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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The President, Cr Moira Girando, welcomed those present and opened the meeting at 3.05 pm.

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

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

President
Deputy President

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

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

Leave of Absence/Apologies
Nil

Declarations of Interest

Councillor/Officer	Item	Interest	Nature
Cr B McDonald	10.1.2	Indirect Financial	Husband: Real Estate Agent for North St Coorow
Cr B McDonald	10.2.6	Direct Financial	Short Stay Accommodation Operator

Visitors

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

4. PUBLIC QUESTION TIME:

Mr Norman Johnstone was in attendance

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Waite Requests Leave of Absence from 12 August 2010 to 13 August 2010
Cr Jack requests Leave of Absence from 4 August 2010 to 9 August 2010

RESOLUTION: **2010/109A**

Moved: Cr Mc Taggart

Seconded: Cr Williams

That Council grant Leave of Absence to:

- 1. Cr Waite from 12 August 2010 to 13 August 2010*
- 2. Cr Jack from 4 August 2010 to 9 August 2010*

CARRIED 8/0

RESOLUTION: ***2010/109A***

Moved: Cr Mc Taggart

Seconded: Cr Williams

That Council grant Leave of Absence to:

- 1. Cr Waite from 12 August 2010 to 13 August 2010***
- 2. Cr Jack from 4 August 2010 to 9 August 2010***
- 3. Cr Bothe from 13 August 2010 to 18 August 2010***
- 4. Cr Waite from 24 August 2010 to 27 August 2010***
- 5. Cr Williams from 3 September 2010 to 4 October 2010***

Resolution amended refer to 18 August 2010 Council Minutes

6. PETITIONS/DEPUTATIONS/PRESENTATIONS:

7. CONFIRMATION OF MINUTES:

7.1	ORDINARY MEETING HELD WEDNESDAY 16 JUNE 2010 AT THE LEEMAN ADMINISTRATION CENTRE
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AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 June 2010

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting held on Wednesday 16 June 2010 at the Leeman Administration Centre be confirmed as a true and correct record.

RESOLUTION:**2010/109****Moved:** Cr Williams**Seconded:** Cr Waite

That the Minutes of the Ordinary Meeting held on Wednesday 16 June 2010 held at the Leeman Administration Centre be confirmed as a true and correct record with the following amendments:

- 1. That Cr McDonald be recorded as in attendance*
- 2. Resolution 2010/089 was carried by Absolute Majority*
- 3. Resolution 2010/090 was carried by Absolute Majority*
- 4. Resolution 2010/094 was carried by Absolute Majority*
- 5. Resolution 2010/095 was carried by Absolute Majority*

CARRIED 8/0**RESOLUTION:****2010/109****Moved:** Cr Williams**Seconded:** Cr Waite

That the Minutes of the Ordinary Meeting held on Wednesday 16 June 2010 held at the Leeman Administration Centre be confirmed as a true and correct record with the following amendments:

- 1. That Cr McDonald be recorded as in attendance*
 - 2. Resolution 2010/089 was carried by Absolute Majority*
 - 3. Resolution 2010/090 was carried by Absolute Majority*
 - 4. Resolution 2010/094 was carried by Absolute Majority*
 - 5. Resolution 2010/095 was carried by Absolute Majority*
- Resolution 2010/084 was carried by Absolute Majority*

Resolution amended refer to 18 August 2010 Council Minutes

7.2	SPECIAL BUDGET MEETING HELD WEDNESDAY 16 JUNE 2010 AT THE LEEMAN ADMINISTRATION CENTRE
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AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 June 2010

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Special Budget Meeting held on Wednesday 16 June 2010 at the Leeman Administration Centre be confirmed as a true and correct record.

RESOLUTION: **2010/110**

Moved: Cr Williams

Seconded: Cr Bothe

That the Minutes of the Special Budget Meeting held on Wednesday 16 June 2010 at the Leeman Administration Centre be confirmed as a true and correct record.

CARRIED 8/0

**7.3 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW HELD
WEDNESDAY 16 JUNE 2010 AT THE LEEMAN ADMINISTRATION
CENTRE**

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 June 2010

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Chief Executive Officer Performance Review held on Wednesday 16 June 2010 at the Leeman Administration Centre be confirmed as a true and correct record.

RESOLUTION: **2010/111**

Moved: Cr Bothe

Seconded: Cr Mc Donald

That the Minutes of the Chief Executive Officer Performance Review held on Wednesday 16 June 2010 at the Leeman Administration Centre be confirmed as a true and correct record.

CARRIED 8/0

**7.4 SPECIAL BUDGET MEETING HELD 20 JULY 2010 AT THE
COOROW DISTRICT HALL**

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 June 2010

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Special Budget Meeting held on Tuesday 20 July 2010 at the Coorow District Hall be confirmed as a true and correct record.

RESOLUTION:

2010/112

Moved: Cr Waite

Seconded: Cr Williams

That the Minutes of the Special Budget Meeting held on Tuesday 20 July 2010 at the Coorow District Hall be confirmed as a true and correct record.

CARRIED 8/0

RESOLUTION:

2010/112

Moved: Cr Waite

Seconded: Cr Williams

That the Minutes of the Special Budget Meeting held on Tuesday 20 July 2010 at the Coorow District Hall be confirmed as a true and correct record with the following amendment, Resolution 2010/105 being changed to carry 5 /0 not 6/0

Resolution amended refer to 18 August 2010 Council Minutes

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.

Inappropriate language

Councillors, As the Elected Members of the Coorow Shire Council the onus is on us to conduct ourselves as befits leaders of our community.

It is not appropriate to use abusive or abrasive language while Council is in session or meeting to discuss Council business. This generates a poor professional image of Council, its members and staff and reflects negatively on Council.

I have received complaints from several Councillors, who feel particularly uncomfortable by such language being used in mixed company and particularly when travelling together. It is worth noting that these complaints have come from both male and female members of Council and Staff.

I seek your support to ensure that the use of language in Council situations is appropriate and reflects the professional image of Council.

Moira J Girando
Shire President.

Consumption of Council purchased refreshments.

Last month in the light of recent accounts I expressed my concern relating to the consumption of refreshments in the work place and the costs incurred by the Shire and classified as refreshments. Clarification in the way these purchases are reported to Council and allocated has long been a contentious issue.

The serving of drinks, either soft or of an alcoholic nature, is at the invitation of the Shire President, Deputy President (in the absence of the President) or, in the some cases, the CEO. Drinks are also supplied to the Councillors and Staff after Council Meetings again by invitation.

It is not the policy of this Council, nor is it included in the employment packages of any staff, that they are regularly provided with beverages. I do not include Morning and Afternoon tea and coffee etc in this category. I have no objection to a few drinks being consumed after a particularly long working day when staff have gone over and above their normal working parameters on behalf of Council, and I am not seeking to unreasonably apply restrictions.

I do, however, feel a timely reminder of our obligations to our ratepayers and as employers is in order. I believe it to be poor Occupational Health & Safety practice to regularly supply alcohol to our employees. This is especially in light of Councils adopted Policy on alcohol.

Further to this, and, at the request of several Shire of Coorow Councillors, I have discussed this matter with Dept of Local Government staff and several fellow Shire Presidents and have concluded that the best way to approach this matter is for Council to develop a Policy setting out clear guidelines for the purchase and consumption of liquid refreshments.

I have been made aware by our CEO, Mr Mark Hook, that a member of staff has taken offense to my position on this matter, believing that I was accusing staff of theft. This is clearly not the case and certainly not my view. However, I do believe that over time a 'culture' of providing Council purchased refreshments in the work place has evolved and is now regarded as an acceptable practice.

Times have changed and the Shire needs to be more prudent in the manner in which it deals with this issue and as such I am seeking Council's support to develop and adopt a concise Policy including clearer reporting to Council.

Moira J Girando
Shire President.

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 PROPOSED STATE AWARD TO REPLACE MUNICIPAL EMPLOYEE'S (WA) AWARD

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	18 June 2010
FILE	ADM00202,ICR10127

SUMMARY:

Council is being requested to agree, that the Local Government Officers (Western Australia) Award 1999 be used as the basis for the proposed new State Award covering country Local Governments operations staff in Western Australia.

Council is also being requested to allow Fitzgerald Strategies to speak to the Union on its behalf in respect to the negotiations of a new State Award covering Local Governments Operations Staff in Western Australia.

BACKGROUND:

Council has received the following letter from Fitzgerald Strategies.

Thank you to those volunteers who made their way to the Shire of Boddington on Friday 7 May 2010 to consider the Union's proposed new State Award and to formulate a response to the Union on behalf of Local Government. As well as considering in detail the Union's proposed document, the meeting heard an assessment from Mike Fitzgerald of the likely future directions for Local Government State Award coverage. Mike advised the meeting that it was highly likely that eventually there would be one State Award covering all Local Government employees containing two wage schedules, one schedule covering the Outside Staff and another schedule covering the Administration Staff. Based on this assessment of the likely future directions, the meeting determined that it would be appropriate to put a proposal to all Country Local Governments suggesting that you agree that the response to the Union should be to offer the Local Government Officers (Western Australia) Award 1999 as the basis for the proposed new State Award covering the Outside Staff of all country Local Governments in Western Australia. Accordingly, we have attached a reply form for you to fill out and return to us as soon as possible indicating your preference in this matter and authorising us to undertake discussions with the Union on your behalf in this matter.

COMMENT:

Council Executive staff has been dealing with this issue over the past few months due to advice being received from WALGA, that if the Shire of Coorow did not apply the new Modern Award for Local Government we may be fined.

As Council utilises the services of Fitzgerald Strategies for its industrial relations issues Fitzgerald Strategies were advised to give the Chief Executive Officer some advice on this issue.

Fitzgerald Strategies has advised the Chief Executive Officer that

The New Modern Award for Local Government (the Local Government Industry Award 2009) does not apply to your Shire because you are not 'trading corporations' and therefore you cannot be fined for not applying that Award.

Further, I confirm my advice given to clients during recent visitations, that the state registered MEU will very soon be making moves to meet with all WA Local Governments to discuss the terms and conditions that are to apply in a new Western Australian State Award for Local Government to replace the LGO Award and the ME Award once they cease to apply in March 2011.

In the meantime, until the 26th of March 2011, you are still covered by the same two Local Government Awards (the ME Award and the LGO Award) as well as those state Awards that you have traditionally used in respect to Shire Mechanics, Building Maintenance persons, child carers and aged carers.

