICE		\$ 161.70
EFT2751	26/05/2010	FORPARK AUSTRALIA	PLAYGROUND EQUIPMENT COAST		\$ 661.10
EFT2752	26/05/2010	GH COUNTRY COURIERS	FREIGHT - COVENTRYS		\$ 70.22
EFT2753	26/05/2010	GIRANDO MJ	TRAVELLING & SITTING FEES		\$ 637.55
EFT2754	26/05/2010	HOIST HYDRAULICS WA PTY LTD	DOUBLE ACTING CYLINDER -JACK REPAIR		\$ 836.00
EFT2755	26/05/2010	HITACHI CONST MACHINERY (AUST) P/L	REFRIGERANT HOSE -CW0012		\$ 242.44
EFT2756	26/05/2010	HILLS FIRE EQUIPMENT	SERVICE TO ALL FIRE EQUIPMENT		\$ 9,196.00
EFT2757	26/05/2010	KENNETH JAMES HIGGINS	CROSSOVER L289 HEALES WAY GREEN HEAD		\$ 500.00
EFT2758	26/05/2010	IT VISION	RECORDS IMPLEMENTATION		\$ 3,968.25
EFT2759	26/05/2010	LEWIS TYRES PTY LTD	TYRES - NEW TRAILER		\$ 214.00
EFT2760	26/05/2010	MIDVALE DISCOUNT TYRES	TYRE DISPOSAL		\$ 85.00
EFT2761	26/05/2010	NEAT N' TRIM UNIFORMS PTY LTD	UNIFORMS - RO		\$ 379.00
EFT2762	26/05/2010	PURCHER-INTERNATIONAL PTY LTD	SWITCHGEAR - CW0016		\$ 267.54
EFT2763	26/05/2010	LEONIE JOY QUANTOCK	UNIFORMS		\$ 61.70
EFT2764	26/05/2010	RBC-RURAL	METERPLAN CHARGES PHOTOCOPIERS		\$ 1,256.71
EFT2765	26/05/2010	RECLAIM INDUSTRIES-EDGESAFE	EDGESAFE - PLAYGROUNDS		\$ 6,523.00
EFT2766	26/05/2010	SEASIDE SUPPLIES	REFRESHMENTS		\$ 142.40
EFT2767	26/05/2010	STAR TRACK EXPRESS	FREIGHT- GREENWAY HONDA SHOP HOIST HYDRAULICS		\$ 567.50
EFT2768	26/05/2010	RELIANCE PETROLEUM	DIESEL & UNLEADED		\$ 8,503.00
EFT2769	26/05/2010	WINCHESTER INDUSTRIES	WASHED STONE MARCHAGEE-BUNTINE RD & COOROW GREEN HEAD ROAD		\$ 47,375.91
EFT2770	26/05/2010	WURTH AUSTRALIA PTY LTD	SELECTION OF RCLIPS AND PINS		\$ 424.93
EFT2771	26/05/2010	LOCAL GOVERNMENT MANAGERS AUSTRALIA	WOMEN IN LOCAL GOVERNMENT CONFERENCE - CR GIRANDO & CR MCDONALD		\$ 1,120.00
EFT2772	08/06/2010	LEADING EDGE COMPUTERS	COMPUTER SUPPORT		\$ 66.00
EFT2773	08/06/2010	AUSTRALIA POST-LPO	POSTAGE		\$ 140.68
EFT2774	08/06/2010	COURIER AUSTRALIA	FREIGHT PUREWATER		\$ 8.04

