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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

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

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

Councillor M J Girando
Councillor J K Waite
Councillor M R Bothe 4.00pm
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
			.

Visitors

Linda Thompson

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

4. PUBLIC QUESTION TIME:

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Councillor Williams requested Leave of Absence from 21 May 2010 to 10 June 2010.

RESOLUTION: 2010/064

Moved: Cr Mc Taggart ***Seconded:*** Cr Waite

That Council grants Leave of Absence to Councillor Williams from 21 May 2010 to 10 June 2010.

CARRIED 7/0

6. PETITIONS/DEPUTATIONS/PRESENTATIONS:

7. CONFIRMATION OF MINUTES:

7.1 ORDINARY MEETING HELD WEDNESDAY 21 APRIL 2010 AT THE GREEN HEAD COMMUNITY HALL

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

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting held on Wednesday 21 April 2010 at the Green Head Community Hall be confirmed as a true and correct record with the following amendments.

RESOLUTION: 2010/065

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

CARRIED 7/0

Resolution 2010/049 be changed to show the Seconder as Cr George not Cr Waite

RESOLUTION: 2010/049

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

That the Shire of Coorow advise the Central Coast Small Business Enterprise Centre that as Council withdrew its support in July 2009 Council will not provide a financial contribution of \$2,500 in the 2010/11 Budget.

CARRIED 7/0

Amend Page 51 by inserting the following note after the resolution 2010/55

NOTE; This item was discussed out of sequence as Council was awaiting further information from the Manager of Regulatory Services but has been left in sequence for the ease of recording.

Amend Page 83 by adding the following after resolution 2010/061

RESOLUTION: **2010/062**

Moved: Cr George

Seconded: Cr McTaggart

1. *That Council advise Fitzgerald Strategies that the Shire of Coorow does not wish to be part of forming a new representative association for country shires in WA.*
2. *That Council request Fitzgerald Strategies to advise Council of the issues from which the suggestion of forming a new Association arose.*

CARRIED 7/0

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.

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:

10. REPORTS:

10.1 CHIEF EXECUTIVE OFFICER:

10.1.1 ISSUING OF INFRINGEMENT NOTICE FOR BADGINGARRA FIRE

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	2010
FILE	ADM0020

SUMMARY:

Council is being requested to authorise the issuing of an infringement notice under the following Acts and Regulations.

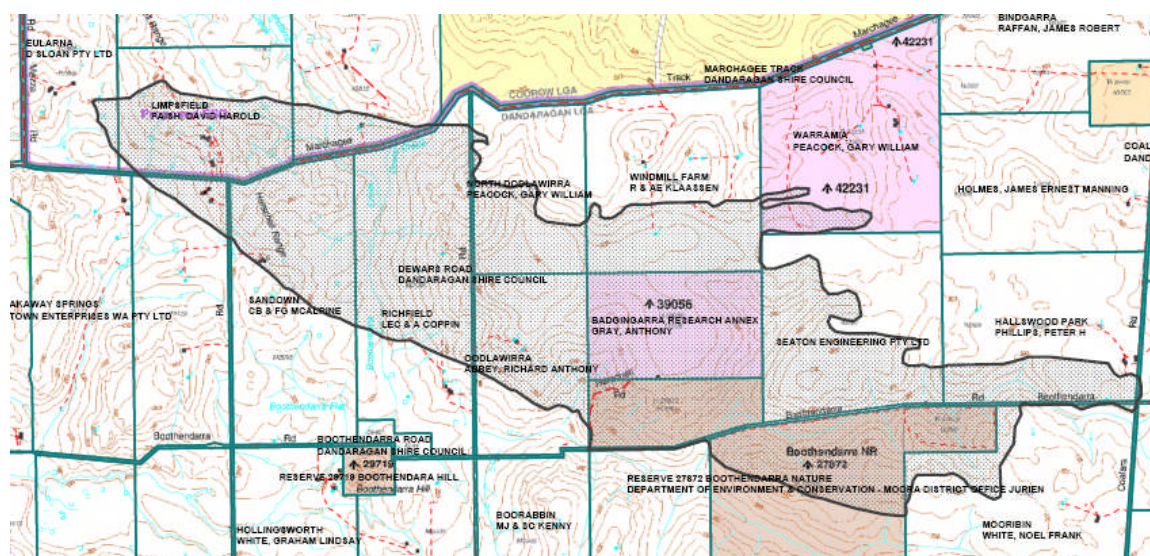
Bush Fires Act 1954, Bush Fires (Infringements) Regulations 1978 and Bush Fires Regulations 1954.

BACKGROUND:

On the 29th December 2009 there was a fire on Location 10368 Mazza Road that appears to have been started from movement of a vehicle or vehicles through the paddock. The Shire of Coorow had imposed a harvest ban and movement of vehicles at 9.30am on this day. It appears from the fire investigation report received from the Fire and Emergency Services Authority of Western Australia that the cause of the fire has been determined accidental and was caused from heat transfer from a vehicle exhaust system which has come in contact with combustible materials approximately 10.50am an hour and twenty minutes after Council had imposed the harvest and vehicle movement ban for the whole Shire of Coorow.

COMMENT:

Due to the actions of a person moving a vehicle during the harvest and vehicle movement ban imposed under section 27 (1) (b) of the *Bush Fires Act 1954* the following area of farming and bush land was devastated by the fire.



The Chief Executive officer has received the fire report from FESA the report is confidential but is available upon request however the report includes a clause that states “*This information is only for use by the Shire of Coorow and the Shire of Dandaragan. It must not be disclosed to anyone outside your organisation with out further permission from FESA*”.

Mr Russell Hayes FESA Operations Regional Director Mid West Gascoyne Region has given the following advice by email to the Chief Executive Officer.

You have previously enquired as to whom should be infringed in relation to moving vehicles contrary to a harvest and vehicle movement ban.

I am able to advise that the operator of the machine (driver) should be infringed.

STATUTORY ENVIRONMENT:

Bush Fires Act 1954

Division 6 — General restrictions, prohibitions and offences

27. Prohibition on use of tractors or engines except under certain conditions

(1) Subject to the provisions of subsection (2) a person shall not operate, during the prohibited burning times or the restricted burning times —

- (a) a tractor or self-propelled harvester unless —
 - (i) its exhaust system, including pipes, is maintained in sound and efficient condition;
 - (ii) its exhaust pipe is fitted with a spark arrester as prescribed by regulation; and
 - (iii) its exhaust pipe terminates so as to discharge exhaust emissions vertically upwards or, in the case of a self-propelled harvester the exhaust pipe of which terminates at least 2 metres above the ground, so as to discharge exhaust emissions horizontally or in a direction upwards of the horizontal plane;
- (b) an internal combustion engine, steam engine or other prescribed machinery or vehicle contrary to the regulations or otherwise than in accordance with the regulations. Penalty: \$5 000.

(2) A local government may at any time permit the use in orchards within its district of tractors the exhaust pipes of which are not vertical, and in any district where permission is so given, a person may operate in an orchard during the times mentioned in subsection (1) a tractor the exhaust pipe of which is not vertical, so long as the person while operating that tractor complies with the other requirements specified in respect of a tractor in paragraph (a) of that subsection and with the requirements of any notice under subsection (3) having effect in the district for the time being.

- (3) A local government may, by notice published in its district by —
- (a) publication in a newspaper circulating in that district;
 - (b) broadcast from a radio broadcasting station that gives radio broadcasting coverage to that district; and
 - (c) display in prominent positions in that district, prohibit the operation in its district of any tractor or self-propelled harvester other than a tractor or self-propelled harvester that is equipped with a fire extinguisher.

- (4) A notice under subsection (3) —
- (a) shall have effect for such period during the prohibited burning times or the restricted burning times, or both, as is specified in the notice;
 - (b) may be varied or cancelled by the local government by a notice published in the manner set out in that subsection.
- (5) During any period for which a notice under subsection (3) has effect in a district a person shall not operate a tractor or self-propelled harvester in that district unless a fire extinguisher as prescribed by regulation is carried on that tractor or self-propelled harvester or, in the case of a tractor, on a trailer, semi-trailer or agricultural machine or appliance being drawn or propelled by that tractor. Penalty: \$5 000.

Bush Fires Regulations 1954

Section 38A - Use of engines, vehicles, plant or machinery likely to cause bush fire

(1) Where a bush fire control officer is of the opinion that the use or operation of any engines, vehicles, plant or machinery during the prohibited burning times or restricted burning times, or both, is likely to cause a bush fire, or would be conducive to the spread of a bush fire, the bush fire control officer may by notice or direction prohibit or regulate the carrying out of any activity or operation in a specified area either absolutely or except in accordance with conditions specified in the notice or direction or without the consent of the local government or bush fire control officer.

- (2) A notice or direction under sub regulation (1) —
- (a) may be given by wireless broadcast or in writing;
 - (b) shall have effect for such period during the prohibited burning times or restricted burning times, or both, as is specified in the notice or direction;
 - (c) may be varied or cancelled by a bush fire control officer by a subsequent notice or direction in the manner set out in that sub regulation.

(3) During any period for which a notice or direction under sub regulation (1) has effect a person shall not, in any area specified in the notice or direction, operate or use any engines, vehicles, plant or machinery contrary to the notice or direction. **Penalty: \$5 000.**

(4) A person shall, when required by a local government, provide a plough or other specified machine, appliance or fire fighting equipment in or in the vicinity of any land or paddock where harvesting operations are being carried on.

Bush Fires (Infringements) Regulations 1978

Item	Regulation or Section	Nature of offence	Penalty \$
13	Section 27(1)	Offences relating to the operation of tractors, or self-propelled harvesters, engines, machinery and vehicles during the prohibited and restricted burning times	250

Local Government Act 1995

Local Government (Audit) Regulations 1996 as amended

POLICY IMPLICATIONS:

Sub Section: Fire Prevention

Policy Number: 4.1.8

Infringement Notices

Policy Statement: Only persons authorised to do so by the Shire may issue Infringement Notices for Offences under the *Bush Fires Act 1954* and that authority once given, shall remain in force until such time as it is revoked by the Shire.

FINANCIAL IMPLICATIONS:

Minor implications to Councils finances Penalty under Section 27 (1) of *Bush Fires (Infringements) Regulations 1978* \$250

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council request the authorised officer under the *Bush Fires Act 1954* to issue an infringement notice to the driver of the vehicle being used contrary to the harvest and vehicle ban imposed by the Shire of Coorow on the 29th December 2009 at 9.30am on Location 10368 Mazza Road.

RESOLUTION:

2010/066

Moved: Cr McDonald

Seconded: Cr Williams

That Council request the authorised officer under the Bush Fires Act 1954 to issue an infringement notice to the driver of the vehicle being used contrary to the harvest and vehicle ban imposed by the Shire of Coorow on the 29th December 2009 at 9.30am on Location 10368 Mazza Road.

CARRIED 7/0

RESOLUTION:

2010/067

Moved: Cr Waite

Seconded: Cr Jack

That, prior to the fire season the “Harvest and Vehicle Ban” SMS service be well publicised over whole of the Shire with strong wording informing the onus to know of ban being on the operator. Notice to this affect also to be included with mail out of rate notices.

CARRIED 7/0

10.1.2 FIRE WEATHER OFFICERS GAZETTAL

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 May 2010
ATTACHMENT	
FILE	ADM0091

SUMMARY:

Council is being requested to become an approved Local Government under the *Bush Fires Act 1954*.