The Federal Awards that continue to apply to Local Governments in WA until 26 March 2011 are the following:

- Local Government Officers' (Western Australia) Award 1999
- Municipal Employees (Western Australia) Award 1999
- Community Services (Care Aides – Silver Chain) Award 1987
- Residential Aged Care (Hostels) Award 2002

The State Awards that continue to apply to Local Governments are as follows:

- Building Trades Award 1968
- Child Care (Out of School Care - Play leaders) Award
- Health Attendants Award 1979
- Metal Trades (General) Award
- Restaurant Tearoom and Catering Workers Award 1979

STATUTORY ENVIRONMENT:

Federal Awards

- Local Government Officers' (Western Australia) Award 1999
- Municipal Employees (Western Australia) Award 1999
- Community Services (Care Aides – Silver Chain) Award 1987
- Residential Aged Care (Hostels) Award 2002

State Awards

- Building Trades Award 1968
- Child Care (Out of School Care - Play leaders) Award
- Health Attendants Award 1979
- Metal Trades (General) Award
- Restaurant Tearoom and Catering Workers Award 1979

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The financial implications at this stage are unknown however it is presumed that as we will be using an existing award for the basis of the award there will be no major changes in costs to councils.

PUBLIC CONSULTATION

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

1. That the Shire of Coorow agrees that the Local Government Officers (Western Australia) Award 1999 should be the used to form the basis of a new State Award covering Country Local governments Operations staff in Western Australia.
2. That the Shire of Coorow authorises Fitzgerald Strategies to speak to the Union on its behalf in respect to the negotiations of a new State Award covering Local Governments Operations Staff in Western Australia.

RESOLUTION:

2010/113

Moved : Cr George
Waite

Seconded: Cr

That Council lay this matter on the table until August Council Meeting to allow the Chief Executive Officer to prepare further information

***CARRIED 8/0
Simple Majority***

RESOLUTION: 2010/113

Moved : Cr George Seconded: Cr Williams

That Council lay this matter on the table until August Council Meeting to allow the Chief Executive Officer to prepare further information

Resolution amended refer to 18 August 2010 Council Minutes

Cr McDonald declared an Indirect Financial Interest and Close Association interest to item 10.1.2 being, that her husband is the Real Estate Agent for the sale of the property and left the room at 3.20pm.

10.1.2 SALE- STAFF HOUSING LOT 19 NORTH STREET COOROW

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	29 June 2010
ATTACHMENT	
FILE	A 1284

SUMMARY:

Council is being requested to accept the offer of \$120,000 for the sale of Lot 19 North Street, Coorow from Russell James Hildhers.

BACKGROUND:

Council requested the Chief Executive Officer to list Lot 19 North Street, Coorow for sale. The Chief Executive Officer listed the property for sale with Mr Terry McDonald Real Estate Agent with Elders Real Estate Carnamah.

COMMENT:

The Chief Executive requested a property valuation for sale from Elders Real Estate Carnamah and the estimated value placed on this property by Elders Real Estate Carnamah on the 18 December 2009 is as follows:

Appraisal and estimated value of Lot 19 North Street, Coorow

Property on large block with 3 bedrooms and 1 bathroom, built with hardi panelling and aluminium roof. Hallway entry from porch into lounge with carpet, a gas heater and slow combustion wood heater, lino through out dining and kitchen areas with ample cupboards, bench space and a Chef gas stove. The 3 bedrooms have built in robes with all rooms carpeted. Both a shower and bath in bathroom and laundry completes the wet area. The back veranda is enclosed which over looks the spacious back yard that has a 20ft x 12ft garage with roller door and a garden shed. The property has fencing on sides and rear and is a spacious block. The home is clean, tidy and very presentable. It is cooled by a Bonaire evaporative air conditioner and ducted through out the whole house. I would estimate that the property would be saleable in the \$110,000 - \$120,000 range. I hope that this is of assistance to you.

Council has received a signed Offer and Acceptance from Russell James Hildhers of 104 Leander Drive, Denison WA 6525 for Lot 19 North Street Coorow in the amount of \$120,000. The Offer and Acceptance is subject to finance being received and a termite inspection and treatment as required. Settlement is laid down as 21 days after Acceptance of Offer. If accepted Council will use the services of Peter Groom Settlements to initiate the settlement.

STATUTORY ENVIRONMENT:

Council may dispose of property in accordance with Section 3.58 “Disposing of Property” *Local Government Act 1995*.

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned;
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned;
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.
- (5) This section does not apply to —
 - (a) a disposition of land under section 29 or 29B of the Public Works Act 1902;
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;

- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
- (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended by No. 49 of 2004 s.27.]

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Proceeds from the sale of Lot 19, North Street, Coorow to be placed in Council's Building Reserve.

PUBLIC CONSULTATION:

Nil

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

1. Accept the offer from Russell James Hildhers for the purchase of Lot 19 North Street Coorow for the offered price of \$120,000 subject to finance being obtained by Russell James Hildhers and the termite inspection and treatment as required.
2. That Council advertise the sale of Lot 19 North as per section 3.58.(3) and (4) *Disposing of property of the Local Government Act 1995*.
 - (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned;
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
 - (4) The details of a proposed disposition that are required by subsection (a)(ii) include —
 - (a) the names of all other parties concerned;
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.
3. Place the proceeds from the sale of Lot 19 North Street Coorow in Council's Building Reserve.

RESOLUTION:

2010/114

Moved: Cr Williams

Seconded: Cr Mc Taggart

That Council:

1. *Accept the offer from Russell James Hilfers for the purchase of Lot 19 North Street Coorow for the offered price of \$120,000 subject to finance being obtained by Russell James Hilfers and the termite inspection and treatment as required.*
2. *That Council advertise the sale of Lot 19 North as per section 3.58.(3) and (4) Disposing of property of the Local Government Act 1995.*
 - (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property*
 - (a) it gives local public notice of the proposed disposition —*
 3. *describing the property concerned;*
 - (3) giving details of the proposed disposition; and*
 - (a) (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
 - (4) The details of a proposed disposition that are required by subsection (a)(ii) include —*
 - (a) the names of all other parties concerned;*
 - (b) the consideration to be received by the local government for the disposition; and*
 - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.*
4. *Place the proceeds from the sale of Lot 19 North Street Coorow in Council's Building Reserve.*

***CARRIED 6/1
By Absolute Majority***

Councils Resolution differed from the Officer recommendation as the person purchasing the property name is Hilfers not Hildhers.

Cr McDonald returned to meeting 3.23 pm

10.1.3 AUSTRALIAN OF THE YEAR AWARDS 2010

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	19 July 2010
FILE	ADM 0203 / ICR10548

SUMMARY:

Council is being requested to nominate persons for the Citizen of the Year Awards for 2010 under the following categories.

- **Australian of the Year**
- **Senior Australian of the Year (60 years and over)**
- **Young Australian of the Year (16 to 30 years) and**
- **Local Hero (Metropolitan & Regional).**

BACKGROUND:

The nomination period for the 2010 Australian of the Year is now open.

Council can nominate a worthy Australian who would be eligible for recognition in one of the following categories.

- Australian of the Year
- Senior Australian of the Year (60 years and over)
- Young Australian of the Year (16 to 30 years) and
- Local Hero (Metropolitan & Regional)

COMMENT:

The Australian of the Year Awards recognizes Australians who have made outstanding achievements in their field.

Nominations close on the 31st August 2010.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

Nil.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. nominate _____ as Australian of the Year;
2. nominate _____ as Senior Australian of the Year (60 years and over);
3. nominate _____ as Young Australian of the Year (16 to 30 years); and
4. nominate _____ as Local Hero (Metropolitan & Regional).

10.1.4 COUNCIL POLICY – SEXUAL HARRASSMENT

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	19 July 2010
ATTACHMENT	Policy 2.1.19 Sexual Harassment
FILE	ADM 0437

SUMMARY:

Council is to consider adopting the attached 2.1.19 Sexual Harassment Policy.

BACKGROUND:

Council currently has no Policy for Sexual Harassment.

COMMENT:

Council strongly supports the concept that every Employee, Elected Member and Member of the Public employed by or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment. As the Shire of Coorow has no policy on defining Sexual Harassment Council will find it hard to dismiss staff for any inappropriate behaviour.

Council considers sexual harassment to be an unacceptable form of behaviour which will not be tolerated and recognises that sexual harassment is unlawful.

The Draft Policy, included at Attachment 10.1.4, will allow Council to discipline or terminate staff that breaks this policy.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

Shire of Coorow Contracts of Employment.

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

New policy to provide clear parameters in relation to Sexual Harassment in the Shire of Coorow Work Force

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICERS RECOMMENDATION:

That Council adopt 2.1.19 – Sexual Harassment Policy included at Attachment 10.1.4.

POLICY – STAFF GENERAL

Sub Section:	Staff General
Policy Number:	2.1.19
Policy Subject:	Sexual Harassment Policy
Policy Statement:	To provide clear parameters in relation to sexual harassment in the Shire of Coorow.
Objectives:	<p>Council strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.</p> <p>Council considers sexual harassment to be an unacceptable form of behaviour which will not be tolerated and recognises that sexual harassment is unlawful.</p>
Guidelines:	<p>1.0 Sexual harassment is any conduct of a sexual and/or sexist nature (whether physical, verbal or non-verbal) which is unwelcome and unsolicited and rejection of which may disadvantage a person in their employment or their life in general.</p> <p>The following examples may constitute sexual harassment when they are considered offensive to an employee, elected member or member of the general public:-</p> <ul style="list-style-type: none">1.1 Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching.1.2 Subtle or explicit demands for sexual activities or molestation.1.3 Intrusive enquiries into a person's private life.1.4 Uninvited and unwelcome jokes that have a sexual and/or sexist undertone.1.5 Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.

2.0 Council recognises that sexual harassment can undermine health, performance and self-esteem of individuals and has the potential to create a hostile and intimidating environment. Council is therefore committed to any action which ensures the absence of sexual harassment in the workplace including general training of the workforce and specific training for officers identified to deal with complaints. Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

Any complaints of sexual harassment made against another person associated with the Council will be viewed seriously, treated confidentially and thoroughly investigated by appropriately trained persons.

Any person making a claim of sexual harassment will be protected at all times. No transferring of staff or face-to-face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without the prior consent of both parties.