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EFT2775	08/06/2010	COVENTRY GROUP LTD	REPLACEMENT BOX SIDE		\$ 187.64
EFT2776	08/06/2010	COOROW HIGHWAY STORE	REFRESHMENTS		\$ 42.46
EFT2777	08/06/2010	DRUMMOND JOE ELECTRICS	ELECTRICAL REPAIRS 64 NAIRN ST LEEMAN		\$ 851.40
EFT2778	08/06/2010	FAMILY SHOPPING CENTRE	REFRESHMENTS,BATTERIES		\$ 910.12
EFT2779	08/06/2010	GERALDTON CARPET CHOICE	VINYL LEEMAN REC CENTRE		\$ 4,200.00
EFT2780	08/06/2010	GREEN HEAD PLUMBING & GAS	REPAIRS TO LEAK AT CO-OPS LEEMAN		\$ 348.62
EFT2781	08/06/2010	GREEN HEAD COMMUNITY CENTRE MANAGEMENT	CLEANING GREEN HEAD COMMUNITY CENTER		
					\$ 100.00
EFT2782	08/06/2010	HERSEY JR & A PTY LTD	ELECTRONIC FUEL METER - CW DEPOT		\$ 791.45
EFT2783	08/06/2010	LEEMAN HARDWARE	CEMENT,PADLOCK,DYNABOLTS,CUTTING DISKS, TEK SCREWS		
					\$ 262.70
EFT2784	08/06/2010	LANDMARK	CEMENT COOROW LATHAM ROAD		\$ 1,302.31
EFT2785	08/06/2010	ML COMMUNICATIONS	PHONE RENTAL LEEMAN		\$ 321.25
EFT2786	08/06/2010	MIDVALE DISCOUNT TYRES	REAR TYRES CW0012		\$ 2,430.00
EFT2787	08/06/2010	MCINTOSH & SON	ORINGS, PIPE & FREIGHT CW0027		\$ 320.58
EFT2788	08/06/2010	NEAT N' TRIM UNIFORMS PTY LTD	UNIFORMS DCEO		\$ 1,331.00
EFT2789	08/06/2010	OFFICEWORKS BUSINESS DIRECT	2 X WHITEBOARDS WARRADARGE BUSHFIRE COMMUNITY ROOMS		
					\$ 558.92
EFT2790	08/06/2010	FULTON HOGAN INDUSTRIES PTY LTD	EZI-STREET COLD ASPHALT		
					\$ 3,960.00
EFT2791	08/06/2010	PURCHER-INTERNATIONAL PTY LTD	FILTERS CW004		
					\$ 730.11
EFT2792	08/06/2010	PAPER PLUS OFFICE NATIONAL	STATIONARY		\$ 114.55
EFT2793	08/06/2010	RNR CONTRACTING PTY LTD	BITUMEN SEALING COOROW LATHAM ROAD		\$ 5,412.00
EFT2794	08/06/2010	RUMBOLD FORD	BLUETOOTH KIT SEAT COVERS CW0050		\$ 1,983.80
EFT2795	08/06/2010	SNAG ISLAND ROADHOUSE	REFRESHMENTS		\$ 153.39
EFT2796	08/06/2010	SEASIDE SUPPLIES	REFRESHMENTS		\$ 330.69
EFT2797	08/06/2010	STAR TRACK EXPRESS	FREIGHT WATTLEUP MIDVALE TYRES		\$ 99.30
EFT2798	08/06/2010	RELIANCE PETROLEUM	DEGREASER/ENDURON LOW SAPS		\$ 1,025.82
EFT2799	08/06/2010	SPECIALIZED FORCE PTY LTD	HYDRAULIC CYLINDER CW004		\$ 952.93
EFT2800	08/06/2010	TRUCKLINE	SLACK ADJUSTER CW0034		\$ 97.92
EFT2801	08/06/2010	TUSS CONCRETE	CONCRETE PRODUCTS		\$ 483.35

EFT2802	08/06/2010	WATTLEUP TRACTORS	SWITCH CW0025		\$ 319.15
EFT2803	08/06/2010	WALTONS STORES	HYDRAULIC HOSE CW0024		\$ 444.07
EFT2804	08/06/2010	WAITE JAN	TRAVELLING & SITTING FEES		\$ 109.14
EFT2805	08/06/2010	WURTH AUSTRALIA PTY LTD	LYNCH PINS		\$ 24.30
EFT2806	08/06/2010	YETNA TREE FARM NURSERY	PLANTS - DUNE RESTORATION POINT LOUISE		\$ 2,038.57
EFT2807	08/06/2010	W A TREASURY CORPORATION	REPAYMENT LOAN #85 LOAN#87 LOAN#75 LOAN#76 LOAN#70		\$ 44,065.03
EFT2808	08/06/2010	W A TREASURY CORPORATION	REPAYMENT LOAN # 84 & LOAN #79		\$ 27,927.11
18348	10/05/2010	CLYDE ALEXANDER AULD	CROSS OVER 2 CROFT COURT GREEN HEAD		\$ 500.00
18349	10/05/2010	ANTHONY MICHAEL DOBBS	CROSS OVER 30 BATTERSBY ROAD GREEN HEAD		\$ 500.00
18350	12/05/2010	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		\$ 190.00
18351	26/05/2010	PAYROLL DEDUCTION - SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS		\$ 20,667.63
18352	26/05/2010	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		\$ 180.00
18353	26/05/2010	ALLOY & STAINLESS PRODUCTS PTY LTD	KIT SUPERIOR BOLT AND NUT		\$ 121.44
18354	26/05/2010	AARONS PERTH	ACCOMMODATION AARONS HOTEL LEONIE QUANTOCK DPI COURSE		\$ 588.00
18355	26/05/2010	JENNIFER DIANE BRYANT	REIMBURSE RETICULATION PARTS FOR CLIFF PARK		\$ 50.60
18356	26/05/2010	MACKA'S ROADHOUSE	12 ROUNDS SANDWICHES COUNCIL MEETING 19/05/2010		\$ 48.00
18357	26/05/2010	COMMISSIONER OF POLICE	CORPORATE GUN LICENSE		\$ 104.00
18358	26/05/2010	PHILLIP WILLIAM CONDER	WIRING WARRADARGE FIRE SHED WESTERN POWER INSTALLATION		\$ 6,043.50
18399	26/05/2010	CRAKE FAMILY TRUST	COOROW TIP FENCING		\$ 9,624.00
18400	26/05/2010	GREEN HEAD BUSHFIRE BRIGADE	HAZARD REDUCTION BURN GREEN HEAD FOOD AND DRINKS		\$ 350.00
18401	26/05/2010	GREEN HEAD CARAVAN PARK	GAS 9KG CLIFF PARK		\$ 27.27
18402	26/05/2010	GERALDTON FLORAL STUDIO	WREATHS FOR ANZAC DAY		\$ 200.00
18403	26/05/2010	HILLE THOMPSON & DELFOS	DETAIL SURVEY THOMAS STREET		\$ 2,453.00
18404	26/05/2010	LEEMAN SENIORS	FUEL & BUS HIRE		\$ 516.58
18405	26/05/2010	LEEMAN FUEL & LIQUOR	DIESEL & REFRESHMENTS		\$ 96.55