BACKGROUND:

The Chief Executive Officer requested FESA for an amendment to allow for the issue of a permit to burn when the weather from the bureau of meteorology was listed as extreme and the burn could not proceed as all permits are to be cancelled when weather conditions are listed as extreme.

COMMENT:

The weather conditions on the day were actually medium to high but as the Bureau of Meteorology had already listed the weather conditions as Extreme the only way to override this was for the Gazetted Fire Weather Officer to issue the permit. When checking who was the Gazetted Fire Weather Officer for the Shire of Coorow it was apparent that the Shire of Coorow did not have a Gazetted Fire Weather Officer. The Chief Executive Officer then requested FESA to advise why the Shire of Coorow did not have a Gazetted Fire weather officer.

FESA then advised the Shire of Coorow that the Shire of Coorow is not an Approved Local Government under the *Bush Fires Act 1954*. This then means that the Shire of Coorow is unable to have a Gazetted 'Fire Weather Officer'.

To rectify this situation the Shire of Coorow needs to become an approved Local Government under the *Bush Fires Act 1954* as outlined in Section 38 (6) (d).

Shire of Coorow current Fire Control Officers

Chief Bush Fire Control Officer	John Browne
Deputy Chief Bush Fire Control Officer (West)	Jay Wann
Deputy Chief Bush Fire Control Officer (East)	Kelvin Bean
Harvest Ban Officer – Western Sector	James Raffan, Ian Falconer
Harvest Ban Officer – Eastern Sector	Kelvin Bean, Ian Hunt
Special Permit Clover Burning Officers	Ian Falconer

Fire Control Officers

Mark Hook, Rob Clement, Ian Hunt, Barry Fowler, Geoff Hortin, Jay Wann, Dave Morton, Geoff Angwin.

STATUTORY ENVIRONMENT:

Bush Fires Act 1954

7. *Terms used*

(1) In this Act unless the context otherwise indicates or requires —

Authority means the Fire and Emergency Services Authority of Western Australia established by section 4 of the FESA Act;

38 (6) (a) in this section —

approved local government means a local government approved under paragraph (b) by the Authority.

(b) If it appears to the Authority that the standard of efficiency of a local government in fire prevention and control justifies the Authority doing so, the Authority, by notice published in the *Government Gazette* —

(i) may approve the local government as one to which this subsection applies; and

(ii) may from time to time cancel or vary any previous approval given under this paragraph.

(c) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.

(ca) Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the exclusive right to exercise the power conferred by paragraph (h).

(cb) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.

(cc) Where the office of a fire weather officer is vacant or whilst the occupant is absent or unable to act in the discharge of the duties of the office, any deputy appointed in respect of that office under paragraph (cb) is, subject to paragraph (cd), entitled to act in the discharge of the duties of that office.

(cd) A deputy who is one of 2 or more deputies of a fire weather officer is not entitled to act in the discharge of the duties of the office of that fire weather officer if a deputy who has precedence over him in the order of seniority determined under paragraph (cb) is available and able to discharge those duties.

(d) The local government shall give notice of an appointment made under paragraph (c) or (cb) to the Authority and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the Authority shall cause notice of the appointment to be published once in the *Government Gazette*.

- (e) An approved local government may appoint a committee for the purpose of advising and assisting a fire weather officer or any deputy of a fire weather officer acting in the place of that officer under this subsection.
- (f) Where a committee is appointed, a fire weather officer, or, as the case may be, a deputy of a fire weather officer while acting in the place of that officer, may exercise the authority conferred on him by paragraph (h), notwithstanding the advice and assistance tendered to him by the committee.
- (g) The provisions of this subsection are not in derogation of those of any other subsection of this section.
- (h) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is “catastrophic”, “extreme”, “severe” or “very high”, and upon the authority being given the person, if he has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.
- (i) This subsection does not authorise the burning of bush —
 - (i) during the prohibited burning times; or
 - (ii) during the period in which, and in the area of the State in respect of which, a total fire ban is declared under section 22A to have effect.

STRATEGIC IMPLICATIONS:

No Policy implication as council has no Policy in relation to Fire Weather Officers.

FINANCIAL IMPLICATIONS:

No implications to Councils finances

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council request the Fire and Emergency Services Authority for the Shire of Coorow to be an approved Local Government under section 38 (6) (b) of the *Bush Fires Act 1954*.

RESOLUTION:

2010/068

Moved: Cr Williams

Seconded: Cr Mc Taggart

That Council request the Fire and Emergency Services Authority for the Shire of Coorow to be an approved Local Government under section 38 (6) (b) of the Bush Fires Act 1954.

CARRIED 6/1

10.1.3	SUPPORT FOR “EVOLVING COMMUNITIES” 2010 STATE COMMUNITY DEVELOPMENT CONFERENCE
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AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 May 2010
ATTACHMENT	
FILE	ADM0123

SUMMARY:

Council is being requested to become a “Community Sponsor” to the Evolving Communities 2010 State Community Development Conference.

BACKGROUND:

The Local Government Managers Association has advised that the 2010 State Community Development Conference will be held on the 2-3 September 2010 at the Rendezvous Hotel, Scarborough.

The Local Government Managers Association is requesting sponsorship from Council for this event.

In return for the Sponsorship of \$500 LGMA will place Councils LOGO on the back of the Conference papers and will allow non Local Government Managers Association members to attend the conference at the member discounted rate.

COMMENT:

I can not see any major benefit to the Shire of Coorow by becoming a Community Sponsor to the “Evolving Communities” State Community Development Conference.

STATUTORY ENVIRONMENT

Nil:

POLICY IMPLICATIONS:

No Policy Implications

FINANCIAL IMPLICATIONS:

Implications to Council’s finances would be the cost of \$500 if Council wishes to sponsor the event

Council's Budget allowed for \$8,200 in donations to date Council has made the following donations.

<u>DESCRIPTION</u>	<u>DONATION</u>
Warradarge Bushfire Brigade - Meeting Room	180.00
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 Royal Show Display	150.00
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 Breakfast	200.00
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	2521.05

Budget Figures are

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

Balance left \$ 5678.95

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council not provide community sponsorship of \$500 to the Local Government Managers Association “Evolving Communities” 2010 State Community Development Conference.

RESOLUTION:

2010/069

Moved: Cr Waite

Seconded: Cr Williams

That Council not provide community sponsorship of \$500 to the Local Government Managers Association “Evolving Communities” 2010 State Community Development Conference.

CARRIED 7/0

10.1.4 MWRC DIVISION OF ASSETS

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 May 2010
ATTACHMENT	
FILE	ADM0055

SUMMARY:

Council is being requested to give express written authority to the MWRC to facilitate the notional winding up of the MWRC.

BACKGROUND:

The Mid West Regional Council requested the elected members to discuss the future and possible winding up of the MWRC by agreement of the participants effective June 30, 2010. This item was put forward at the Shire of Coorow Ordinary Meeting of Council on the 17th March 2010 and Council passed the following resolution.

RESOLUTION: 2010-037

1. That Council advise the Mid West Regional Council that it does not support the winding up of the MWRC.
2. That Council request the MWRC to advise Council of the amount Council will be receiving under Clause 13.4(a) of the Establishment Agreement or advise Council's liabilities as per Clause 13.4(b) of the Establishment Agreement to allow Council to budget for either amount.

The Chief Executive Officer advised the MWRC of Council's decision and also requested advice of the amount Council would be receiving under Clause 13.4(a) of the Establishment Agreement or advise Council's liabilities as per Clause 13.4(b) of the Establishment Agreement to allow Council to budget for either amount.

Council has received the following reply from the MWRC.

I am writing to advise Council's response to an enquiry from the Shire of Coorow regarding the distribution of the Assets and Liabilities on the withdrawal of the Shire of Coorow from the Mid West Regional Council.

To clarify the intent of the MWRC Establishment Agreement on this point, legal advice was sought and provided to Council to assist with decision making. Mr John Woodhouse of Woodhouse Legal subsequently advised: -

- There was to be a "notional winding up" of MWRC as at 30th June 2010.
- If all of the member councils are in agreement, an independent valuation of assets and liabilities should be obtained.
- MWRC should only facilitate this if it has the express written agreement of all seven participating Councils.
- If MWRC does not have sufficient funds to pay the withdrawing councils at 30th June 2010, the ongoing participating Council would be required to meet this payment (in equal proportions).

Following consideration of the legal advice, at the April 7th Ordinary meeting, Council resolved as follows:

0410.10.1.2 DIVISION OF ASSETS / LIABILITIES ON WITHDRAWAL OF COUNCILS

Moved

Cr Peter Duke

Seconded

Cr Michelle Bagley

a) This item be considered by the seven individual member Councils for decision to provide Mid West Regional Council with the express written authority to facilitate the "notional winding up" / valuation of assets and liabilities of Mid West Regional Council as at the 30th June 2010 by Haines Norton UHY and disburse or recoup any funds payable to or by the withdrawing Councils being the Shires of Carnamah and Coorow.

b) The Shires of Coorow and Carnamah be advised that they will be informed of the expected financial implication of their withdrawal on completion of the MWRC 2010/11 budget, however the actual amount will not be determined until the completion of the MWRC audit in July or August 2010.

CARRIED 6/0
MINUTE REF: 04/10 – 3

In accordance with the Council resolution, a budgeted financial implication for the Shire of Coorow on their withdrawal from MWRC will form part of the 2010/2011 MWRC draft budget, however the actual amount cannot be finalised until the MWRC annual audit is complete.

Your council is also required to provide express written authority to MWRC to facilitate the "notional winding up" / valuation of assets and liabilities of Mid West Regional Council as at the 30th June 2010 by Haines Norton UHY and to disburse or recoup any funds payable to or by the withdrawing Councils.

COMMENT:

The MWRC Establishment Agreement states the following in relation to the withdrawal of a participant.

NOTE: WCRC is the old Wild Flower Country Regional Council which became the MWRC.

9. WITHDRAWAL OF A PARTICIPANT

9.1 Withdrawal

A Participant may, at any time between 1 July and 31 December in any year give to the WCRC and to the other Participants notice of its intention to withdraw from the WCRC.

9.2 When withdrawal to take effect

Subject to clause 13.3, the withdrawal of a Participant is to take effect from the end of the financial year after the financial year in which notice of withdrawal under clause 13.1 is given.

9.3 No withdrawal to take effect prior to 1 July 2010

If a Participant gives notice of its withdrawal under clause 13.1 prior to 1 July 2008 then the withdrawal of the Participant takes effect commencing on 1 July 2010.

9.4 Entitlement or liability of withdrawing Participant

When the withdrawal of a Participant takes effect:

(a) the Participant is entitled to be paid an amount equal to the Proceeds and any surplus funds which would have been payable if the WCRC was wound up; or

(b) the Participant must pay to the WCRC an amount equal to the liability or debt which would be payable by the Participant if the WCRC was wound up,

as the case may be.

9.5 Participants may be required to make payment

If the WCRC is unable to make the payment referred to in clause 13.4(a)

from funds on hand then, unless the WCRC Council decides otherwise, the Participants (other than the Participant which has withdrawn) must pay the amount in the proportions equal to their respective equities in the WCRC.

I can not understand how the Legal Opinion states that the Seven Shires have to agree in express written agreement as the Agreement clearly outlines how the winding up is to take effect. With this Legal Opinion I am not sure what this will mean if any of the Seven Councils do not agree to the notional winding up of the Assets and Liabilities.

The Mid West Regional Council has advised the anticipated quote to undertake the Notional winding up of the Assets and Liabilities by Haines Norton is \$500.