An employee whose health or work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way.

A formal complaints/grievance procedure is attached to this Policy and will be utilised to effectively resolve complaints of sexual harassment.

3.0 Complaints/Grievance Procedure.

3.1 All complaints of sexual harassment will be treated confidentially and resolved promptly wherever possible, the handling of complaints and resolution of such will be at the workplace where they occurred.

Care will be taken throughout the investigation to ensure that neither the complainant nor the alleged harasser are victimised.

It is recognised that cases of sexual harassment may occur between supervisor and employee and as such, alternative methods of raising complaints are provided for by this procedure.

Procedure

- a) A complaint of sexual harassment may be lodged with any of the following persons-
 - Chief Executive Officer (only if the alleged harasser is the Chief Executive Officer)
 - President

- b) A person receiving a complaint of sexual harassment will

- Decide, in consultation with the complainant, whether the matter can be resolved at this level or whether it should be referred to a more senior level of management;
 - Assure the complainant that all details of the complaint will be treated confidentially and allow the person to decide on procedure;
 - Prepare a confidential report for the Chief Executive Officer on the nature of the complaint and ensure follow- up reports are provided until the matter is resolved;
 - Ensure no information regarding the complaint is discussed outside this procedure
 - In a case where a union shop steward receives the complaint the Chief Executive Officer is to be advised of the details of the complaint.
- c) The person handling the complaint, whether it is the person who received the complaint or another appointed senior person will, with the approval of the complainant-
- As soon as possible, advise the alleged harasser of the nature of the complaint and provide an opportunity for that person to comment. Where appropriate the alleged harasser should be invited to discontinue any perceived unwelcome behaviour;
 - Advise the alleged harasser that no disciplinary action will be taken without the person being given the opportunity to be heard;
 - Keep simple, brief notes of the facts of the interviews held with both the complainant and alleged harasser.
- d) If it is not possible to resolve the complaint simply by discussion with the complainant and the alleged harasser-
- The matter will be investigated and where the complainant or the alleged harasser is a member of a Union, the Union will be party to the investigation.
 - All documentation relating to the complaint will remain confidential and will not be produced or made available for inspection, except on the order of a Court or a request from the Commissioner of Equal Opportunity.
- e) During the period of the investigation of a case of serious sexual harassment-
- If requested by either party or by management, alternative working arrangements may be made.
- f) If, following investigation and resolution, a complaint is judged to have foundation-
- Appropriate remedial action will be taken including where appropriate disciplinary / counselling action appropriate to the circumstances and/or seriousness of the matter.
 - A record of the detail of the disciplinary action will remain on the employee's personal file for a period of twelve (12) months whereupon the record will be destroyed unless otherwise decided by the Chief Executive Officer.
- g) If, following investigation, a complaint is judged to have no foundation:-

- The complainant will be counselled and if it is considered that the complaint was made frivolously or maliciously, disciplinary action may be taken against the complainant.
- Continued reference to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.

Resolution Number:

Resolution Date:

Source: Chief Executive Officer

Date of Review: June annually

Review Responsibility: Chief Executive Officer

RESOLUTION: **2010/115**

Moved: Cr George

Seconded: Cr Waite

That Council adopt the new 2.1.19 – Sexual Harassment Policy included at Attachment 10.1.4. with the following amendment:

- *3.1a After the word President delete (only if the alleged harasser is the Chief Executive Officer)*

CARRIED 8/0
Simple Majority

10.1.5	WALGA ANNUAL GENERAL MEETING
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AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	19 July 2010
ATTACHMENT	Consideration of WALGA AGM Motions
FILE	ADM 0425 Under Separate Attachment 10.1.5

SUMMARY:

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

COMMENT:

Council's Voting Delegates to the Annual General Meeting (AGM) of WALGA are Cr Girando and Cr Waite, Cr MacDonald and the Chief Executive Officer and Deputy Chief Executive Officer will also be attending the Local Government Week and the WALGA AGM.

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

A copy of the motions to be debated at the Annual General Meeting of WALGA at the Perth Convention Exhibition Centre, Perth on Saturday 8 August 2009, are included at Attachment 10.1.5 with staff consideration and recommendation for a Council position for each motion.

STATUTORY ENVIRONMENT:

Nil or addressed in Attachments.

POLICY, FINANCIAL & STRATEGIC IMPLICATIONS:

Nil or addressed in Attachments.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council delegate to the Western Australian Local Government Association Annual General Meeting to be held at the Perth Convention Exhibition Centre, Perth on Saturday 7 August 2010, be instructed and authorised to vote on the following Agenda items as follows:

3.1 Local Government Initiative on Climate Change.

Recommend Support of Motion.

3.2 Climate Change Risk Management.

Recommend Support of Motion.

3.3 Loss of Rateable Income Arising from State Government Policy Decision to Transfer Ownership to Not-For-Profit Sector.

Recommend Support of Motion.

3.4 Elected Member Record Keeping Policy.

Recommend Support of Motion.

3.5 General Practitioner Services to Rural and Remote Local Governments.

Recommend Support of Motion.

3.6 Increased State Government Road Funding.

Recommend Support of Motion.

3.7 Bush Fire Management by Local Government.

Recommend Support of Motion.

3.8 Draft Industrial Land Strategy 2009 Perth and Peel.

Recommend Support of Motion.

3.9 ALGA - Population 2050 - Funding provision of Services and Infrastructure.

Recommend Support of Motion

RESOLUTION:

2010/116

Moved: Cr Bothe

Seconded: Cr McTaggart

That Council delegate to the Western Australian Local Government Association Annual General Meeting to be held at the Perth Convention Exhibition Centre, Perth on Saturday 7 August 2010, be instructed and authorised to vote on the following Agenda items as follows:

3.1 Local Government Initiative on Climate Change.

Recommend Support of Motion.

- *3.2 Climate Change Risk Management.*

Item 3.2 that voting on this matter be left to the discretion of Voting Delegates

- *3.3 Loss of Rateable Income Arising from State Government Policy Decision to Transfer Ownership to Not-For-Profit Sector.*

Recommend Support of Motion.

- *3.4 Elected Member Record Keeping Policy.*

Recommend Support of Motion.

- *3.5 General Practitioner Services to Rural and Remote Local Governments.*

Recommend Support of Motion.

- *3.6 Increased State Government Road Funding.*

Recommend Support of Motion.

- *3.7 Bush Fire Management by Local Government.*

Item 3.7 That Council not support this Recommendation

- *3.8 Draft Industrial Land Strategy 2009 Perth and Peel.*

Recommend Support of Motion.

- *3.9 ALGA - Population 2050 - Funding provision of Services and Infrastructure.*

Recommend Support of Motion

***CARRIED 8/0
Simple Majority***

Attachment 10.1.5

Consideration of WALGA AGM Motions

No.	Proposed Motion	Comment
3.1	<p data-bbox="141 419 510 451">SHIRE OF CHITTERING</p> <p data-bbox="141 491 280 523">MOTION</p> <p data-bbox="141 531 842 707">That the meeting endorse the WALGA initiative on climate change, and request that the latest information on cost effective mitigation measures be communicated to all councils for their Consideration.</p>	<p data-bbox="1077 419 1406 451">MEMBER COMMENT</p> <p data-bbox="1077 459 2022 786">The global risks of climate change were recognised in the 1980s but to date actions to mitigate the potential costs to local governments have largely not progressed. While it is now too late to reverse the causes of extreme climatic events, which will impact on infrastructure and thereby incur huge costs to communities; we can mitigate the effects by adopting energy saving and carbon neutral activities in all departments. The time for waiting on state and federal governments to act is long past. We need to lead on this problem, and bring the community on board to protect their own future sustainability.</p> <p data-bbox="1077 794 1489 826">SECRETARIAT COMMENT</p> <p data-bbox="1077 834 2022 1300">Mitigation measures will depend on the services that each local government delivers, and should initially focus on where energy consumption (and financial) efficiencies can be gained. Adaptation strategies will similarly be driven by services and location, and should focus on risk management and land use planning decision making. A collaborative or regional approach to adaptation measures is recommended for members outside the metropolitan area and the major regional centres. The climate change policy commitments endorsed by State Council in October 2009 outline the position of the Association, and more information on mitigation measures, case studies etc are available in the WALGA climate change toolkit at www.walgaclimatechange.com.au The Local Government Greenhouse Gas Emissions Reporting and Abatement Platform (the Platform) is the WALGA initiative designed to</p>

		<p>assist Local Governments to calculate and report on their greenhouse gas emissions, which provides a consistent baseline measurement for Local Governments to benchmark against.</p> <p>http://www.walgaclimatechange.com.au/walga-reportingplatform.htm. All Local Governments have access to this tool. WALGA also provides a panel of preferred supplier consultancies to assist Local Governments to not only measure their emissions outputs, but also to apply cost efficient abatement measures.</p> <p>http://www.walgaclimatechange.com.au/consultancy-panel.htm. May of these panellists provide low cost options for abatement portfolio management, adaptation planning and policy and strategy development.</p> <p>Recommend Support of Motion</p>
3.2	<p>TOWN OF MOSMAN PARK</p> <p>MOTION</p> <p>1. That WALGA, with the support of appropriate policy forums and reference groups, lobby the State Government to improve its performance in the policy, funding and operational management of climate change in Western Australia.</p> <p>2. That WALGA endorse the Climate Change Councillor's Group as a formalised Policy Forum to consider and advocate on climate change in Western Australia and communicate findings to Local Governments, State Government and the Commonwealth Government.</p>	<p>MEMBER COMMENT</p> <p>While Council acknowledges differing opinions and regional challenges it considers that the political, operational and physical risks are significant enough that WALGA and Western Australian Local Governments must acknowledge and commit to policy and actions on climate change management. The Climate Conscious Councillors Group has recently been formed to consider the threats [eg rising sea levels, drought, bushfire, severe weather events, etc] presented by climate change regardless of whether individuals believe climate change is an issue it must be addressed. To do nothing is not an option. Climate change projections for 2030 include:</p> <ul style="list-style-type: none"> • Rising average temperatures from 0.5 - 2 degrees • Annual average number of days above 35 degrees from the current 28 days to 29 – 48 days • Reductions in annual rainfall from 2 – 20% and catchment runoff