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18407	26/05/2010	LANDGATE	VALUATION CHARGES UV ROLL		\$ 3,567.25
18408	26/05/2010	MAJOR MOTORS PTY LTD	HOSES & BELT - CW 006		\$ 155.20
18409	26/05/2010	MOMAR AUSTRALIA PTY LTD	CLEANING MATERIALS		\$ 3,047.00
18410	26/05/2010	ROBERT & ANNE MELBIN	REIMBURSEMENT MELBINS FOR LICENSING		\$ 36.85
18411	26/05/2010	GRAHAM PEEL	NEW COLOURBOND DOWNPIPES AT LEEMAN ADMIN CENTRE		\$ 2,170.00
18412	26/05/2010	SHIRE OF CARNAMAH	TRUCK OPERATOR HIRE		\$ 3,820.08
18413	26/05/2010	SYNERGY	ELECTRICITY ACCOUNT		\$ 5,368.05
18414	26/05/2010	ST JOHN AMBULANCE-NORTH MIDLANDS	15 PERSONAL MOTORING FIRST AID KITS		\$ 525.00
18415	26/05/2010	SHIRE OF CHAPMAN VALLEY	PLANNING SERVICES FOR THE MONTH OF MARCH AND APRIL		\$ 5,810.45
18416	26/05/2010	SHARED SERVICES CENTRE- STATE LIBRARY OF WA	LIBRARY BOOK STOCKTAKE LOST OR DAMAGED BOOKS COOROW & LEEMAN		\$ 41.25
18417	26/05/2010	KELVIN ALROY SEWELL	DOOR SEALS AND ENTRY SEALS WARRADARGE FIRE SHED		\$ 156.39
18418	26/05/2010	TELSTRA	TELEPHONE ACCOUNTS		\$ 2,000.30
18419	26/05/2010	TOOLMART	BUTTON DIE, DIE NUT, DIE HOLDER		\$ 455.90
18420	26/05/2010	TOTALLY WORKWEAR GERALDTON	PROTECTIVE CLOTHING		\$ 169.00
18421	26/05/2010	VICTORY SIGNS	MAIN STREET DEVELOPMENT SIGN		\$ 154.00
18422	26/05/2010	WILLIAMS AK & P	TRAVEL CLAIM CR WILLIAMS		\$ 303.21
18423	26/05/2010	WATER CORPORATION	WATER ACCOUNTS		\$ 25,074.60
18424	08/06/2010	ALLOY & STAINLESS PRODUCTS PTY LTD	BLADES,NUTS & BOLTS MOWERS		\$ 1,032.22
18425	08/06/2010	MACKA'S ROADHOUSE	REFRESHMENTS COUNCIL MEETING 19/05/10		\$ 104.00
18426	08/06/2010	LANDGATE	VALUATION CHARGES		\$ 188.86
18427	08/06/2010	MOORA SHIRE COUNCIL	MANAGERS AWARD INTERPRETATION COURSE PWS PO		\$ 520.00
18428	08/06/2010	PERFECT COMPUTER SOLUTIONS	UPS, EXTERNAL CARD READER, SPEAKERS & HARD DRIVE - LEEMAN OFFICE		\$ 555.00
18429	08/06/2010	SHIRE OF CARNAMAH	TRUCK & OPERATOR HIRE		\$ 1,495.08
18430	08/06/2010	HEATHER SEWELL	CURTAINS WARRADARGE FIRE SHED		\$ 246.69