STATUTORY ENVIRONMENT:

Local Government Act 1995

MWRC Establishment Agreement

STRATEGIC IMPLICATIONS:

Nil:

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Income from the surplus funds of the MWRC as of the 30th June 2010 or the payment to the MWRC for the debt and liabilities held as of the 30th June 2010. One seventh cost of the \$500 for the Notional Wind up figures.

PUBLIC CONSULTATION

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council advise the Mid West Regional Council, that the Shire of Coorow gives express written authority to the MWRC to facillitate the Notional Winding up of of valuation of assets and liabilities as at the 30th June 2010.

RESOLUTION:

2010/070

Moved: Cr George

Seconded: Cr McDonald

That Council advise the Mid West Regional Council, that the Shire of Coorow gives express written authority to the MWRC to facillitate the Notional Winding up of valuation of assets and liabilities as at the 30th June 2010.

CARRIED 7/0

10.1.5 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.

6.1.2 SHIRE OF COOROW EMPLOYEE HOUSING POLICY



Information for Staff Living in Shire of Coorow Owned Properties

2009

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CONTACT

CONTACT	PHONE	EMAIL
Coorow Administration Centre	(08) 9952 0100	shire@coorow.wa.gov.au
Leeman Administration Centre	(08) 9953 1388	leeman@coorow.wa.gov.au
Mark Hook, Chief Executive Officer	0428 521 100	ceo@coorow.wa.gov.au
Stuart Billingham, Deputy CEO	0428 521 107	dceo@coorow.wa.gov.au
Dave Hadden, Manager Regulatory Services	0428 521 101	daveh@coorow.wa.gov.au
Kelvin Bean, Principal Works Supervisor	0428 521 103	kelvinb@coorow.wa.gov.au

INTRODUCTION

This scheme introduces a set of allowances and conditions for **full time** staff. The allowances and conditions of the Shire of Coorow Housing Policy are reviewed annually and changes may be made.

A Housing budget exists for the ongoing maintenance and repairs, renovations, rates and insurances associated with the running of the staff housing portfolio.

The houses owned by Council for the purposes of staff housing vary in size and are used to maximise their ability to house the mix of staff, single or married, in each location.

Staff members should also be aware that from time to time due to unforeseen circumstances they might be required to move into alternative accommodation if there are changes to the number and composition of full time staff. Though this is an inconvenience that shall be avoided if at all possible, staff shall relocate to housing allocated to them.

The locations, which apply to the Shire of Coorow Housing Scheme have been categorised into 2 groups. The eligibility and conditions for Housing vary between these groups.

Group 1

Executive Housing – housing reserved for Council's Executive Staff members as per contract agreements.

Group 2

Outside Staff Housing – housing reserved for Works Crew Employees and Administration Staff.

Staff Houses range in size and if possible, larger houses are made available for staff members with families.

Responsibilities

The following are the specific responsibilities for both the Shire of Coorow ("Council") and the Employee ("Tenant") during the period of occupancy.

Bonds

A Security Bond of equivalent to four (4) weeks rent based on a rent of \$200 per week is to be paid by tenants. Tenants may choose to pay the bonds either in full or via Payroll Deductions over up to four consecutive pay periods.

Bond money shall be held by Council for the duration of the lease. It shall be returned to the tenant in full or in part depending on the state of cleanliness and repair of the accommodation upon final inspection. If the accommodation requires cleaning and/or maintenance that are deemed to be the tenant's responsibility, then an appropriate amount shall be deducted from the bond to cover all associated expenses. Inspections shall be conducted by the Council's Chief Executive Officer, Manager Regulatory Services or their nominees.

Lease Agreements

All tenants need to sign a ***Shire of Coorow Tenancy Agreement*** found at the rear of this booklet. In signing it, the tenant acknowledges they have read and understand their eligibility for housing and are aware of their specific responsibilities of the tenancy.

Termination of Lease by Tenant

The tenant needs to refer to the ***Checklist for Vacating a Property*** (refer rear of this booklet) and is to ensure all items are attended to prior to vacating. The completed checklist must be presented to Council's Chief Executive Officer or Manager Regulatory Services.

Insurance

Insurance coverage for buildings and contents owned by the Shire is the responsibility of the Council. The insurance of personal possessions is the tenant's responsibility.

Maintenance Issues

It is the responsibility of the tenant to report maintenance issues to Council as soon as a problem is identified. This must be done in writing and are to be handed in at the Coorow or Leeman Administration Centres.

Grounds and Gardens

The tenant is responsible for maintaining premises, outbuildings and grounds in good repair and condition including the regular watering of gardens. Where the tenant does not perform these duties, the tenant will be responsible for all costs associated with any repairs or replacements caused by careless use or neglect.

Pets

Tenants who reside in Council managed housing shall be required to seek approval regarding the keeping of pets. All costs related to pets are the responsibility of the owner.

At the termination of the lease, the tenant is required to have the carpeted area of the house shampooed and the house sprayed internally for fleas and ticks by a reputable pest control company. The tenant is required to provide a receipt from the pest control company to Council to verify that the work has been carried out.

Smoking

Council supplied housing is smoke free environments and therefore no smoking shall be permitted at any time. Where smoke odours or stains are evident during the course of house inspections and if additional costs are incurred in removing such odours and stains, such costs shall be the responsibility of the tenant.

Water

Water charges will be paid by Council with the condition that the Tenant waters all lawn and garden areas.

Rates

Shire Rates, Water Rates and Land Tax are the responsibility of Council.

Telephones

The tenant is responsible for any fees incurred for connection or reconnection of the telephone. Tenants are responsible for all outgoings related to the telephone service. Accounts are to be held in the tenant's name and not in the name of Council.

Internet Connections

Should a tenant wish to access the Internet, the connection, disconnection and ongoing costs associated with this service is the responsibility of the tenant (unless otherwise negotiated).

Electricity

Tenants are responsible for the payment of all accounts related to electricity supply. Accounts are to be held in the tenant's name and not in the name of Council. Tenants are to contact the Electricity Supply Company prior to moving in to connect power (unless otherwise negotiated).

Replacing Light Globes and Batteries

Tenants are responsible for replacing Light Globes and Smoke Detector Batteries.

Gas

Gas bottles are supplied and listed as part of the inventory in places where this is appropriate. It is the responsibility of tenants to arrange and meet all costs associated with refilling gas bottles (ie, cost of gas and transportation). Council is responsible for the annual rental of all gas bottles. Gas bottles are not to be removed from Council owned properties without prior consent (unless otherwise negotiated).

Air-conditioning

Council will service evaporative air-conditioning units annually at Council's cost. It is the responsibility of the tenant to advise Council staff of any maintenance needs as soon as possible.

Pest Treatment

Treatment and inspection for white ants and other pests is carried out annually, or in some cases every six months, and it is the responsibility of Council to ensure this is done. In addition, Council will respond to additional reports of such things as termite activity. However, during the intervening periods, it is the responsibility of tenants to take whatever action is deemed necessary to address incidences of other pest activity including such things as cockroaches, rodents and ants etc.

The tenant must keep all vegetation away from the sides of the house and must not store goods against the external walls of the house.

Garbage Bins

Garbage bins are provided by Council's Waste Collection Agency, Avon Waste and is provided with the property.

House Inspections

Subject to opportunity, all residences should be inspected at least once a year by the Chief Executive Officer, Manager Regulatory Services or their nominees. Inspections will also be made when changes in occupancy occur. The tenant will be given at least seven days notice of intention to inspect.

Housing

Eligibility for Housing

Factors Affecting Eligibility

Council provides housing at a subsidized rental as part of Staff Employment Packages for Full Time Employees. Rental costs are reviewed annually.

Housing eligibility is restricted to

1. Councils Executive Staff Leeman
2. Council Executive Staff Coorow
3. Existing Staff Housing in Leeman
4. Existing Staff Housing in Coorow.

Council will not provide additional staff Housing in Leeman other than for additional Executive Staff.

Where ever possible Council will encourage staff to purchase existing Housing Stock.

Council provides a generous weekly housing allowance to employees who provide their own housing, also reviewed annually.

Staff are entitled to the subsidized rental or housing allowance whilst employed by Council, upon termination Council owned housing must be vacated and rent will be deducted accordingly from the employee's termination payment.

Maternity Leave

An employee going on Maternity Leave shall be entitled to the conditions of their existing housing arrangements for a period of 12 months from the commencement of Maternity Leave. If the employee does not return to full time employment after 12 months, they will have to vacate the premises.

Long Service Leave

Staff on Long Service Leave is permitted to remain in Council housing.

Subsidised Rental Rates

Council housing rents are heavily subsidized in order to provide accommodation at rates significantly better than that in the private rental market and are reviewed annually.

Rent

Rents are determined by Council on an annual basis and subject to CPI.

Bond Money

Payment of the Bond equivalent to four weeks rent based on a rental of \$200 per week is to be paid by the employee via a Payroll Deduction and held in trust by Council.

RELEVANT FORMS

The following forms can be located at the rear of this document.

- **Application for Assistance with Up-Front Housing Costs**
- **Check List for Vacating a Property**
- **Shire of Coorow Tenancy Agreement**

Shire of Coorow Staff Housing

Application for Assistance with Bond Payment

Name		Employee Code	
Rental Address			
Commencement Date of Lease		Weekly Rent	\$
Other Occupants			

Application is being made for assistance with the Bond

Standard Bond	\$
Paid Up Front	\$
Total	\$

Note

Rent-in-Advance is normally paid as follows:

➤ **Four** weeks rental value

Re-Payment of Bond via Payroll Deductions

Specify the No. of Fortnightly Pay Periods you wish to nominate for re-paying the Bond on the above property	<u> </u> Pay Periods
--	--------------------------------

Note

Repayments via Payroll Deductions can be made in equal instalments up to 4 pay periods

Tenant's Declaration

I hereby apply for assistance with the payment of Council's Bond as specified above. Furthermore, I acknowledge that re-payment in full will be made in equal instalments via Payroll Deductions commencing in the first pay period after the date the Tenancy commences.

Signed by Applicant _____ Date _____

Application Approval (Office Use Only)

The following **TOTAL** amount is to be deducted from:

Employee _____ **Account Name** _____

Name of Bank _____ **BSB No.** _____ **Account No.** _____

Repayment of \$_____ per fortnight for the next ____ Pay Periods is to commence in the first Pay Period after the Tenancy commences.

Total \$ _____

Signed By CEO _____ Date _____

Signed By Payroll Officer _____ Date _____

Shire of Coorow Staff Housing

Check List for Vacating a Property

In Accordance with the Terms and Conditions of the Teacher Housing Scheme

Area	Action	Checked
Floors	Vacuum/shampoo/disinfect all carpets removing any new stains.	
	Vacuum/sweep and mop all vinyl and tile surfaces.	
	Shift all items of furnishing and clean floors.	
Wall and Ceilings	Wipe clean any scuff marks etc.	
	Clean to remove any dirt or dust.	
Window Furnishings	Ensure all furnishings are hung properly.	
	Wipe clean all blinds.	
	Wash or dry clean all curtains.	
Windows and Doors	Clean all glass inside and out.	
	Clean all sills and window tracks.	
	Clean all flyscreens and security screens.	
Fittings	Wipe clean all ceiling fans.	
	Wipe clean all light fittings.	
	Wipe clean all exhaust fans.	
	Clean all sinks, troughs and toilet.	
Appliances	Defrost and clean fridge/freezer, turn off power and leave doors open.	
	Clean stove, hot plates and oven.	
	Turn off gas bottles and electricity.	
	Clean air conditioners and filters.	
Cupboards	Clean all shelves and doors.	
	Clean pantry thoroughly.	
	Clean all bench tops.	
	Clean bathroom vanity and mirrors.	
External	Ensure all gardens are neat and tidy and grass mowed.	
	Sweep/hose all verandas and carport.	
	Remove all cobwebs under verandas.	
	Close meter box and turn off power supply.	