<p>3. That WALGA continue to lobby for direct involvement from the Commonwealth Government on climate change in Local Government through a regional delivery process and appropriate funding and support.</p>	<p>decreases from 5 – 40%</p> <ul style="list-style-type: none"> • Sea level increase by 3 – 17 cm • More frequent and severe droughts and flooding events <p>SECRETARIAT COMMENT</p> <p>WALGA currently has a range of programs, tools and resources in place and under development to respond to the needs of the sector on best practice climate change management. It currently has a policy statement outlining the position of the Association with respect to acknowledgment of, and commitment to climate change management and consistently works towards servicing these policy commitments. Many of these resources can be found at www.walgaclimatechange.com.au The Association encourages all Western Australian Local Governments to address climate change impacts through strategic and operational action, and asserts that there are legislative obligations, legal liabilities and planning risks associated with climate change which are imperative for Local Governments to address in policy and action. WALGA currently undertakes processes of advocacy in order to encourage State and Federal investment in climate change management programs and resources in Local Government; however within the current political climate it is acknowledged that little movement in this area is evident. Local Government support for climate change advocacy and action is encouraged and appreciated. Under WALGA's Corporate Governance Charter, Policy Forums are convened on an as-needs basis by the Association President, to develop policy in relation to a particular range of issues. The formal endorsement of Policy Forum constructs is a matter for the President to consider.</p> <p>Recommend Support of Motion</p>
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3.3	<p>SHIRE OF DENMARK</p> <p>MOTION</p> <p>That WALGA lobby the State Government to recognise and permanently compensate Local Governments in Western Australia for the loss of rate income where rateable assessments become non-rateable as a result of any State Government policy or decision that transfers responsibility for public housing from the Department of Housing (Homes west) to a not-for-profit, charitable organisation.</p>	<p>MEMBER COMMENT</p> <p>The Shire of Denmark has experienced in recent months an increase in applications from not for profit organisations, seeking a rates exemption under section 6.26 (2) (g) of the Local Government Act 1995 which provides for a rates exemption if the land is being used for charitable purposes. In one specific instance this application has related to the transfer of ownership from Homes west to a community housing provider who is providing subsidised housing at the property in question and as such is now considered non-rateable. This has resulted in the loss of approximately \$800 in municipal income in this one instance, however the Shire of Denmark has concern for the ongoing implications for the Shire and local government in general, if Homes west properties continue to be transferred to the not for profit sector in this manner. It is the view of the Shire of Denmark that this is another form of cost shifting from the State to Local Government, with Local Government still responsible for the provision of works and services that this property enjoys. The Housing 2020 document, released in October 2009 by the Minister for Housing and Works, identifies increased partnership between the State and Not for Profit sector and it is the Shire of Denmark's concern that this increased partnership, will mean reduced income for local authorities. If the State Government was to transfer all public housing properties in the Shire of Denmark to the not for profit sector, there would be a loss of \$50,932.28 in municipal rates income from the annual budget each year (or 1.5% of total rates income), a cost that would need to be met the ratepayers of the Shire. On a state wide basis it is estimated that this cost would be in the millions of dollars. Local Government in Western Australian has never intended to be a charitable organisation, with public housing and its associated cost long regarded as the responsibility of the State. The</p>
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transfer of these responsibilities from the State to the not for profit sector should not be at the expense of Local Government.

SECRETARIAT COMMENT

The report identifies a significant threat to the reliability of the local government rate revenue stream. This relatively recent State Government policy shift encouraging involvement by charitable, not-for-profit organisations as managers of public and social housing schemes stands to compound the leaking of rate revenue already experienced within the Sector in relation to land used for charitable purposes. At the 2008 WALGA AGM, it was resolved to pursue compensation for loss of revenue associated with the area of land used for Independent Living Units on estates operated by registered charities and religious bodies. This is also being pursued by the Association through legislative amendment to Section 6.26 (2) (g) of the *Local Government Act 1995* to exempt ILU's from charitable land use status. Where the Shire of Denmark's issue differs is that the proposed amendment to the Act in relation to Independent Living Units will not provide a remedy. The land use described is more likely categorised as being land which is the property of the Crown [S 6.26 (2) (a)] and land which is being used or held for a public purpose [Section 6.26 (2) (a) (i)] and is therefore not rateable land. The Association has previously sought direct compensation from the State Government for lost rate revenue due to shedding of Government services of the nature described by the Shire of Denmark. The State Government's common response is that the Local Government sector is relieved of a number of State taxes and charges such as Payroll Tax and Stamp Duty. However, the prospect that significant rate revenue may be lost to Local Governments providing services to the occupants of public and social

		housing is worthy of compensatory consideration by the State Government.
3.4	SHIRE OF KULIN MOTION That WALGA oppose any change to the <i>State Records Act 2000</i> that may lead to increased responsibility for Elected Member record keeping requirements.	Recommend Support of Motion MEMBER COMMENT At a WALGA AGM a few years ago this matter was raised where elected members expressed serious concern over the need for members to keep records of discussions with ratepayers and other parties that are minor in nature. However, the State Records Office issued an Information Sheet in March 2010 that implies Elected Member record keeping obligations have become more onerous, particularly with regard to the recording of verbal conversations. The Shire of Kulin has no issue with members having to keep records of correspondence received from residents and other parties however the need for records to be kept of every conversation, incidental information and other trivial matters is an impost that will further erode the ability of Local Government to attract candidates for these elected positions. SECRETARIAT COMMENT WALGA supports the view of the Shire of Kulin. The <i>State Records Act 2000</i> mandates that Elected Members make a record of activities associated with the decision making processes of Council, in line with their roles and responsibilities under the <i>Local Government Act 1995</i> . The <i>State Records Act 2000</i> does not mandate the need to make a record of general verbal conversations particularly in relation to Elected Members' advocacy role in the community. Whilst there is support for the role of the State Records Office in providing advice and guidance on Elected Member record keeping, the Association has requested their advice reflect only upon the record-keeping requirements mandated by the <i>State Records Act 2000</i> .

3.5	<p>SHIRE OF KONDININ</p> <p>MOTION</p> <p>That the Western Australian Local Government Association instigate, as a matter of urgency, discussions with key stakeholders on the development of a local government platform or framework that can be used to address the general practitioner shortage in regional Western Australia.</p>	<p>MEMBER COMMENT</p> <p>Attraction and retention of good staff is not new for rural and remote local governments in WA. It is a challenge faced on a regular basis and is not just for staff in “core” local government functions – it has extended across to ensuring primary health care services are properly staffed. Many rural and remote local governments are now responsible for recruiting General Practitioners’ (GPs), offering salary guarantees to these GPs, providing medical centres, supplying housing and vehicles, purchasing medical equipment and even paying the practice support staff. In an effort to ensure long term sustainable primary health care service some local governments have joined together to establish a medical scholarship. Unfortunately, however, the lead time for this approach to come to fruition is approximately 11 years. Successive State and Commonwealth Governments have been happy to let this “cost shifting” to local government occur. Changes to 457 Visa Guidelines has seen a dramatic reduction in the numbers of overseas trained and qualified doctors applying to work in Australia. Combined with a current shortage of locally trained doctors has resulted in difficulties in attracting GPs to rural and regional Australia. This is most evident in areas endeavouring to attract doctors to a solo GP practice environment. With the increased tightening of entry requirements for doctors into Australia, private operator, Gemini Medical Services has advised it can no longer provide placements to solo GP practices. The Shire of Kondinin has already lost its Gemini provided medical service and others, such as the Shires of Lake Grace and Yilgarn have also been advised that Gemini Medical Services will be withdrawing medical services from their communities. These three local governments alone service an area of some 48 807km2, with a population of 4 306. In many instances residents in these areas</p>
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travel distances of up to 100kms to see a GP. It is inevitable that other local governments will be impacted by Gemini's decision to move away from servicing solo GP practices. Similarly, recent changes to the 457 Visa process and the reluctance by government to provide admitting rights to overseas trained doctors will appear to produce more graduates that will become GPs, it will take up to 12 years to achieve solo practice status. At this point there are 70 GP vacancies in regional Western Australia (i.e. outside of Perth). Local Government in Western Australia, as in many other rural and remote parts of Australia, can no longer afford to "carry the can" or the cost shifting that is involved regarding the provision of primary health care to their respective communities. Individual local governments have been asking both State and Commonwealth Governments for some time to deal with their respective level of responsibilities regarding the provision of GPs to regional Western Australia. The manner in which primary health care is delivered requires urgent review to address the GP shortage that exists. Any review should look to:

- a) Address Commonwealth and State Government cost shifting;
- b) Seek a review of the 457 visa guidelines regarding the intake of overseas trained and qualified doctors; and
- c) Develop possible models and funding options and sources.

The Shire of Kondinin is prepared to work with key stakeholders to develop a platform for Local Government in Western Australia that can be used to address the GP shortage in rural/remote and regional WA. Such a platform would include a number of solutions supported by a funding model along with a review of the changes implemented regarding the entry level requirements for GPs into Australia. The funding model may consist of a scheme between Local Government, State Government, the