18431	08/06/2010	TELSTRA	PHONE ACCOUNT		\$ 1,965.31
18432	08/06/2010	WILLIAMS AK & P	SITTING FEES		\$ 60.00
18433	08/06/2010	WARRADARGE BUSHFIRE BRIGADE	AFTERNOON REIMBURSEMENT WARRADARGE COMMUNITY ROOMS OPENING		\$ 150.00
13120510	12/05/2010	BANKWEST	MASTERCARD MRS		\$ 1,471.46
13120510	12/05/2010	BANKWEST	MASTERCARD CEO		\$ 323.85
13120510	12/05/2010	BANKWEST	MASTERCARD PWS		\$ 762.90
13120510	12/05/2010	BANKWEST	MASTERCARD DCEO		\$ 545.94
13140410	26/05/2010	BANKWEST	MASTERCARD MRS		\$ 449.73
13140410	26/05/2010	BANKWEST	MASTERCARD CEO		\$ 50.98
13140410	26/05/2010	BANKWEST	MASTERCARD PWS		\$ 222.70
13140410	26/05/2010	BANKWEST	MASTERCARD DCEO		\$ 1,856.06
71010610	01/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 981.10
71020610	02/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 260.35
71030610	03/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 39.80
71040610	04/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 698.95
71100510	10/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 286.40
71110510	11/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 56.15
71120510	12/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 825.95
71130510	13/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 743.40
71140510	14/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 317.50
71170510	17/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 876.55
71180510	18/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 378.45
71190510	19/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 68.30
71200510	20/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 472.10
71240510	24/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 931.65
71250510	25/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 90.15
71260510	26/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 2,479.25
71270510	27/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 432.30
71280510	28/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 228.25
71310510	31/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 111.00
72010610	01/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 319.05

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72020610	02/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 244.15
72030610	03/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 735.40
72040610	04/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 658.20
72100510	10/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,464.35
72110510	11/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 209.35
72120510	12/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 406.85
72140510	14/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,405.35
72170510	17/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 348.45
72180510	18/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 331.40
72190510	19/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 888.45
72200510	20/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,059.50
72210510	21/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,809.90
72240510	24/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 890.15
72250510	25/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,001.40
72260510	26/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 290.10
72270510	27/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 218.85
72280510	28/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 305.30
72310510	31/05/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 325.45
DDEBIT	12/05/2010	PAYROLL	PAYROLL		\$ 44,494.00
DDEBIT	26/05/2010	PAYROLL	PAYROLL		\$ 42,712.00
				\$ 1,823.88	\$ 516,768.23

10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – MAY 2010

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 June 2010
ATTACHMENT	10.4.2 Statement of Financial Activity to 30 April 2010
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 31 May 2010 is included at Attachment 10.4.2 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 sub regulation (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 sub regulation (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 10.4.2 for the period ended 31 May 2010 as prepared and presented by the Deputy Chief Executive Officer.

RESOLUTION:

2010/97

Moved: Cr McTaggart

Seconded: Cr Williams

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the period ended 31 May 2010 as prepared and presented by the Deputy Chief Executive Officer.

CARRIED 8 /0

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

Councillor Girando give notice that at the June Meeting of Council she intends to move the following Notice of Motion:

RECOMMENDATION

That the Shire of Coorow:

- Establish and maintain a dedicated 24hr, 7 day a week emergency information call in number/service, and
- That Staff investigate costing of such a service and the ability of the Shire of Coorow to recoup those costs through the Emergency Service Levy.

RESOLUTION: **2010/98**

Moved: Cr Girando

Seconded: Cr Williams

That the Shire of Coorow:

- *Establish and maintain a dedicated 24hr, 7 day a week emergency information call in number/service, and*
- *That Staff investigate costing of such a service and the ability of the Shire of Coorow to recoup those costs through the Emergency Service Levy.*

CARRIED 8 /0

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

Nil

13. MATTERS BEHIND CLOSED DOORS:

Nil

14. DATE OF NEXT MEETING:

14.1 SPECIAL BUDGET MEETING

Special Draft Budget Meeting to be held 14 July 2010 at 3.00 pm

14.2 SPECIAL BUDGET MEETING

Special Budget Meeting to be held 21 July 2010 at 1.00pM

14.3 ORDINARY MEETING OF COUNCIL

Wednesday 21 July 2010 at the Coorow District Hall, Coorow from 3pm

15. CLOSURE:

There being no further business, the President Cr Girando declared the meeting closed at 4.25pm.