Things to Arrange

1. Disconnect **Telephone** and then settle your Account.
2. Disconnect **Power Supply** or have a final reading taken and then settle your Account.
3. Have a final **Water** reading taken and then settle your Account.
4. Lock all **Doors and Windows** and leave **keys** at the Coorow Administration Centre or Leeman Administration Centre.

SHIRE OF COOROW

COUNCIL OWNED HOUSING

Tenancy Agreement

AGREEMENT made on the Day of 20
.....

BETWEEN
.....

Of "the
owner"

and
.....

(Name(s) in full)

of "the
tenant"

WHEREBY IT IS AGREED, SUBJECT TO THE RESIDENTIAL TENANCIES
ACT 1987 AS FOLLOWS,

1 AGREEMENT

This agreement sets out the rights and responsibilities of the Tenant
and the Owner in relation to the rental premises described below.

The Owner lets and the Tenant takes the premises situated at

.....
together with the furniture and chattels (if any) therein as set out in the
schedule attached hereto for use as a PRIVATE DWELLING to be
occupied by not more thanpersons.

THE TENANCY:-

PERIODIC WeeklyFortnightly.....Calendar Monthly.....

Note: Delete as appropriate – WEEKLY, FORTNIGHTLY, CALENDER
MONTHLY

RENT IS \$ (.....)

(Amount in words)

payable each fortnight through Council's payroll.

Commencing on Payroll Fortnight

.....day of 20

Rents are subject to an annual review, to market variations and may be altered at any time.

If the Tenant receives a rent subsidy, rent may be altered at any time where there is a change in income or family circumstances, or as part of an annual review.

2 THE TENANT

Rent	2.1	The Tenant agrees to pay the rent through payroll fortnightly and agrees to Council automatically deducting this amount.
Water Consumption	2.2	Council will pay all associated costs relating to water accounts on Council Owned Properties with the condition that the Tenant maintains all lawns and gardens.
Security Bond	2.3	<p>2.3.1 Tenant shall pay the Shire of Coorow security bond of equivalent to four (4) weeks rent to secure compliance with this agreement and as potential compensation to Council for any breach or default by the Tenant in respect of this Agreement including and without limiting the generality of the foregoing, any charges for electricity, gas, oil, water consumption and costs of repairs to the premises or the chattels arising out of damage or neglect by the Tenant or for any moneys owing by the Tenant to the Shire of Coorow.</p> <p>2.3.2 The Tenant shall not fail or refuse to pay any rent due under this Agreement with the intention that the amount of such rent may be recovered by the Shire of Coorow from the security bond. (This is an offence in accordance with Section 52 of the Residential Tenancies Act of 1987 and is subject to a maximum penalty of \$1,000.00).</p>
Services	2.4	The Tenant agrees to notify Western Power and Alinta Gas (if applicable) of his occupation of the property, and agrees to pay all charges for electricity and gas (unless otherwise negotiated).
Telephone	2.5	The Tenant agrees to do all things necessary to retain and maintain the telephone services to the property during his / her tenancy (unless otherwise negotiated).
Management	2.6	The Tenant agrees to comply with all the rules governing the use of the premises laid down by the Shire of Coorow.
Property	2.7	<p>2.7.1 The Tenant agrees within 7 days of receipt of the Property Condition Report to sign and return same noting any variations.</p> <p>2.7.2 The Property Condition Report and / or Inventory when signed by the parties shall be deemed to be a true and correct description of the property and / or its contents.</p>
Tenant to Maintain, Clean and Report Damage	2.8	The Tenant shall keep the premises clean and maintain all extraction fan, grills, tap washers and all electrical fuses in good working order (fair wear and tear excepted) and replace all light globes and fluorescent tubes and shall report all damages and any state of disrepair arising within three days of same occurring. Failure to do so will render the Tenant liable for all costs incurred as a result of such failure.
Carpet Cleaning on Property Vacation	2.9	The Tenant agrees upon vacation of the premises, to have all carpets professionally cleaned (at the tenants expense) by a contractor approved by the Shire of Coorow and to supply all details to the Shire of Coorow.
Condition of	2.10	The Tenant Agrees to keep the premises in a clean and sanitary condition free

Premises		from dirt, oils and grease.
Maintenance and Movement of Chattels	2.11	The Tenant agrees to keep all floors, floor coverings, walls, ceilings, windows (including glass), window treatments, doors (including glass if any), light fittings, fixtures and fittings, furniture and all household effects in the same condition as they were at the commencement of this tenancy and in accordance with the Property Condition Report (fair wear and tear accepted), and if any of such shall be moved during the tenancy the Tenant agrees to replace all items in the positions set out on the Property Condition Report and or Inventory as at the commencement of the Tenancy
Repairs	2.12	The Tenant shall not undertake or authorise any repairs without prior written consent of the Shire of Coorow.
Alterations to the Premises	2.13	The Tenant shall not make any alterations or additions to the premises or to any fixtures or fittings, or place any sign thereon, or paint the premises, use blue tack or any other adhesive material, or drive any nails or screws into or deface any part of the premises without the prior approval of the Shire of Coorow Chief Executive Officer or Manager Regulatory Services.
Insurance	2.14	The Tenants shall not do or permit anything to be done to bring onto or keep on the premises anything which may invalidate or prejudice the conditions of insurance policies relating to the premises or cause to be increased the premiums payable thereon. NOTE: The Tenant is responsible for insuring the Tenants personal belongings and property.
Purposes Other Than Dwelling	2.15	The Tenant shall not use the premises or cause or permit the premises to be used for any illegal purposes or cause a nuisance and shall use the premises solely for a dwelling and shall not cause or permit the premises to be used for any other purpose without the prior written consent of the Shire of Coorow.
Lawn and Gardens	2.16	The Tenant agrees to maintain the garden, lawns, lawn edges, hedges, shrubs and trees in the same order as stated in the Property Condition Report, to water them regularly and adequately, to keep all the grounds clean and tidy and free from rubbish and the flower beds and lawns free of weeds, and not to remove or cut down any plants, trees or shrubs.
Laundry	2.17	The Tenant shall not hang or display any laundry or other articles on any fence, verandas, porch or carport.
Pets	2.18	The Tenant shall not keep any animal or bird in or about the premises without the prior permission of Council.
Non Assignment	2.19	The Tenant shall not assign, sublet or part with possession of the premises or any part thereof or grants any licence to occupy the whole or any part.
Keys	2.20	2.20.1 The Tenant agrees to return all the keys of the premises to the Coorow Administration Centre or Leeman Administration Centre on or prior to the terminating date of the tenancy. 2.20.2 After the termination of the tenancy, rent and all cost of maintaining the property shall be the Tenant's responsibility until the keys are returned to the Shire of Coorow
Excess on Insurance	2.21	The Tenant shall pay any "excess" on any insurance claim that arises from or is attributed to an act by the Tenant or their visitors.

Continuous Occupation	2.22	2.22.1	The Tenant must not, without the written consent of the Owner, leave the premises unoccupied for a continuous period in excess of ONE (1) month but in any event so that in each successive year of the tenancy created by this agreement the tenant (and if more than ONE (1) person is described in this agreement as a tenant, then any of those persons) must not leave the premises unoccupied for any period or periods which total more than THREE (3) months.
		2.22.2	The Owner will not withhold the consent referred to above provided that it is satisfied in its absolute discretion that the Tenant has good reason to temporarily vacate the premises and that such vacation will not prejudice the repair, order and condition of the premises.
Pest Control	2.23		The Tenant must ensure that the premises are free from pests. "Pests" includes rats, mice and other vermin but excludes white ants, termites, Singapore ants and bees.
Grievance Mechanism	2.24		Tenant Complaints are to be directed to the Shire of Coorow's Manager Regulatory Services, in the first instance

3 THE OWNER (SHIRE OF COOROW)

Outgoings	3.1	The Shire of Coorow shall bear the cost of all rates, taxes or charges imposed in respect of the premises, other than water consumed in accordance with Section 2.2 of this agreement.
Insurance	3.2	The Shire of Coorow will keep the building (and any contents belonging to the Owner) adequately insured during the term of the agreement and the Tenant agrees to pay any excess on any claim that arises from or is attributable to any act by the Tenant or the Tenant's family or visitors.

4 SPECIAL CONDITIONS

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

SIGNED by the Shire Representative

..... DISBURSEMENT
..... Security Bond \$
..... Rent paid to/... .. \$

In the presence of (witness)

.....
.....
Sub Total \$

SIGNED by the Tenant/s

.....
.....
In the presence of (witness) Balance Owing \$
..... Receipt No.

A true copy of: (1) The Tenancy Agreement
(2) Information for Tenants

has been received by each of the signatories hereto –

..... Date Date
..... Date Date

IMPORTANT

The signatories must be aware that in accordance with Section 82.3 of the Residential Tenancies Act 1987 the following Sections may have been excluded, modified or restricted in this document and the terms and conditions set out herein are those which will apply during this tenancy or any subsequent extension.

- | | | |
|---------|----|--|
| Section | 38 | Tenant's Responsibility for cleanliness and damage |
| | 39 | Tenant's Conduct on the Premises |
| | 40 | Vacant Possession |
| | 41 | Legal Impediments to occupation as residence |
| | 42 | Shire of Coorow's responsibility for cleanliness and repairs |
| | 43 | Compensation where tenant sees to repairs |
| | 45 | Locks |
| | 46 | Shire of Coorow's right of entry |
| | 47 | Right to affix and remove fixtures |
| | 48 | Shire of Coorow to bear outgoings in respect of premises |
| | 49 | Right of tenant to assign or sub-let |
| | 50 | Vicarious responsibility of tenant for breach by other person lawfully on premises |
| | 55 | Cost of written agreement to be borne by Shire of Coorow |

10.1.6 LEEMAN SEA SEARCH AND RESCUE BUDGET ALLOCATION 2010/11

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 May 2010
ATTACHMENT	
FILE	ADM00404

SUMMARY:

Council is being requested to place an amount of \$20,000 in the 2010/11 Budget Estimates for a contribution towards the Leeman Sea Search and Rescue new Rescue Boat.

BACKGROUND:

Council at the March Community Forum Session received a request from the Leeman Sea Search and Rescue Group to place an amount of \$20,000 in the 2010/11 Budget Estimates as a contribution towards a new 8.5m Naiad Soft Top Rib Boat through the FESA boat replacement program.

Council requested the Chief Executive Officer to request FESA to send a representative to the next Ordinary Meeting of Council in April 2010 to advise Council on the specifications and the suitability of the proposed 8.5m Naiad.

Mr Paul Kimber from FESA gave a presentation to Council at the last Ordinary Meeting of Council held on the 21 April 2010.

COMMENT:

The Leeman Sea Search and Rescue are in need of a new rescue boat and FESA have undertaken a risk to resource assessment for the group and as per Mr Kimber's presentation are recommending the Naiad 8.5m Soft top rib boat as per the specifications handed out at the meeting.