		<p>Commonwealth Government and Private industry. Possible options include:</p> <ul style="list-style-type: none"> a) Local Government Group Scheme. This is a contributory scheme administered by member local governments through a tender process; b) General Practice Division Model such as the Wheatbelt GP Model. Local governments can sign up on a case by case basis to a group supported by their respective General Practice Division. Each member would pay a service support fee; and c) Establishment of a new private provider - local governments would sign up on a case by case basis with a provider similar in nature to the services offered Gemini Medical Services. Alternatively it might consist of a group of neighbouring local governments and interested GPs. <p>SECRETARIAT COMMENT</p> <p>At the time of writing this agenda item the Association is in the process of organising a meeting of relevant stakeholders to address the issue of shortage in General Practitioners in regional Western Australia.</p> <p>Recommend Support of Motion</p>
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3.6	<p>SHIRE OF DALWALLINU</p> <p>MOTION</p> <p>That WALGA escalate its campaign for increased road funding from the State Government</p>	<p>MEMBER COMMENT</p> <p>There has been significant cost shifting and other circumstances that are leading towards road funding becoming inadequate. Some of these include:</p> <ol style="list-style-type: none"> 1. Historical deregulation of rail transport (wool, fertiliser and gypsum transported by road rather than rail) 2. Later deregulation of grain marketing 3. Significant shift of grain from rail to road with increased numbers of Restricted Access Vehicles on local roads 4. Local Government having to self fund environment management roles (e.g. roadside vegetation management) 5. DEC policy regarding gravel pits and the difficulty in obtaining gravel supplies from DEC controlled crown land and hence increased costs due to longer distances 6. Increase in the size and number of multi-combination vehicles as a result of the increase in grain production 7. Lime route 4 & 4A not complete and the transfer of lime traffic away from regional to other local roads (as per Wheatbelt North Regional Road Group) 8. Inflexible grant conditions (e.g. stimulus package and Royalty for Regions) 9. Reduction in black spot funding and the delays in achieving the work due to difficulties in the coordination of service agencies (Western Power, Telstra, etc) 10. Road safety issues (particularly when work is unable to be completed due to lack of funding) 11. Increasing registered vehicle ratios (particularly in rural areas with many vehicles registered including oversize vehicles such as multi-
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		<p>combination trucks, tractors towing tillage equipment and combine harvesters)</p> <p>12. Rationalisation of grain storage services resulting in greater distances travelled to access these facilities</p> <p>13. Emphasis on Asset Management based on a hierarchy of roads starting with regional roads (Including complex computer software and hardware costs)</p> <p>14. Cost shifting with respect to Medical Centres and Doctors and the consequent pressure on funding. The Shire of Dalwallinu would like to see WALGA ramp-up their representation to State Government to demonstrate the effect that the State has had on the usage patterns on our roads and a very real reduction in funding. This is particularly focused on State funding but could change if the Federal Government was to discontinue the Roads to Recovery programme. Increasing costs may cause Shire's to downgrade the status of some roads and only maintain them as access tracks. During his address to the Australian Roads Summit 5 March 2010, Cr Geoff Lake, ALGA President, quoted that "Councils are collectively responsible for over 80% of all roads in Australia". He went on further to say that "Nationally, local government spends about 25% of its funds on roads, although in rural councils this figure is typically more than 50%". Costs of maintaining the network of roads are ever increasing whilst the associated funding is not.</p> <p>SECRETARIAT COMMENT</p> <p>The points raised by the Shire of Dalwallinu illustrate the pressure Local Government is under to maintain road infrastructure. The Report on Local Government Road Assets and Expenditure 2007/08 illustrates that;</p> <ul style="list-style-type: none"> • the funding shortfall in maintaining the local road network in its current
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	<p>condition has increased from \$83.6M in 2003/04 to \$431.7 million in 2007/08;</p> <ul style="list-style-type: none"> • Local Governments own source expenditure on the road network continues to increase with Councils spending 52.1% of their total road expenditure from their own resources in 2007/08; and • Councils in the Wheatbelt South region would have to spend 90% and Councils in Wheatbelt north 73% of their entire revenue capacity on road preservation to make up the difference between their road preservation needs and the road grants they receive for preservation. A review of the purchasing power of grant funds received by Local Government illustrates that it has not kept pace relative to a number of cost indexes. An increase in Commonwealth and State funding for local roads is needed. Local Governments provide road infrastructure which supports State and federal economic development often with little direct return to the local community on their investment. Some local roads are used for transport tasks for which they were not designed or built. The shift in usage patterns requires increased investment in upgrade and reduces the lifespan of local roads leading to more costly maintenance regimes and earlier renewal investment. A deferral in some tasks such as reseals may result in the premature failure of sound pavements which is four times the cost of a reseal to repair, compounding the problem. The Shire of Dalwallinu has outlined the pressures faced by Local Government in funding road activities. The magnitude of this issue was illustrated by the Strategic Grain Network Review which found excessive costs are being incurred by Local Governments and identified a need for new road funding arrangement. To date no new money for these local roads has been announced by State or Federal Government. Also critical is new funding for Local Government to deliver safer roads and roadsides as outlined in
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	<p>Towards Zero, the WA Road Safety Strategy. There is not enough funding for WA roads. A Report by the Office of the Auditor General into the funding of maintenance on state highways and main roads reported that there is a deficit of \$800M in the level of funds required for maintenance. Work undertaken by the Australian Road Research Board for WALGA utilising a similar methodology, a simplified life cycle costing model, illustrates a funding backlog of \$535M in 2007/08 for renewal on local roads. The total quantum of State Government funds for State and local roads needs to be increased. An increase in funding for the State road network should not be at the cost of State funds for local roads. Local Governments are undertaking initiatives to ensure limited road funding is targeted including implementation of ROMAN II and the identification of integrated, strategic heavy vehicle routes to guide investment. WALGA is advocating for increased State and Commonwealth funding for local roads including new funds to support an integrated transport network for grain haulage and advocacy with the Australian Local Government Association for Roads to Recovery becomes a permanent funding source. Also WALGA is advocating for Government to address distortions between road and rail pricing through legislative, regulatory and/or other mechanisms to ensure accurate pricing signals to facilitate appropriate infrastructure investment by Government and to progress road pricing initiatives. A critical mechanism for increasing State funds for local roads is the State Road Funds to Local Government Agreement. The current Agreement, which provides 27% of Vehicle Licence Fees for local roads, has been extended until July 2011. It is crucial that there is increased funding for the local road network under the new Agreement. Depending upon the progress of negotiations with the State Government, WALGA will determine with Local Governments an</p>
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		<p>appropriate campaign for increased road funding. Increased State Government funding is critical to enable Local Government to deliver safe road infrastructure which supports the ongoing economic and social development of Western Australia.</p> <p>Recommend Support of Motion</p>
3.7	<p>SHIRE OF BOYUP BROOK</p> <p>MOTION</p> <p>That WALGA in its deliberations do not agree to any amendments to the <i>Emergency Management Act 2005</i> or the <i>Emergency Management Regulations 2006</i> that would transfer the authority invested in Local Government relating to Hazard Management from Local Government to FESA.</p> <p>Further, that WALGA engages elected Local Government representatives from Country Fire Advisory Committees and / or Local Emergency Management Committee (LEMC) to be voting members on any decision making body between WALGA and FESA on the issue.</p>	<p>MEMBER COMMENT</p> <p>Local Government and its Fire Advisory Committees have a long and successful history of fire prevention and hazard management. The strength of Local Fire Brigades is that it is locals protecting their Community and fostering the volunteer ethic that is part of small communities; for many years local Brigades, with support from their Local Government have been relatively self sufficient both financially and with membership from within their community. These members have attained many skills by engaging in fighting fires, attending training and having a good liaison with Local Government, FESA, Department of Environment and Conservation (DEC) and other Governmental instrumentalities that are forever changing their names. Any radical change to an arrangement that has been successful in the potentially fire prone areas of the South West of WA would place the volunteer Brigades at risk of abandonment. While there is always room for improvement it should be a consultative process with those directly affected.</p> <p>SECRETARIAT COMMENT</p> <p>The <i>Emergency Management Act 2005</i> prescribes “Fire” as a hazard but does not delineate between structural fire and bush fire, nor does it prescribe the Hazard Management Agency(s) for each. It has been recommended by the State Solicitors Office that this anomaly be</p>

		<p>addressed through regulations. FESA has engaged WALGA and Department of Environment and Conservation (DEC) in early discussions about the State Solicitors Office advice and the options to address the issue. It has been agreed that a discussion/options paper on the issue will be prepared by FESA and the State Solicitors Office outlining the issue(s) in detail, the options that may be used to address the problem and the implications of these for stakeholders such as Local Government and Department of Environment and Conservation.</p> <p>Recommend Support of Motion</p>
3..8	<p>SHIRE OF MURRAY</p> <p>MOTION That WALGA raise with the State Government that unless there is sufficient residential land released to meet the objectives of the Industrial Land Strategy, the State Government will be facing a critical housing and land supply shortage that is not capable of meeting the future population needs of the Perth Metropolitan and Peel region.</p>	<p>MEMBER COMMENT The Shire of Murray wishes to raise concerns with regards to the Draft Industrial Land Strategy 2009 Perth and Peel (Item 5.2 on the June 2010 State Council Agenda). Concerns were also raised by Peel Zone members at the 27 May 2010 meeting, through the addition of Clause No 3 to the WALGA Recommendation as follows: <i>“That WALGA, as members of the Industrial Reference Group, raise the issue of land release in the Peel to ensure that sufficient residential land is released to meet the objectives of the Industrial Land Strategy.”</i> The Shire of Murray in its submission on the Draft Industrial Land Strategy indicated its support of the concept of maintenance of a 20 year land bank to ensure a regular industrial land supply and the development of an industrial land release program that can be linked to the urban development monitoring program to ensure proper integration between employment generation and urban population expansion. The Draft Industrial Land Strategy indicated that there is a marked shortfall of industrial land both in the Peel and Perth regions and that the vital importance of industrial land to the Perth and Peel regional economies is</p>