The financing of the new rescue craft is anticipated as follows:

FESA	\$160,000
Lottery West	\$ 45,000
Local Sea Search and Rescue Group	\$ 15,000
Shire of Coorow	\$ 20,000

Leeman Sea Search and Rescue have advised that they will need to know very soon as to whether Council will contribute the \$20,000 to the new rescue boat as they need to advise FESA that they will take the boat and FESA can then put it into their 2010/11 construction program.

Under the Local Government Act 1995 Council is unable to commit the \$20,000 until it has set the 2010/11 budget which will not be until July or August 2010.

The Leeman Sea Search and Rescue Group advised at the last Ordinary Meeting of Council that they wished to keep the old Rescue boat for back up. The cost of the new boat was mentioned by Mr Paul Kimber to be in the vicinity of \$279,000. The proposed funding requirement mentioned above only comes up to \$245,000 a difference of \$39,000. The question was asked of the Leeman Sea Search and Rescue Group at the last Council meeting regarding the discrepancy but they advised they only needed the \$20,000 from Council to be able to purchase the required vessel. Specifications and description of the proposed Naiad is as per Schedule 1 following.

SCHEDULE 1

DESCRIPTION

The proposed vessel is an 8.5m dedicated rescue vessel with forward cabin.

The vessel is offered ex works, Henderson Marine Complex Western Australia. Sea trials and acceptance will be conducted in Fremantle WA,

The vessel is over width @ 3 metres and limited to transportation during daylight hours only, however, in an emergency the collar could be deflated to bring the vessel back in gauge for towing at night, but is not recommended on a regular basis.

The vessel is offered as a soft top only because it is impossible to comply with the 3500kg towing weight requirement in the hard top configuration. The soft top still gives a high degree of protection, having a bimini top on a rigid targa bar arrangement. A zip out storm clear extends upwards from the wind screen. The storm clear keeps the cabin area fairly dry in the foulest of conditions. It is easily removed in minutes giving a cool well ventilated, comfortable cabin for summer conditions.

Note:

Care must be taken with the amount of loose equipment that is added to the boat, with a full fuel load it is possible to exceed the 3500kg combined gross mass for legal towing.

SPECIFICATIONS

Length overall.....	8.5m
Length waterline	7.08m
Beam overall	3m
Beam waterline	2.35m
Beam internal	1.88m
Fuel capacity	500 litres
Dead rise	23°
Tube diameter.....	550mm
Draught.....	450mm
Weight	2470kg
Propulsion.....	2 x 250hp Yamaha outboards

The vessel will be constructed using marine grade alloys to the specification and plans supplied by Naiad Design Limited New Zealand. Weld sequencing and construction techniques will be in accordance with Universal Shipping Law 2C, however the vessel is not in survey.

The vessel will be constructed by qualified tradespersons using good marine practices. Welding will be by MIG and TIG processes.

The vessel and all equipment will be kept fully insured during construction.

Build time will be approximately 14 weeks from receiving cutting files from The Designer, depending on production schedule at the time of order.

THE VESSEL HAS THE FOLLOWING FEATURES

- Folding anchor fairlead
- Heavy duty towing bollard
- Stem bar winching point
- Self draining anchor locker
- Anchor retaining bracket and bitter end
- Watertight offshore foredeck hatch
- Cuddy- Cab wheelhouse
- Step down access into the cuddy cab
- Storage netting for life jackets
- Curved acrylic windscreen with storm clears above
- Contoured dashboard with all equipment flush mounted
- Powder coated aluminium shade awning over helm
- 4 x Ullman Dynamics Biscaya Jockey seats
- 2 x helm and navigators foot rests
- 2 x side pockets either side of helm
- 1 x lockable glove box
- Cabin side walkways port and starboard
- Roof top grab rails port and starboard
- Diver ladder to the port side of the cabin
- Pot winch with removable arm mechanism starboard
- Self draining non skid deck surfaces
- Folding rear bench seat
- Full outboard splash well
- Port and starboard battery lockers aft
- Centre tow post
- Outboard collision frame
- 2 x aft landing platforms
- 3 x self closing deck bailers
- Microfen foam filled hull void
- Vapour tight fuel tank void
- Remote fuel tank filler
- Commercial grade EREZ heavy duty Naiad collar system (ORANGE)
- Lifeline trims to collar tops
- Double row non marking belting
- Repair kit for collar system and 1 x foot pump
- 12 volt electric collar pump
- 6 x flush tie downs on the deck for safety harnesses, securing stretchers etc
- Modified side rails on each side of the cabin so that the rear two seats are effectively inside the cabin area

- Two hand holds (one on each rear quarter) to assist when stepping onto the two marlin boards
- Lower the securing points for the life ring to ensure that it is out of the way of passengers shoulders arms etc when under way
- Change the trailer from all multi roller to centre roller and skid sides (the same as the Hopetoun Vessel)
- Rear squab for the fold down rear seat.

ELECTRICAL INSTALLATION

- 2 x M70 Delkor sealed calcium batteries
- BEP battery isolators with voltage sensitive relays
- 12 switch D/C distribution board
- Circuit board fuse board
- Sanshin HR1012 remote spot light
- Port and starboard Naviled LED nav lights
- 2 x Hella LED Mega Beam work lamps
- 1 x Hella LED masthead light
- 2 x Hella LED cabin lights
- 1 x Hella LED red/white cabin light
- 2 x Hella LED cockpit overhead lights
- 2 x 12V D/C power outlets
- 1 x Maxwell anchor mate pot winch

ELECTRONICS TO THE EXTENT OF:

- ICOM IC-M302 VHF radio and aerial
- GME GX300 27meg radio and aerial
- Furuno 10.4 Navnet multifunction network display
- C-Map MAX NT SD digital chart
- Furuno 18 RSB-0094 radar scanner M92650-S
- ETR-6/10N Network digital sounder
- GP-32GPS antenna
- 600W Airmar Transducer Module
- Clarion XMD4 AM/FM/CD multimedia controller and aerial
- Clarion CM1622 speakers

PROPULSION

- 1 x F250hp Yamaha 4 stroke outboard R/H rotation
- 1 x F250hp Yamaha 4 stroke outboard L/H rotation
- Full LAN Engine Instrumentation
- Fuel management system
- 1 x Dual Binnacle control
- Hynautic closed loop hydraulic K6 steering with dual slave cylinders
- Stainless steel tie bar
- 2 x primary fuel filters
- Stainless fuel lines and fuel shut offs
- Stainless steel steering wheel and knob
- 1 x pair of 4 blade stainless steel propellers
- Racor fuel vapour separator unit

SAFETY GEAR

- 6 x Solas approved offshore life jackets with lights and whistles
- 1 x Plastimo offshore 105 compass
- 1 x Pains Wessex 406 EPIRB
- 10kg Delta anchor, 3m chain, 50m x 12mm rope
- 1 x life ring, lanyard and light
- USL approved first aid kit
- 2 x 4.5kg dry powder fire extinguishers
- 4 x mooring lines
- Set of USL approved pyrotechnics
- Signal torch
- Air horn
- Boat hook
- 1 x Whale Gusher pump

SURFACE TREATMENT

The completed vessel will be abrasive blasted to provide even and consistent key then a International Paint system Interthane 894 2 pack polyurethane paint system will be applied as per the supplier's specification.

Paint colour will be FESA Golden Yellow with Light Grey interior.

All dissimilar metal surfaces will be sealed to prevent corrosion.

The hull below the waterline is to be left as bare aluminium.

1 x hull protective anode is fitted to the transom.

TRAILER

- Roadmaster SR 3500kg, Multi roller, Galvanised steel, Dual axle boat trailer
- Heavy duty hubs with marine seals
- 4 wheel disc brakes
- 14 x 6 galvanised rims, 8 ply tyres
- 1 spare wheel and tyre
- Carlisle Hydrostar braking system @ 1200psi
- Telstra jockey wheel
- Turnbuckle fixing point
- LED tail lights and clearance lights
- Drive on drive off Auto catch and release mechanism
- Heavy duty tie down points
- Toolbox with jack and wheel brace
- 50mm 3500kg tow hitch

N.B. As stated previously, this vessel and the trailer weight can easily exceed the weight stamped on the VIN plate if the loose fitted items are not carefully monitored.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Local Government Financial Regulations

POLICY IMPLICATIONS:

No Policy implications

FINANCIAL IMPLICATIONS:

Financial implications will be an allocation of \$20,000 to the Leeman Sea Search and Rescue towards the construction of the new Naiad 8.5m rescue boat Councils Budget.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council place an amount of \$20,000 in the 2010/11 Budget Estimates for a contribution towards the cost of a new 8.5m Naiad soft Top Rib Boat for the Leeman Sea Search and Rescue.

Council adjourned the meeting at 3.55pm

Council reconvened the meeting at 4.00pm

Cr Bothe entered the meeting at the reconvening of the meeting at 4.00pm

RESOLUTION:

2010/071

Moved: Cr George

Seconded: Cr Girando

That Council place an amount of \$20,000 in the 2010/11 Budget Estimates for a contribution towards the cost of a new 8.5m Naiad soft Top Rib Boat for the Leeman Sea Search and Rescue.

CARRIED 8/0

RESOLUTION:

2010/072

Moved: Cr George

Seconded: Cr Williams

That Council advise The Leeman Sea Search and Rescue that it recommends the sale of the Avail 11 as the Shire of Coorow will not provide any funds for the maintenance or repair of Avail 11 should the Leeman Sea Search & Rescue choose to retain Avail 11.

CARRIED 8/0

10.1.7 DIGITAL TELEVISION SERVICES

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 May 2010
ATTACHMENT	
FILE	ADM0117

SUMMARY:

The Federal Government has reached an agreement with all free to air Television Broadcasters which will ensure that communities that currently rely on analog self help transmission facilities for their television services will be able to access the same number of digital services that are available in Metropolitan Areas.

BACKGROUND:

This matter was held over by Council so that the Chief Executive could provide further information being received from Mr Barry Haase Federal member for Kalgoorlie..

Council has received the following letter from Senator the HON Stephen Conroy Minister for Broadband, Communications and the Digital Economy.

Options for receiving digital television at self-help re-transmission facilities

On 5 January 2010, I announced that Government had reached an agreement with all free to air television broadcasters which will ensure that communities that currently rely on analog self-help transmission facilities for their television services will be able to access the same number of digital services that are available in metropolitan areas.

On 12 January 2010 I wrote to all local Councils to advise them of the Government's announcement and indicated that I would write further to operators of self-help television re-transmission facilities about their options in regard to moving to digital television. Our records indicate that you are the licensee of a self-help re-transmission facility, and I am now writing to you to provide this further information.

The Government has agreed to fund a Direct-To-Home (DTH) satellite service to deliver free to air digital television to all Australians living in areas where there is inadequate or no coverage provided by terrestrial broadcasts, and to all viewers in remote areas of Australia.

As you may be aware, the Government introduced legislation into Parliament on 18 March 2010 to support the implementation of the satellite service.

The satellite service is good news for remote Australian viewers. For the first time, remote area viewers will be able to see the same number of channels as is provided by broadcasters in metropolitan and most regional areas of Australia.

The new satellite service will be provided by the current remote licence area broadcasters, WIN and Prime in Western Australia, and Southern Cross Media and Imparja in other areas of Australia. The satellite service will feature remote broadcaster channels carrying programs from the Seven, Nine and Ten networks in standard definition and high definition, the main national broadcaster channels ABC1 and SBS ONE, and the additional digital channels ABC2, ABC3, ABCHD, SBS TWO, ONE HD, GO! and 7TWO. A new ABC 24 hour news channel is expected to replace the current ABCHD service later this year. The satellite service will be funded by the Government, and after the switchover to digital television in 2013 is expected to replace the existing satellite Remote Area Broadcasting Service (RABS).