	<p>neither adequately recognised or understood. The Shire of Murray has been working closely with the Peel Development Commission in order to formulate an economic development strategy for the Peel region which was recognised as a key initiative under Directions 2031. Despite there being a significant amount of industrial land in the development supply pipeline, it is noted that a considerable amount of this land is constrained and as a result is not available for immediate development. Figure 5 in the Draft Industrial Land Strategy report depicts the spatial distribution of these existing known industrial developments and includes likely timeframes that land will be delivered to the market. Nambeelup is notated as industrial complex No 23 and as at July 2009, no land is shown as being market ready and only 60 hectares is allocated between July 2009 and 2015. This land supply figure appears significantly low, particularly as the Department of Planning, Peel Development commission, LandCorp, the Shire of Murray and key landowners in the Nambeelup Industrial Precinct are working towards a far greater supply of industrial land over the next five to ten years. The abovementioned key stakeholders are working cooperatively to formulate a district structure plan for the Nambeelup Industrial Precinct that could result in approximately 750 hectares of net developable land assumed for long term supply. A Draft Industrial Concept Plan has been prepared by the Department of Planning which comprises a total of approximately 1,500 hectares of land that could accommodate a range of light service, general and agri-industrial type's uses and provide a framework to guide the preparation of a future district structure plan. In terms of industrial land at Pinjarra, the Draft Industrial Land Strategy identifies an expansion precinct in West Pinjarra with a net developable area of 100 hectares and an available land supply of approximately 18 hectares is earmarked between July 2009 to 2015.</p>
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	<p>The Shire of Murray has been in consultation with key landowners in this West Pinjarra precinct, extending from Moores Road through to Greenlands Road, that encompassed and holding totalling 227 hectares with 112 hectares under Government ownership. LandCorp is taking a lead role in this area and is prepared to project manage funding arrangements for the provision of essential environmental, engineering and planning studies in order to progress further industrial re-zonings under the Peel Region Scheme and Council's Town Planning Scheme. The Draft Industrial Land Strategy also depicts an area extending one kilometre wide from the Perth Bunbury Highway back to the western edge of the West Pinjarra commonage land as a priority industrial site. This precinct has a total area of 295 hectares and an estimated developable area of up to 279 hectares. In February 2010, Council resolved to support a revision to its Draft Local Planning Strategy to depict a mixed business industrial corridor over landholdings both north and south of Greenlands Road and a proposed special rural classification extending south of Greenlands Road that would act as a replacement for rural residential development that has previously been granted zoning approval in the Curtis Road locality. Council considers this land use modification reinforces the importance of Greenlands Road as a major east-west highway linkage between the Forrest Highway and the Pinjarra town site and South West Highway, and uses Greenlands Road as a key transport movement economy. The Shire of Murray is of the view that expansion of industrial development opportunities in the Nambeelup and West Pinjarra localities must be strategically linked with urban expansion plans that can then provide a clear rationale between urban land supply and future employment generating needs to service the broader Peel region. In its submission on Directions 2031 and the South Metropolitan</p>
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	<p>and Peel Subregional Structure</p> <p>Plan, Council has raised major concerns that these planning documents have seriously underestimated future urban land requirements, dwelling requirements and population growth forecasts. Whilst Directions 2031 is intended to be a living document which can be monitored and reviewed on a regular basis, past experience suggests that this will not happen and it will be interpreted with a degree of rigidity and inflexibility in the identification, zoning, staging and release of new urban and industrial land. The underlying philosophy with Directions 2031 appears to restrict the outward expansion of urban areas to promote infill development and force up residential densities. The risk associated with this approach is that there is likely to be a severe shortage in housing land which could drive up house prices higher and reduce affordability. The Department of Planning produces “WA Tomorrow” which forecasts population growth for the planning regions for 2004 to 2031 and local government areas 2004 to 2021. These forecasts are based on anticipated changes in natural increase, immigration and interstate/intrastate migration adjusted to take into account local multiplier affects from known development projects. The population forecasts they use to provide projections of household and dwelling numbers. Over the years, local governments have undertaken their own population forecasts. These have frequently exceeded Department of Planning forecasts, for example, in the Peel region the projected population for 2031 in “WA Tomorrow” (2004) is 158,400 compared with 188,400 in the Peel Economic Perspective released by the Department of Local Government and Regional Development in 2006. Directions 2031 forecast a population for the Peel region of 133,000. At a more local level, the Shire of Murray under the South Metropolitan and Peel Subregional Structure Plan is estimated to</p>
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	<p>have a population of 22,500 by 2031 compared to the Shire's population estimate of 45,000. There have also been differences between Department of Planning forecasts of dwelling requirements with those undertaken by local government. Invariably, Department of Planning forecasts are more conservative than local government and other sources. For example, the Peel Subregional Structure Plan estimates the need for an additional 5,600 dwellings in the Shire of</p> <p>Murray by 2031, whereas the Shire of Murray predicts its dwelling numbers could increase to 18,000. It is understood that the Department of Planning will be shortly releasing an updated version of Directions 2031 based upon submissions received during the public advertising period along with release of an inner and outer metropolitan growth strategy plan. Whilst the population and dwelling forecast estimates have not been formally released for local government consideration, the Shire of Murray is concerned that urban investigation areas previously identified in the North Ravenswood, West Pinjarra and Nirimba planning precincts (which were included in Council's Draft Local Planning Strategy as potential urban areas subject to further detailed structure planning analysis), may not be included within the scope of planning investigation over the next five to ten years. Council has previously questioned assumptions made in Directions 2031 that the Department of</p> <p>Planning considers there is sufficient undeveloped urban and urban-deferred zoned land supply of 18,600 hectares along with land already being rezoned from rural to urban purposes that would meet land supply and dwelling requirements up to 2031. Council has vigorously disputed the validity of these statistics and has sought clarification from the WAPC as to whether a detailed audit has been undertaken of this zoned land and</p>
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	<p>what impediments exist which would restrict its ability to be developed within the next five to ten years. To date, no information has been forthcoming from the Department of Planning to verify the capacity for this already zoned land to be development ready and whether it would meet housing affordability criteria. The Shire of Murray has constantly held the position that the Department of Planning population and dwelling forecasts do not take into account housing affordability and consumer preferences and a policy that promotes increased infill density development will be limited by site constraints, difficulties in land assembly and coordinating development, different intentions and expectations of landowners and objections from existing residents to change which can delay and prevent development. In conclusion, the Shire of Murray is seeking support from the WALGA State Council, for the Western Australian Planning Commission to adopt a more flexible approach to urban and industrial land supply which is responsive to variations in future population, housing demand, infill yields and gross density yields in new developments. A longer term time frame should be adopted for the supply of future urban, urban deferred and industrial zoned land which is intrinsically linked to the provision of service infrastructure provision and staging of development under the Metropolitan Development Program and Industrial Development Program. Unless there is sufficient residential land released to meet the objectives of the Industrial Land Strategy, then it is WALGA's view that the State Government will be facing a critical housing and land supply shortage that is not capable of meeting the future population needs of the Perth Metropolitan and Peel region.</p>
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		<p>SECRETARIAT COMMENT</p> <p>It is accepted that the WA Planning Commission have not released the final <i>Directions 2031</i> document which may have given regard to the matters raised by the Shire of Murray. However given the growth pressure experienced by the Shire of Murray and State Council's resolution for WALGA to "<i>raise the issue of residential land release to ensure that sufficient residential land is available to meet the objectives of the Industrial Land Strategy</i>" the proposal is valid.</p> <p>Recommend Support of Motion</p>
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<p>3.9</p>	<p>CITY OF SOUTH PERTH</p> <p>MOTION</p> <p>The ALGA call on the Federal and State governments to develop a plan to deal with the 35-45 million people predicted to be residing in Australia by 2050 in recognising the role of local government in funding the provision of Services and Infrastructure.</p>	<p>MEMBER COMMENT</p> <p>Local Governments across Australia provide and maintain both the infrastructure and human services required to maintain life in Australia and with the increasing expectations as to what those services will be it is anticipated that the cost of providing those services will be greater than it is today. Not only will new infrastructure be required, the cost of maintaining or replacing existing infrastructure will place an extreme burden on Local Government. The proposed Motion is justified for obvious reasons. It is clear that Local Government is becoming increasingly reliant on Commonwealth funding given the reduction in State Government grants to Local Government. Further, the Labor Government has become increasingly involved in capital city planning and planning for population growth is consistent with this position.</p> <p>SECRETARIAT COMMENT</p> <p>It is noted that the most recent population estimates show that the Western Australian population grew 3.1% in the year to March 2009, the highest rate of any State or Territory and well above the national average of 2.1%. It is estimated that this rate of growth is continuing to climb. Net overseas migration provided over 64% of the population growth in Western Australia, creating particular demands for community services and facilities. It is considered that high levels of population growth are an important consideration for Local Governments in planning and in negotiating agreements where demand and costs are strongly related to population.</p> <p>Recommend Support of Motion</p>
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10.1.6 REGIONAL ACHIEVEMENT AND COMMUNITY AWARDS

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	19 July 2010
ATTACHMENT	
FILE	ADM 01115

SUMMARY:

Council is being requested to nominate individuals and group high achievers, towns and communities that are making a difference to their communities through their hard work, dedication and innovation.

BACKGROUND:

Council has received the letter from the Director General of the Department of Local Government requesting nominations to the 2010 Regional Achievement and Community Awards in the Local Government category. This category recognises Councils that are working in partnership with other Local Governments, organisations or communities on successful initiatives to improve services to their communities.

The winner of this category receives a trophy and a bank account of \$2,000.

Applications close 17 August 2010.

COMMENT:

The Regional Achievement & Community Awards for Western Australia are about recognizing rural and regional achievers in our community.

Nominations have also begun for individuals, businesses, environmental groups, leaders, Communities, Local Government best practice initiatives and community groups that are making a difference in their local community. There can never be enough encouragement and support for those working in rural and regional areas. Awards such as these create an opportunity to say thank you to businesses, community groups and individuals who work tirelessly in developing their chosen fields of endeavour.

Council can nominate any group or organization that deserves recognition for their commitment to community contribution. One of the ten category award winners is also selected as the overall Department for Regional Development and Lands Regional Achievement and Community Award winner.

The finalists and winners of the Regional Achievement and Community Awards for Western Australia will be announced at a special gala awards presentation dinner on 12 November 2010. Last years winners were the Shire of Wyndham- East Kimberley for their Kununurra Youth Centre Project.

Council have no initiatives that would qualify for the awards but may wish to nominate a Local Community Group or person in the following categories.

Nominations are now open in the following categories:

DEPARTMENT OF COMMUNITIES - COMMUNITY OF THE YEAR AWARD

The Department for Communities – Community of the Year Award provides well-deserved recognition for communities which actively promote community involvement and inclusion. This award aims to recognise communities that create community spirit, pride and brings residents together.

These communities show a strong bond in uniting the township or city, sharing a common purpose in strengthening the social fabric of their community. This award will also reward strategic development and initiatives for the care of Seniors, Volunteers, children and families.

DEPARTMENT OF LOCAL GOVERNMENT - LOCAL GOVERNMENT BEST PRACTICE AWARD

The Local Government Best Practice Award is to recognise Local Governments that are working in partnership with other Local Governments, organisations or communities on successful initiatives to improve services to their community. These initiatives must demonstrate innovations used to promote and strengthen the future of Western Australian communities.

This award is to inspire creativity in developing best practice models which can be adopted across the Local Government sector to improve the lives and wellbeing of Western Australians.

DEPARTMENT OF INDIGENOUS AFFAIRS INDIGENOUS SERVICE AWARD

The Department of Indigenous Affairs is committed to ensuring that Indigenous Western Australians live long, healthy and fulfilling lives. The Department recognises and values Indigenous land, heritage and culture and supports Indigenous people in their needs and aspirations to share equally in the benefits of Western Australian society and economy. The Indigenous Service Award recognises a group or individual who has achieved outstanding outcomes for Indigenous people. Nominations may be for a specific project or a larger body of work. The award focus will be on leadership, active engagement with the Indigenous community, long-term positive impact and measurable results. Nominations may be in the areas of health care, education, social justice, employment, culture and the arts, crime prevention, or pastoral care.