With the introduction of the satellite service, operators of self-help facilities in remote areas now have two options to receive free to air digital television.

All viewers in remote licence areas currently receiving the RABS service through a self-help re-transmission service will be eligible to migrate to the new satellite service. To receive the satellite service, households will need to install satellite reception equipment, including a dish and a digital set-top box. The costs of installation will vary depending on the viewer's location, the size of the satellite receiving dish required, and the characteristics of the viewer's home. The Government will provide a subsidy of \$400 to households who convert from remote self-help re-transmission services to the new digital DTH satellite service.

For viewers in indigenous self-help communities, the Government will provide an increased subsidy to assist with the cost of moving to the satellite service. The detail of the indigenous satellite subsidy is still being finalised, but will reflect the increased cost of providing DTH services in remote Indigenous communities.

The Government also recognises the unique circumstances affecting a number of indigenous communities served by self-help retransmission services, including that a number of these communities provide for transmission of local or community based content. There are a number of complex issues that need to be considered in transitioning indigenous communities and I will be giving careful consideration to these over the next few months. However, the Government-funded satellite service will be the primary means by which the Government will support access to digital television in remote Australia.

Should communities with self-help services elect not to take up the Government-funded DTH satellite service, they will have the option of converting existing self-help retransmission services to digital themselves. If your community wishes to explore this option, you will need to talk to the Australian Communications and Media Authority (ACMA) about the availability of suitable television spectrum and other technical matters. It is important to note that any communities electing to convert their self-help facilities themselves, rather than accessing the Government-funded satellite service, will need to do so at their own cost. You will also need to take account of the switchover date for your area (see below) as the site will need to be converted in advance of switchover.

Household Assistance Scheme

The Government is implementing the Household Assistance Scheme to provide assistance to vulnerable Australians in the move to digital television. A household will be eligible for the Household Assistance Scheme where they own a TV, live within the area switching over, and where one or more residents are in receipt of the maximum rate of the:

- Age Pension;
- Disability Support Pension;
- Carer Payment;
- Department of Veterans' Affairs (DVA) Service Pension or the DVA income-support supplement payment.

The scheme involves a government contractor visiting an eligible household to supply, install and demonstrate (at no cost to the householder) a high-definition set-top box – specifically chosen to ensure that it meets the needs of the elderly and people with a disability – and where eligible, conduct any necessary satellite dish and cabling work, if required. Households who are eligible will be contacted by the Government in advance of switchover in their area.

Switchover dates

The remote broadcaster licence areas of Western Australia, and Remote Central and Eastern Australia, will switchover to digital in the second half of 2013. The actual date at which switchover occurs within this period will depend on factors such as local conditions and community feedback, but will be published well in advance of switchover.

Thus there is still a period of time before communities have to reach final decisions on when and how to convert. Viewers in remote areas will be able to access the new satellite service well in advance of switchover. In the meantime, the current analog re-transmission arrangements can continue. Further information will be provided once the details of the service availability are finalised with the remote commercial broadcasters.

I understand that you currently operate self-help broadcasting facilities in the Coorow, Green Head and Leeman areas.

If you have any questions about the matters discussed in this letter, please contact Viewer Access and Transmission Planning, at the Digital Switchover Taskforce, on 1800 069 244 or by email at selfhelp@dbcde.gov.au

Council has received the following letter from Mr Barry Haase Federal Member for Kalgoorlie in relation to Digital TV Services.

Digital television transmission concerns in the Shire of Coorow

Thank you for your representation dated 5 February 2010 to the Minister for Broadband, Communications and the Digital Economy on behalf of the Shire of Coorow. The Minister has asked me to respond on his behalf.

The Australian Government acknowledges the importance of free-to-air television to rural and regional Australians and is committed to introducing policy and legislative measures to maximise viewers' access to digital television services.

Television services available in the Shire of Coorow

As you are aware, analog commercial services for the Shire of Coorow are broadcast from 'self-help' retransmission facilities. These self-help facilities have been set up in areas where broadcasters have not established transmitters or where the signal from the broadcasters' transmitter serving the area is not adequate. Self-help transmitters are currently broadcast in analog only. Broadcasters are not required to establish transmitters in every part of the licence area they have been licensed to serve. Whether or not a broadcaster establishes a transmitter in any particular part of their licence area is a commercial decision for them to make.

The Government is aware of the digital transition issues facing people in areas that rely on self-help retransmission facilities and is acting to ensure that people in these areas will be able to receive digital services.

On 5 January 2010, the Minister announced that the Government is currently consulting with broadcasters to identify a list of self-help sites to be upgraded by broadcasters for digital transmission. The Government will be writing to self-help licensees shortly detailing the new measures as well as providing further information to local communities.

The Minister also announced that any regional households that currently rely on self-help facilities which are not able to receive digital terrestrial television services because their self-help facility is not converted to digital will be served by a new satellite service. The Government will provide a satellite conversion subsidy of \$400 to eligible households currently served by self-help transmission sites which are not upgraded to digital by the broadcasters.

The new Government-funded digital satellite service will carry the full suite of free-to-air television channels in all regions of Australia. This will for the first time mean that people in regional and remote Australia will have access to the same number of channels as is available in capital cities. This will include channels providing Seven, Nine and Ten services, and the related commercial digital-only channels, such as 7Two, Go! and ONEHD. Local regional commercial news bulletins will be available via a dedicated news channel.

All state-based Australian Broadcasting Corporation (ABC) and Special Broadcasting Service (SBS) services, including ABC2 and ABC3, SBSTwo and the new ABC 24 hour news channel, when it launches, will also be carried on the satellite.

The Government is currently negotiating contracts with broadcasters to provide the services.

Digital switchover timetable

On 19 October 2008, the Minister announced a region-by-region timetable for switchover from analog to digital television. Switchover will begin in Mildura/Sunraysia on 30 June 2010, and will be completed in all areas of Australia by 31 December 2013.

The Shire of Coorow is within the Regional and Remote Western Australia region which is scheduled to switch to digital-only broadcasting in the second half of 2013. The actual date at which switchover occurs within this period will depend on factors such as local conditions and community feedback. This timetable will allow adequate time to develop and implement a thorough digital transition path before the analog television signal is turned off.

Further information about digital switchover

The Government has established a national information telephone line and a website to provide advice and assistance to viewers in the transition to digital television. The *Digital Ready Information Line* operates seven days a week from 8.00 am to 10.00 pm (AEST) on freecall number 1800 201 013. The Digital Ready website may be accessed at www.digitalready.gov.au.

COMMENT:

The Federal Government will be providing a subsidy of \$400 per household that are not eligible for the full cost under the Household Assistance Scheme as outlined in the Senator's letter to Council.

Also it would appear that the Federal Government is consulting with the broadcasters to upgrade certain self help sites such as Leeman Green Head and Coorow.

The Shire of Coorow should wait until the Minister writes to the self help licensees detailing the measures they will be providing before Council makes any decision on this matter.

Council does levy an annual TV service charge for the self help retransmission service and at the writing of this report the amount held in the reserve account was \$24,2191.61 and there may be around \$3,5000 transfer into the fund at the end of June 2010.

When the new scheme is fully implemented Council would not need to charge this fee on each household with in the Coorow Leeman and Green Head town sites and the balance of the fund would need to be redistributed by Council in accordance with the *Local Government Act 1995*.

STATUTORY ENVIRONMENT:***Local Government Act 1995*****6.11. Reserve accounts**

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
 - (a) changes* the purpose of a reserve account; or
 - (b) uses* the money in a reserve account for another purpose,it must give one month's local public notice of the proposed change of purpose or proposed use.

* Absolute majority required.
- (3) A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.

- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

17. Reserve accounts

- (1) A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.
- (2) In the accounts, annual budget and financial reports of the local government a reserve account is to be referred to —
 - (a) in the information required by regulations 27(g) and 38, by its full title; and
 - (b) otherwise, by its full title or by an abbreviation of that title.

[Regulation 17 amended in Gazette 20 Jun 1997 p. 2839.]

18. Circumstances in which local public notice not required for change of use of money in reserve account — s. 6.11(3)(b)

A local government is not required to give local public notice of a proposed change of use of money in a reserve account —

- (a) where the money is to be used to meet expenditure authorised by the mayor or president under section 6.8(1)(c); or
- (b) where the total amount to be so used does not exceed \$5 000 in a financial year.

STRATEGIC IMPLICATIONS:

A wider range of Digital Television Services provided to the Shire of Coorow Communities.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Council would no longer charge the TV Rebroadcast fee on each property with in the Town Sites of Coorow Leeman and Green Head. Annually fee charged for 2009/10 was \$30 per lot and \$15 for pensioners.

PUBLIC CONSULTATION:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council take no action at this stage on the conversion of its self help television retransmission sites until the Federal Minister for Broadband, Communications and the Digital Economy advises Council of the measures it requires to change over to digital services.

RESOLUTION:

2010/073

Moved: Cr Williams

Seconded: Cr George

That Council take no action at this stage on the conversion of its self help television retransmission sites until the Federal Minister for Broadband, Communications and the Digital Economy advises Council of the measures it requires to change over to digital services.

CARRIED 8/0

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

10.2 MANAGER REGULATORY SERVICES:

10.2.1 DRAFT LOCAL PLANNING POLICY – SHORT STAY ACCOMMODATION

AUTHOR	Kathryn Jackson
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	7 April 2010
ATTACHMENT	10.2.1 Draft Policy 6.6.16 – Short Stay Accommodation
FILE	Policy Manual

SUMMARY:

Council considered a Draft Local Planning Policy concerning Short Stay Accommodation at its 21st April 2010 meeting. Staff, have revised the Local Planning Policy 6.6.16 as per Councils instructions and recommend commencement of its advertising.

BACKGROUND:

This report presents to Council draft Local Planning Policy 6.6.16 – Short Stay Accommodation for its consideration under Section 2.4 of Town Planning Scheme No.2 ('the Scheme'). The purpose of this Local Planning Policy is to meet projected demands for holiday accommodation in the Shire's town sites and to ensure efficiency when dealing with applications, thereby providing an improved level of service to the community and augment tourism development.

A copy of draft Policy 6.6.16 – Short Stay Accommodation has been included as Attachment 10.2.1 to this report.

COMMENT:

This draft Local Planning Policy is considered an important progressive step in the Shire's statutory planning in order to keep abreast with current development trends, demands and Council expectations. With the imminent completion of the Indian Ocean Drive the town sites of Green Head and Leeman will experience increased pressure for the provision of tourist accommodation. It is anticipated that residences not used for permanent habitation may be seen as appropriate for short stay accommodation purposes as a means of providing income to absent landowners. This draft Policy seeks to recognise the increase in visitor demand and owner interest whilst ensuring that relevant issues are addressed by applicants and developments do not compromise residential amenity. It is recognised that to ensure orderly and proper planning of these areas the statutory mechanisms of the Shire require to be expanded to incorporate additional uses in a controlled and easily understood manner.

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 Scheme allows for Council to formulate, review or rescind Local Planning Policies:

“2.2 Local Planning Policies

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

- (a) generally or for a particular class or classes of matters; and*
- (b) throughout the Scheme area or in one or more parts of the Scheme area;*

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

Section 2.4.1 of the Scheme requires the Council to publish a notice of a Local Planning 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 Policy, where it may be inspected, in what form submissions may be made, and the date of the submission period (which shall not be less than 21 days).

At the conclusion of the advertising period should a written-author identified objection be received a further report will be placed before Council to review the draft Policy in the light of the submission(s) made, and may resolve to adopt the Policy with or without modification, or not proceed with the Policy. Should no objection be received Shire staff will proceed to publish a notice of the Policy’s adoption in the local newspaper pursuant to Clause 2.4.3 the Scheme.

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.

POLICY IMPLICATIONS:

The Shire of Coorow has the following Local Planning Policies:

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

- 6.6.12 Residential Design Codes – Setback Variations
- 6.6.13 Agro Forestry
- 6.6.14 Intensive Agriculture
- 6.6.15 Sea Containers

FINANCIAL IMPLICATIONS:

There is a cost for the preparation of subsequent advertising of Local Planning Policies which will be covered by the Councils existing Planning budget allocation.

A planning application for ‘Short Stay Accommodation’ in an existing residence will attract a \$191.00 fee with an annual renewal fee of \$64.00 (fees based on 2009/2010 budget figures).

PUBLIC CONSULTATION

The draft Policy proposes that ‘Short Stay Accommodation’ applications in residential zones be advertised for a minimum period of 14 days to allow surrounding landowners the opportunity to comment.

Section 2.4.1 of the Scheme requires Shire staff to publish a notice of a new Local Planning 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 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).

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council resolve to:

1. Adopt Local Planning Policy 6.6.16 – Short Stay Accommodation as a draft for public comment and advertise it for a period of 21 days pursuant to Section 2.4.1 of the Shire of Coorow Town Planning Scheme No.2;
2. Should no written, author-identified objections be received during the 21 day advertising period, then adopt for final approval Local Planning Policy 6.6.16 – Short Stay Accommodation pursuant to Section 2.4.2 of the Shire of Coorow Town Planning Scheme No.2 and proceed to publish a notice to this effect in the local newspaper pursuant to Section 2.4.3 the Shire of Coorow Town Planning Scheme No.2; and
3. Should there be any written, author-identified objections received during the advertising period, will require staff to present to Council a further report.

RESOLUTION:

2010/074

Moved: Cr Williams

Seconded: Cr Jack

That Council resolve to:

- 1. Adopt Local Planning Policy 6.6.16 – Short Stay Accommodation as a draft for public comment with 1.4 amended to 10 guests and advertise it for a period of 21 days pursuant to Section 2.4.1 of the Shire of Coorow Town Planning Scheme No.2;*
- 2. Should no written, author-identified objections be received during the 21 day advertising period, then adopt for final approval Local Planning Policy 6.6.16 – Short Stay Accommodation pursuant to Section 2.4.2 of the Shire of Coorow Town Planning Scheme No.2 and proceed to publish a notice to this effect in the local newspaper pursuant to Section 2.4.3 the Shire of Coorow Town Planning Scheme No.2; and*
- 3. Should there be any written, author-identified objections received during the advertising period, will require staff to present to Council a further report.*

CARRIED 7/0

Cr McDonald returned to the Meeting 4.04pm

POLICY - HOUSING AND COMMUNITY AMENITIES

Sub Section: Town Planning and Regional Development

Policy Number: 6.6.16

Policy Subject: **Short Stay Accommodation**

Policy Statement: **1. General**

1.1 This policy is specific only to applications made for 'Short Stay Accommodation' upon 'Residential' zoned land.

1.2 Short Stay Accommodation is restricted to a maximum number of **10** guests in order to protect the amenity of the residents in the vicinity.

1.3 Individual units as part of a group dwelling or strata development are not considered appropriate given the 'denser' form of development which will exacerbate any conflict issues with parking and guest behaviour.

1.4 Where more than **10** guests are proposed, the premises is classified under the *Health Act 1911* as a 'lodging house' and will require further approval from Environmental Health. A planning application for a lodging house is not considered under the provisions of this policy and shall instead be assessed as a "use not listed" under the Scheme.

1.5 Applications received upon land not zoned 'Residential' shall not be considered under this policy but assessed under the provisions of the Scheme.

2. Access and Parking

2.1 All car parking is to be contained on-site and no verge area should be used for car parking.

~~At a minimum, it will be necessary to provide 2 on-site car parking bays for up to 6 guests. Tandem parking will only be permitted for a maximum of one vehicle behind another vehicle.~~

2.2 It is common for holiday makers to have a boat, trailer, caravan etc. and there should be additional space allocated for such.

- 2.3 All vehicle access (including crossovers) and car parking areas are to be constructed and drained to a minimum compacted gravel standard to the approval of the local government.

3. Signage

- 3.1 Signposting will be limited to a sign not exceeding 0.2m² (i.e. 1.0m X 0.2m) on the property frontage. The height of the sign from ground level should not exceed 1.5m. Proponents of Short Stay Accommodation will be expected to send directional maps to patrons and tourist bureaus and use other methods for directional purposes rather than relying on signage.

- 3.2 Directional signage is generally not supported in residential areas.

4. Application Requirements

- 4.1 Applications must include (at a minimum) the following information:

- A completed 'Form of Application for Planning Approval' duly signed by all landowners and applicants of the proposal.
- A site plan, internal floor plan and elevations (drawn to scale and to a professional standard).
- Management Statement - Suitable on-going management is, of course, more difficult if owners live a considerable distance from the application site. Accordingly, as part of the planning application, the local government will require the proponent to outline how the site will be managed, especially if the owners do not live nearby. It is expected that a management statement will be submitted to address matters including:
 - the amenity of adjoining/nearby land uses;
 - managing noise impacts of visitors;
 - outlining how the premises will be managed on a day-to-day basis (including how keys are easily available for late entry, providing on-site assistance and confirming arrangements for cleaning/waste management); &

- relevant site specific matters including fire management/emergency response plans for visitors and managing risks for visitors.
- Information detailing how the proposed location is appropriate.

4.2 Payment of the relevant fee

- Where the residential dwelling exists, the fee payable shall be the same as for an application for approval of a home based business.
- Where the residential dwelling is proposed to be built the fee payable shall be the same as for an application for determination of development.
- The annual renewal fee payable shall be the same as for the annual renewal of a home based business.

4.3 Assessment of Application/Renewal

- The land use of 'Short Stay Accommodation' is considered a 'use not listed' under the Scheme and therefore all new applications must be advertised in accordance with Section 9.4 of the Scheme.
- Matters to be considered in assessing, determining and renewing applications include:
 - effective on-going management;
 - appropriate location and compatibility with adjoining/nearby uses;
 - access and car parking; &
 - signage.

5. Planning Approval

- 5.1 Planning approvals for Short Stay Accommodation shall be limited to a maximum period of 12 months, after which the further renewal of the approval by the local government is required annually.
- 5.2 Planning approvals are issued only over a specific particular parcel of land and is not transferable to any other person or land parcel. Should there be a change of the ownership the planning approval shall remain valid, however it is the responsibility of the previous/new landowner to update

billing details with the Local Government for the ongoing payment of the annual renewal fee.

6. Renewal of Planning Application

- 6.1 All applications will have a common expiry date of 30 June with approved sites automatically invoiced for payment of the required renewal fee. It is the responsibility of the applicant to notify the local government should the use of 'Short Term Accommodation' cease.
- 6.2 Should it be demonstrated that the establishment is not being appropriately managed and matters are not quickly rectified, the local government may not issue planning approval renewal for the on-going operation of the use.
- 6.3 Authority is delegated to the Chief Executive Officer for the annual renewal of approvals provided there have been no written, author-identified complaints received during the preceding 12 month period, and there has been no change in the circumstances under which the previous approval was granted.

Objectives:

Objectives

- To establish clear guidelines whereby Short Stay Accommodation can be permitted and controlled in residential areas.
- To recognise the increasing market demand for holiday accommodation and to provide operators and other stakeholders with clarity on the issues that the local government wishes to address.
- To encourage Short Stay Accommodation in residential dwellings in appropriate zones and locations.
- To ensure the proponent addresses relevant issues and suitably manages the use on an ongoing basis.
- To ensure that these types of uses do not compromise the amenity of residential areas or nearby residents.
- To promote the retention of a predominant residential character whilst augmenting tourism within the region.

Definitions

For the purposes of this policy:

- Short Stay Accommodation – means a property located within a residentially zoned area that is to be wholly rented/used, but is not specifically adapted, for the short term accommodation of a maximum of 10 people or two families for not more than 3 months in any 12 month period.
- Dwelling – A residence (Class 1A as defined by the Building Code of Australia) intended to be used for the purpose of human habitation.
- The Scheme – The Shire of Coorow’s Town Planning Scheme No.2

Guidelines:

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.

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.

Resolution No:

Resolution Date:

Source:

Shire of Chapman Valley Planning Department

Date of Review:

June Annually

Review Responsibility:

Chief Executive Officer

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	7 May 2010
ATTACHMENT	10.4.1 Accounts Due and Submitted To Council Meeting 20 May 2010

SUMMARY:

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

COMMENT:

Approval is sought for the following list of payments of accounts made since Council's last meeting on 21 April 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 20 May 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 payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 20 May 2010 including:

1. Vouchers 18345 to 18347, 18455 to 18476, PR71030510 to PR72290410, DD 14/04/2010 to DD 28/04/2010, EFT2652 to EFT2698, totalling \$510,851.19 from Council's Municipal Fund

be authorised and passed for payment.

RESOLUTION:

2010/075

Moved: Cr McTaggart

Seconded: Cr Williams

That payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 20 May 2010 including:

2. *Vouchers 18345 to 18347, 18455 to 18476, PR71030510 to PR72290410, DD 14/04/2010 to DD 28/04/2010, EFT2652 to EFT2698, totalling \$510,851.19 from Council's Municipal Fund*