LANDCORP SUSTAINABILITY AWARD

Sustainability is about looking after the future of Western Australia by creating developments that are good for our social wellbeing, environmentally friendly and support the economic growth of our state. The Sustainability Award reflects this philosophy by acknowledging individuals and organisations who share a passion and commitment for sustainability and to reducing environmental impacts in regional and rural areas. Many among us already support practices that benefit long term social and economic community advancement and recognise the impact of our existing consumption habits and the need to improve them. By implementing sustainable practices on their own properties or within the local community, these valuable community members not only help raise awareness,

knowledge and understanding for this important initiative but, importantly, they make a difference

CURTIN UNIVERSITY OF TECHNOLOGY TEACHING EXCELLENCE AWARD

The Teaching Excellence Award acknowledges people who are passionate about their work with students and have demonstrated a pattern of outstanding service. This award recognises those who have the ability and skills to inspire students of all ages, and recognises the significant creative, intellectual and conceptual demands required of them as teachers. Teachers have a significant role in the lives of their students and can make a real difference by giving them guidance, encouragement and support. The Curtin University of Technology Teaching Excellence Award provides an opportunity for the whole community to gain inspiration from teachers by acknowledging their achievements and contribution to outstanding service in the local community. This award is open to qualified teachers, teacher assistants, and pre-service educators living in regional WA.

RSM BIRD CAMERON BUSINESS ENTERPRISE AWARD

More and more enterprises in regional areas are forming businesses or working in groups or partnerships to boost their competitiveness in an increasingly complex business environment. By sharing knowledge and resources, they can achieve outcomes beyond their individual capabilities. Businesses may work in partnership to market their combined products or services, to improve the image of the community, to increase market share, to reduce costs through bulk purchasing, or win larger contracts than is possible working alone. Businesses may be industry specific or broader and they may vary from a loose arrangement to a legal structure such as a co-operative or joint venture company. Nominations are open to groups of businesses, business networks and individual businesses working in partnership with other businesses.

CSBP ENVIRONMENT AWARD

The CSBP Environment Award acknowledges individuals and organisations that show a proven passion and dedication to reducing environmental impacts in rural and regional areas. By implementing Landcare practices on properties or within the local community, land owners and the general community have shown increased commitment to raising awareness, knowledge and understanding of Landcare and our environment, which will in turn help to protect the planet's vital resources. Many individuals and organisations recognise the need to improve our patterns of consumption and environmental behaviour. They are environmentally conscious and understand that this and future generations will be dependent on the environment, and their actions will encourage responsible development in the future

HORIZON POWER LEADERSHIP AND INNOVATION AWARD

Tenacity, dedication, selflessness, and leadership qualities are the key ingredients to those amazing individuals who are the "driving force" in their community. These leaders are at the forefront of community contribution in their field of endeavour. They may have overcome significant difficulty, adversity or hardship to achieve excellent outcomes and raise pride in the community and our state. They may simply be putting their heart and soul into making Western Australia a better place. The Leadership and Innovation Award will acknowledge role models who through their driving force pave the way for others to follow.

WATER CORPORATION WATER CONSERVATION AWARD

The Water Conservation award acknowledges those at home, in business or on the land that are endeavouring to use water wisely. Whether it is to water gardens or crops, use in sports facilities, feed cattle, or as part of your everyday business processes, this award recognises water saving methods and ideas which are often simple but effective. Nominees of the Water Corporation Water Conservation Award will demonstrate innovative ways to capture water, reduce the use of water, redirect it or recycle it efficiently and effectively. Whether it is protecting our rainfall and water supplies from escaping or redirecting it in the most effective manner, our nominees are showing that having water restrictions does not mean sacrificing our garden, sporting facilities or business.

One of the ten category award winners will be selected as the winner of the Department of Regional Development and Lands Regional Achievement and Community Award.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That as Council has no programs that it feels meets the criteria the Shire of Coorow not nominate for the awards in the Local Government Category.

RESOLUTION: *2010/117*

Moved: Cr Girando

Seconded: Cr Waite

That as Council has no programs that it feels meets the criteria the Shire of Coorow not nominate for the awards in the Local Government Category.

That Chief Executive Officer investigates and nominate the Coorow Maley Park Committee

CARRIED 8/0
Simple Majority

10.1.7 RECREATIONAL BOATING FACILITIES ROUND 15

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2010
ATTACHMENT	
FILE	ADM 0428

SUMMARY:

Recreational boating Facilities (RBFS): Round 15 Application for Funding-Dee St Boat Ramp and Trailer Park.

BACKGROUND:

Council requested the Department of Planning and Infrastructure to have an area of Reserve 41464 and 38474 vested for "Recreation Purposes" to allow the Boat Ramp to be constructed just north of the existing Dee Street Boat Ramp.

An application was made through Round 15 of the RBFS fund for \$393,000 to construct a new boat ramp north of Dee Street, Leeman.

COMMENT:

Council has received the following letter from the Minister for Fisheries in relation to its grant application.

I am pleased to inform you that subject to the establishment of a funding agreement between the Shire of Coorow (Shire and the State, a planning grant has been approved for the above project.

The RBFS Panel supports upgrading the boating facilities but recognises the need to have more detailed designs prepared before works commence.

The Shire is therefore offered \$60,000 to complete detailed engineering drawings, calculated at 75 per cent of an estimated total project cost of \$80,000. The Shire needs to consider this offer and advise if it wishes to accept.

This funding is subject to the following conditions:

1. The Department of Transport approves the scope of the planning study before commencement.
2. The planning study results in a detailed set of drawings and cost estimates.
3. Resulting planning documents are provided to Transport in electronic and paper format.

Transport will administer the grant on my behalf and monitor the project's progress and your compliance with the conditions.

Subject to your acceptance of the grant, and the Shire meeting the progress requirements of Transport, I look forward to receiving advice that this project has been successfully completed.

This will enable Council to fully undertake the planning of the whole and allow Council to make a full and proper application to the next round of the RBFSF.

This should ensure that Council will be installing the best recreational boating facilities at the Dee Street location.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

GOAL 2- SERVICES

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

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Council will need to allow \$20,000 in the 2010/11 budget estimates as Councils contribution to the project as the RRBFS fund will only fund 75% of the project costs which has been estimated at \$80,000 for a full design and construction drawings.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council accept the funding agreement and the amount of \$60,000 with the following conditions, and give Delegated Authority to the Chief Executive Officer for the signing of the Grant acceptance.

1. The Department of Transport approves the scope of the planning study before commencement.
2. The planning study results in a detailed set of drawings and cost estimates.
3. Resulting planning documents are provided to Transport in electronic and paper format.

RESOLUTION:

2010/118

Moved: Cr George

Seconded: Cr Williams

That Council accept the funding agreement and the amount of \$60,000 with the following conditions, and give Delegated Authority to the Chief Executive Officer for the signing of the Grant acceptance.

- 1. The Department of Transport approves the scope of the planning study before commencement.*
- 2. The planning study results in a detailed set of drawings and cost estimates.*
- 3. Resulting planning documents are provided to Transport in electronic and paper format.*

CARRIED 8/0
By Absolute Majority

RESOLUTION:

2010/119

Moved: Cr Waite

Seconded: Cr George

That Council go behind closed doors to discuss item 10.1.8, as council felt it was of a sensitive nature

CARRIED 8/0
Simple Majority

All Staff, Mr D Hadden, Mr K Bean, Mr S Billingham, Mrs B Johnson and Visitor Mr N Johnstone left the Meeting at 3.44pm with the exception of Chief Executive Officer Mr M Hook.

RESOLUTION:

2010/120

Moved: Cr Waite

Seconded: Cr Williams

That Council come from behind closed doors

CARRIED 8/0
Simple Majority

Council came from behind closed doors at 4.04pm

All staff and Visitor returned to the Meeting at 4.04pm

Meeting was adjourned at 4.05pm

Meeting resumed at 4.15pm

10.1.8 ALCOHOL AND DRUG POLICY

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2010
ATTACHMENT	10.1.8
FILE	ADM 0437

SUMMARY:

The Chief Executive Officer is being requested to review Councils Policy 2.1.17 Alcohol and Other Drugs.

BACKGROUND:

The Shire President has raised concern regarding the supply of alcohol to Shire staff and Councillors and has requested the Chief Executive Officer to review all Shire Policies and implement new Policies if required, to ensure Councils liability is fully covered, in relation to Council Duty of Care arising from the use of alcohol at the Shire of Coorow.

COMMENT:

It has been the general practice in the past that the staff at the invite from the Chief Executive Officer or the Shire President have had a couple of drinks on the occasional Friday from Councils fridge. The Shire President generally authorises all other drink supplied to invited guests or at Council functions.

On the occasion of staff leaving the employment of Council it has been the general practice that Council holds a small function either at the depot or in the administration centre and supplies all food and refreshments. Council also holds an annual Christmas function and supplies all food and refreshments.

STATUTORY ENVIRONMENT:

Occupational Health and Safety Act 1984 and associated regulations 1996

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:POLICY - GENERAL STAFFSub Section: Council Staff

Policy 2.1.17

Policy Subject: **Alcohol and Other Drugs**

Policy Statement: 1. To provide guidance to Management, Councillors, Employees, Contractors and volunteers as to the procedures and consequences arising from the use of alcohol and other drugs at the Shire of Coorow workplace.

Scope: 2. This policy applies to all Shire of Coorow Employees including Councillors, Contractors, Consultants and Volunteers.

Statutory Environment: 3.1 *Occupational Safety and Health Act 1984*
 3.2 *Occupational Safety and Health Regulations 1996*
 3.3 *Guidance Note – Alcohol & Other Drugs at the Workplace*
 3.4 *Misuse of Drugs Act 1981*
 3.5 *Road Traffic Act 1974*
 3.6 *Public Sector Management Act 1994*
 3.7 *Workers’ Compensation and Rehabilitation Act 1981*

Definitions: 4.1 Shire Environment – This includes Shire of Coorow property and any official venue the Shire of Coorow may use for a Shire of Coorow sponsored functions or event.

- 4.2 Other Drugs – for the purposes of this policy other drugs may include, but is not limited to:
- Cannabis
 - Opiate analgesics, such as heroin, pethidine or methadone
 - Stimulants
 - Amphetamines
 - Cocaine
 - Hallucinogens
 - Designer drugs such as ecstasy
 - Medications - prescribed or over the counter; or
 - Inhalants such as petrol glue or solvents.