be authorised and passed for payment

CARRIED 8/0

List of accounts due & submitted to committee 7/05/2010

Chq/EFT	Date	Name	Description	<u>MUNI</u>
EFT2652	13/04/2010	FIRE & EMERGENCY SERVICES AUTHORITY OF WA	ESL RETURN MARCH 2010	\$ 407.64
EFT2653	20/04/2010	GIRANDO SJ& MJ	MALEY PARK REFURBISHMENT	\$ 72,600.00
EFT2654	30/04/2010	MIDWEST AUTO GROUP	2010 FORD RANGER CW0023 TRADE IN	\$ 35,417.55
EFT2655	30/04/2010	W A TREASURY CORPORATION	LOAN REPAYMENT LOAN#69 #71 #79	\$ 20,812.49
EFT2656	30/04/2010	AUSSIE TREE SERVICES	PRUNING OF TREES LEEMAN & GREEN HEAD	\$ 17,855.75
EFT2657	30/04/2010	BUNNINGS BUILDING SUPPLIES PTY LTD	VANITY UNIT WARRADARGE BUSHFIRE SHED	\$ 217.53
EFT2658	30/04/2010	BEAN KJ	ELECTRICITY PWS	\$ 280.55
EFT2659	30/04/2010	COURIER AUSTRALIA	FREIGHT - RBC RURAL LISWA HITACHI	\$ 119.90
EFT2660	30/04/2010	COVENTRY GROUP LTD	SCRUBBER 20KG LIGHTNING	\$ 94.60
EFT2661	30/04/2010	CARNAMAH ENGINEERING	CUT OUT PLATES - CW006	\$ 227.70
EFT2662	30/04/2010	CONPLANT PTY LTD	BRAKE HOSE - CW0016	\$ 71.49
EFT2663	30/04/2010	ENEABBA GENERAL STORE	GAS - WARRADARGE BUSHFIRE SHED	\$ 304.00
EFT2664	30/04/2010	ENZED SERVICE CENTRE WELSHPOOL	BRAKE HOSE CW0016	\$ 242.00
EFT2665	30/04/2010	ELITE CARPET CLEANING	CARPET CLEANING - BRISTOL, THOMAS, & SPAIN ST	\$ 700.00
<i>EFT2666</i>	<i>30/04/2010</i>	<i>GREEN HEAD PLUMBING & GAS</i>	<i>FINAL PAYMENT WARRADARGE BUSH FIRE SHED</i>	<i>\$ 7,618.84</i>
EFT2667	30/04/2010	GH COUNTRY COURIERS	FREIGHT - PURCHERS	\$ 105.94
EFT2668	30/04/2010	GREEN HEAD COMMUNITY CENTRE MANAGEMENT	ELECTRICITY	\$ 730.16
EFT2669	30/04/2010	GREEN HEAD GENERAL STORE	HOSE CLAMP	\$ 1.80
EFT2670	30/04/2010	GIRANDO MJ	TRAVELLING & SITTING FEES	\$ 1,147.15
EFT2671	30/04/2010	HONDA SHOP	FILTERS, PUMP PRIMER CW 0018	\$ 51.50
EFT2672	30/04/2010	HITACHI CONST MACHINERY (AUST) P/L	SHANK - CW009	\$ 3,402.75
EFT2673	30/04/2010	HALF WAY MILL ROADHOUSE	FUEL - CW0042 CW0044	\$ 488.65
EFT2674	30/04/2010	HARE & FORBES MACHINERY HOUSE	PRECISION BORING HEAD & SHANK CW006	\$ 630.90
EFT2675	30/04/2010	JULIE ANNE BLOM	REFRESHMENTS - URBIS MEETING	\$ 90.00
EFT2676	30/04/2010	LEEMAN HARDWARE	REPAIRS TO LEEMAN REC CENTRE CHANGE ROOM DOOR	\$ 66.00

EFT2677	30/04/2010	LEWIS TYRES PTY LTD	TYRES FOR TRAILER	\$ 249.04
EFT2678	30/04/2010	ML COMMUNICATIONS	REPAIRS TO SATELLITE DISH LEEMAN	\$ 775.50
EFT2679	30/04/2010	MIDWEST CHEMICAL & PAPER	CLEANING SUPPLIES - MALEY PARK	\$ 442.83
EFT2680	30/04/2010	MIDALIA STEEL PTY LTD	METAL FOR SIGNS	\$ 549.73
EFT2681	30/04/2010	OFFICEWORKS BUSINESS DIRECT	CABINETS & SHELVING UNITS FOR CLEANERS ROOM	\$ 442.93
EFT2682	30/04/2010	PURCHER-INTERNATIONAL PTY LTD	BELT A23 - CW0010	\$ 417.83
EFT2683	30/04/2010	LEONIE JOY QUANTOCK	REIMBURSEMENT POLICE CLEARANCE	\$ 53.25
EFT2684	30/04/2010	RBC-RURAL	METERPLAN CHARGES	\$ 3,638.36
EFT2685	30/04/2010	RICOH FINANCE	PHOTOCOPIER LEASE CHARGES	\$ 663.49
EFT2686	30/04/2010	JOHN RICHARDSON	REIMBURSEMENT FUEL	\$ 60.00
EFT2687	30/04/2010	SEASIDE SUPPLIES	REFRESHMENTS	\$ 90.27
EFT2688	30/04/2010	STAR TRACK EXPRESS	FREIGHT- HITACHI,BLACKWOODS, WESTRAC	\$ 178.09
EFT2689	30/04/2010	SEASIDE CARTAGE	FREIGHT- LEEMAN PROGRESS ASSC- PLANTS & FURNITURE	\$ 160.16
EFT2690	30/04/2010	T-QUIP	TYRE & WHEEL ASSY TORO MOWER	\$ 595.80
EFT2691	30/04/2010	TUSS CONCRETE	CONCRETE PRODUCTS	\$ 4,941.45
EFT2692	30/04/2010	WESTRAC EQUIPMENT	TIPS,RETAINERS,PIN - CW0011 - SECOND SET	\$ 788.30
EFT2693	30/04/2010	WREN OIL	WASTE OIL - LEEMAN	\$ 473.00
EFT2694	30/04/2010	WAITE JAN	SITTING & TRAVELLING FEES	\$ 256.56
EFT2695	30/04/2010	WURTH AUSTRALIA PTY LTD	GLOBES, CUTTING COMPOUND, PINS & CLIPS	\$ 143.00
EFT2696	30/04/2010	WORK CLOBBER	UNIFORMS - RANGER	\$ 81.50
EFT2697	30/04/2010	RELIANCE PETROLEUM	DIESEL	\$ 49,280.00
EFT2698	30/04/2010	RNR CONTRACTING PTY LTD	BITUMEN CW-GH RD, MAR-BUN RD	\$ 70,004.00
18345	13/04/2010	AUSTRALIAN TAXATION OFFICE	BAS MARCH 2010	\$ 23,185.00
18346	14/04/2010	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS	\$ 180.00
18347	28/04/2010	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS	\$ 180.00
18455	23/04/2010	COATES HIRE	HIRE OF RUBBER TYRE ROLLER	\$ 3,616.77
18456	30/04/2010	PAYROLL DEDUCTION - SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 20,150.83
18457	30/04/2010	PAYROLL DEDUCTION - SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 31,345.83

18458	30/04/2010	ALLOY & STAINLESS PRODUCTS PTY LTD	TORO MOWER BLADES	\$ 1,016.58
18459	30/04/2010	MICHAEL BOTHE	SITTING FEES	\$ 60.00
18460	30/04/2010	MACKA'S ROADHOUSE	REFRESHMENTS - MEETING COOROW - CARNAMAH	\$ 96.00
18461	30/04/2010	COOROW HOCKEY CLUB	CLEANING OF GUTTERS 2009	\$ 1,000.00
18462	30/04/2010	COOROW HOTEL	REFRESHMENTS - CW-CA MEETING	\$ 160.00
18463	30/04/2010	COOROW HERITAGE GROUP (INC)	REIMBURSEMENT LEGAL FEES RSL HALL	\$ 1,001.00
18464	30/04/2010	GREEN HEAD CARAVAN PARK	GAS CLIFF PARK	\$ 30.00
18465	30/04/2010	GARY GEORGE	SITTING & TRAVELLING FEES	\$ 165.56
18466	30/04/2010	MCDONALD BJ	SITTING & TRAVELLING FEES	\$ 540.48
18467	30/04/2010	MOORA HEALTH CENTRE	PRE PLACEMENT MEDICAL - PLANT OPERATOR	\$ 132.00
18468	30/04/2010	DA McTAGGART	SITTING FEES	\$ 420.00
18469	30/04/2010	NOVUS GERALDTON	WINDSCREEN REPLACEMENT CW006	\$ 1,248.50
18470	30/04/2010	PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT	\$ 150.00
18471	30/04/2010	SHARED SERVICES CENTRE-STATE LIBRARY OF WA	DAMAGED BOOKS COOROW LIBRARY	\$ 30.80
18472	30/04/2010	TELSTRA	MOBILE PHONE ACCOUNT	\$ 1,048.21
18473	30/04/2010	TOOLMART	NUT & BUTTON DIES - CW006	\$ 71.00
18474	30/04/2010	DEPARTMENT OF TRANSPORT	RETURN OF PAYMENT FOR MDL COMMISSIONS MADE IN ERROR BY DEPT OF TRANSPORT FEB 2010	\$ 85.20
18475	30/04/2010	WILLIAMS AK & P	SITTING FEES	\$ 60.00
18476	30/04/2010	WATER CORPORATION	WATER ACCOUNTS	\$ 20,075.20
71030510	03/05/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 518.60
71050510	05/05/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 190.05
71060510	06/05/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 875.85
71130410	13/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 4,145.30
71160410	16/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 1,872.60
71190410	19/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 1,062.70
71200410	20/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 17.20
71210410	21/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 823.55

71220410	22/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 323.80
71230410	23/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 538.15
71270410	27/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 1,423.85
71280410	28/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 470.00
71300410	30/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 2,541.85
72030510	03/05/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 546.95
72040510	04/05/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 822.45
72060510	06/05/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 951.65
72130410	13/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 389.55
72140410	14/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 177.85
72150410	15/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 352.90
72160410	16/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 1,542.05
72190410	19/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 1,161.85
72200410	20/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 1,024.15
72210410	21/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 2,600.00
72230410	23/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 1,099.75
72240410	24/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 787.75
72270410	27/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 689.10
72280410	28/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 925.35
72290410	29/04/2010	TRANSPORT DEPT OF	TRANSPORT LICENSING	\$ 94.40
DDEBIT	14/04/2010	PAYROLL	PAYROLL	\$ 38,242.00
DDEBIT	28/04/2010	PAYROLL	PAYROLL	\$ 40,621.00
				\$ 510,851.19

10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – APRIL 2010

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 MAY 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 30 April 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 30 April 2010 as prepared and presented by the Deputy Chief Executive Officer.

RESOLUTION:

2010/076

Moved: Cr Jack

Seconded: Cr Bothe

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the period ended 30 April 2010 as prepared and presented by the Deputy Chief Executive Officer.

CARRIED 8/0

10.4.3 SHIRE OF COOROW – 4 YEARLY FINANCIAL MANAGEMENT REVIEW REPORT

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	7 May 2010
ATTACHMENT	10.4.3 Confidential – April 2008 Financial Management Review
FILE	ADM0081

SUMMARY:

At the last Ordinary meeting of Council it was resolved to lay this item regarding 4 yearly Financial Management Review on the table until the next Ordinary meeting of Council.

BACKGROUND:

Council on the 21 April 2010 item 10.4.3 considered a request for out of budget expenditure for the cost of UHY Haines Norton undertaking the 4 yearly Financial Management Review for the Shire of Coorow.

At the Council Meeting the DCEO believed the last FM Review was undertaken some time in 2007, which was incorrect. The last FM Review was undertaken in April 2008. Further research by the DCEO has revealed that the last FM Review was conducted by UHY Haines Norton in April 2008 (see copy of confidential report attached). The previous FM Review undertaken by Horwath Perth, Chartered Accountants in June 2004. The next FM Review will now be due before April 2012.

The Shire of Coorow Chief Executive Officer is required to undertake a Financial Management Review at least every 4 years as required by Financial Management Regulation 5(2)(c).

COMMENT:

The Shire of Coorow has received a quote from its auditors UHY Haines Norton to undertake the Financial Management Review as part of the Shire of Coorow Interim Audit Process to be undertaken in June 2010.

STATUTORY ENVIRONMENT:

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996

“5. Financial management duties of the CEO

(2) The CEO is to —

(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.”

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

RECOMMENDATION

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 and officer responses to the matters raised.

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 and officer actions in relation to the matters raised in the report.*

CARRIED 8/0

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

I Councillor Girando give notice that at the next Council meeting I intend to move the following Notice of Motion:

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 Services Levy.

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

Nil at this time

13. MATTERS BEHIND CLOSED DOORS:

14. DATE OF NEXT MEETING:

14.1	PRE-BUDGET COMMUNITY FORUM
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14.1	ORDINARY MEETING OF COUNCIL
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Wednesday 16 June 2010 at the Leeman Administration Centre, Leeman
from 3pm

15. CLOSURE:

There being no further business the President, CR Girando closed the meeting at 4.21pm