This policy does not cover nicotine in the Shire of Coorow environment.

Objectives: 5.1 The Shire of Coorow is committed to providing a safe, healthy and productive working environment for all staff. The Shire recognizes that employees affected by alcohol and

other drugs may present a hazard in the workplace, causing injury to themselves and others. Co-workers may also be placed in difficult situations, expected to cover for unsafe work practices or faced with reporting a fellow employee.

Alcohol and other drugs can cause a range of problems for employers. In some cases, their use may lead to loss of life, injury, damage to plant or equipment and negative publicity for business and can have serious adverse effects on the safety of staff, contractors, and visitors and on the reputation of the Shire.

- 5.2 *The Occupational Safety and Health Act 1984* imposes on all employers a general duty of care to their employees. Although the provisions do not explicitly refer to alcohol and drugs, it is implied that the Shire must minimize employees' exposure to any hazards or incidences in the workplace that may be caused by an intoxicated or drug affected employee.
- 5.3 *The Occupational Safety and Health Act 1984* also imposes on employees a general duty of care in the workplace, This specifically means that employees must act responsibly at all times and not expose themselves or others to safety risks due to impairment caused by alcohol or drugs. This includes not undertaking work if they believe they are impaired, and reporting to management if they believe another employee, or anyone in the workplace, is affected and creating a workplace hazard.
- 5.4 The Shire considers it improper for Staff or Councillors to conduct business in the Shire environment when impaired from the use of alcohol or other drugs. This includes while operating Shire plant and equipment, whilst driving a Shire vehicle, on Shire property, whilst representing the Shire elsewhere, and whilst attending events organized by the Shire but not on Shire property.
- 5.5 Official and unofficial Shire functions provide an opportunity for the Shire to host special events for promotional, public relations or social purposes. Provision of alcohol is an acceptable beverage that adds to the congenial atmosphere of the occasion provided that in its consumption the legal blood alcohol levels are maintained. Managing the amount of alcohol consumed at such functions is the responsibility of each individual.
- 5.6 Illegal drugs and substances are forbidden in the Shire environment. This includes possession, use and distribution of illegal drugs and substances. Actions to be taken against

persons may include but is not restricted to disciplinary action. Where appropriate, Police involvement will be sought.

- 5.7 Some medications prescribed by doctors, or available over the counter, may affect a person's ability to work safely. Staff has a responsibility to advise their Manager or Supervisor of any medication they are taking which may impact on their ability to safely perform their job. This is particularly relevant in high risk working areas such as if the employee is operating machinery, driving a vehicle, performing complex decision making tasks or any work that requires the ability to react to sudden changes.

Employees taking medication should find out how it affects them by consulting their doctor. During this consultation employees should explain their work duties to the doctor in order to determine if their ability to work safely will be affected by the medication. It may be appropriate for the employee to provide verification as to the side effects of the medication, such as a medical certificate to their Manager, particularly where the medication is to be taken over an extended period of time.

If the staff member is unable to perform his/her usual work tasks safely they are to discuss with their Manager who can then assess the risk involved and either provide alternative duties or instruct the employee to take leave for the period of the medication.

Strategy:

- 6.1 A number of strategies can be taken to minimize the risk of alcohol and drug related harm at such functions including:
- Providing low alcohol beer and non-alcoholic drinks;
 - Providing a choice of beverages;
 - Limiting the amount of alcohol that is available to a reasonable amount per person.
 - Serving food at functions;
 - Ensuring employees who drink excessively and display other forms of inappropriate behaviour are advised their behaviour is not acceptable; and
 - Hosting family friendly functions or activity based functions.
- Organisers of events should also encourage staff to arrange alternative transport prior to the function, to minimize the risk of driving under the influence of alcohol.

- 6.2 Persons who are identified as having a drug related problem shall be recommended to seek drug awareness counselling from a recognised drug counselling agency.

Guidelines:

7.1 Prevention Strategies – the main focus of prevention strategies will be to disseminate information and increase the “awareness” of alcohol and other drugs. Staff awareness of Shire Drug and Alcohol Policies shall be raised in the Staff Induction Manual.

7.1.2 Provision of staff training including:

- Information regarding different drugs, their dangers as well as the effects they might have on performance and safety.
- How to recognize staff or contractors with symptoms of impairment from the use of alcohol or other drugs;
- Developing techniques for intervention for instances of impairment due to the use of alcohol or other drugs; and
- Medial risk assessment.

7.2 Intervention Strategies

7.2.1 Intervention strategies shall include:

- Offering assistance to staff through referral to professional community based rehabilitation services and health treatment services for those with problems.
- Encouraging staff to assist in maintaining a drug free Shire environment.
- Informing staff of their responsibility to report to their Manager or Supervisor if they suspect another staff member, or a visitor to the Shire is under the influence of alcohol or other drugs and is posing a risk to others.

7.3 Procedures for Staff

7.3.1 The following guidelines are to be followed when approaching a person suspected to be impaired by alcohol or other drugs:

- Be brief, firm and calm. Use the affected person’s name and repeat your message;
- Do not argue or debate, simply repeat your message;
- Make suitable arrangements to ensure the impaired person gets home safely; and
- Try to persuade the person not to drive his or her own vehicle.

7.3.2 If a staff member suspects another member of staff is impaired at work he/she should contact the persons Manager/Supervisor to advise of the situation, the staff

member should not approach the impaired person directly unless an immediate risk is apparent.

7.3.3 Any drug or alcohol related incidents including the consequences of such incidents are to be treated with the utmost confidentiality with only the necessary staff being informed i.e. Manager, CEO.

7.3.4 Where a Manager/ Supervisor suspects a staff member is impaired or has received a report from another member of staff they must:

- Take the staff member aside into a confidential office environment;
- Query the staff member to ascertain if he/she is impaired and if so what is contributing to their condition;
- If the staff member provides a reasonable explanation and is not considered to be a risk to either themselves or others allow the staff member to return to work.
- If the staff member does not provide a reasonable explanation and/or presents a risk to either themselves or others advise the staff member that they are to leave Shire property, offering the staff member alternatives to driving their own vehicle such as calling next of kin a family member or friend or ordering a taxi. The staff member is also to be advised to report to their Manager's office the following morning.

7.3.5 If the person is aggressive, or demonstrates unpredictable behaviour, more than one person should be involved in the initial approach. This should be kept as confidential as possible, quietly assertive without aggression, being argumentative or threatening. If the staff member becomes increasingly aggressive:

- Evacuate all surrounding people at risk from the location of the impaired person or isolate the impaired person.
- Contact the Manager or Supervisor to provide immediate assistance; and
- Manager/Supervisor or Manager to take appropriate action. For example, try to calm the staff member, call the Police, Ambulance etc.

7.3.6 The next working day following the incident the staff member is to report directly to their Manager's office for a meeting to discuss the incident. The Manager should discuss the following:

- That the behaviour was inappropriate and why;
- Give the employee an opportunity to discuss any issues or responds to allegations;

- The consequences of further breach of policy;
- That the employee will be required to take leave until a medical certificate is presented that they are fit to return to work (the cost of the medical visit is to be at the employee's expense); and
- The support/counselling services available.

Immediately following the meeting the Manager must write a file note outlining what was discussed in the meeting and forward the documentation to the relevant Manager or CEO to be placed on the employees Personal File.

If the employee has requested counselling the Manager is to request that the CEO processes the request and organizes appointment.

Further breaches of policy are to be dealt with in accordance with 7.3.7 of this policy document.

7.3.7 Consequences of Policy Breach

7.3.7.1 First Offence:

- Staff member to meet with Manager
- A record of the meeting is to be placed on the employee's personal file.
- Employee asked to seek Counselling with a recognised alcohol and drug counselling agency.

If any subsequent incidents occur where the same employee repeats the unacceptable drug or alcohol related behaviour, the same process should be followed with more formal, written warnings being given to the employee.

7.3.7.2 Second Offence:

- Staff member to meet with Manager to discuss the incident and will be directed to attend counselling.
- The staff member is to receive an official warning and the Shire may commence disciplinary action against the employee.
- The Shire may require the employee to sit a Drug or Alcohol test in addition to a medical certificate before returning to work. Any mandatory drug or alcohol testing shall be arranged by the Manager and shall be paid for by the Shire.
- Written details of the incident and any subsequent action are to be placed on the employee's personal file.
- Employee told they are to produce evidence that they have had Counselling.

7.3.7.3 Third Offence:

- The seriousness of the incident is to be taken into account as to whether people were put at risk and possible consequences.
- Staff member to meet with the CEO who will outline the disciplinary action to be taken as a result of the incident and provide a written outline of this action.
- The staff member will be required to sit a Drug or Alcohol test. Any mandatory drug or alcohol testing shall be arranged by the relevant Manager and shall be paid for by the Shire.
- A record of the incident and any subsequent action are to be placed on the employee's personal file.
- Drug counselling is mandatory and evidence of attendance is required

7.3.7.4 Further incidents: Any further incidents will result in further formal disciplinary action including possible dismissal.

7.3.8 In addition to the above procedures any staff member involved in an incident or accident involving another member of staff who is suspected of being under the influence of alcohol or other drugs at the time of the incident may, at the Shire's discretion, be required to undergo a Drug or Alcohol test and disciplinary action may be taken.

Resolution No:	2004-169
Resolution Date:	20 October 2004
Source:	Council
Date of Review:	June Annually
Review Responsibility:	Council

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATIONS:

That the Chief Executive Officer review Policy 2.1.17 ,‘Alcohol and Other Drugs’ or prepare a policy to cover this issue.

RESOLUTION:

2010/121

Moved: Cr Girando

Seconded: Cr Williams

That the Chief Executive officer prepare a policy to cover the provision of Refreshments and Meals giving full consideration to Councils adopted policy 2.1.17 Alcohol and Other Drugs.

***CARRIED 8/0
Simple Majority***

10.2 MANAGER REGULATORY SERVICES:

10.2.1 GREEN HEAD PARKS AND GARDEN PLAN FOR THE FUTURE 2009/10

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	23 June 2010
ATTACHMENT	
FILE	ADM 0151

SUMMARY:

The Green Head Community Association presented their future plan to Council at the Community Forum held in Green Head on the 21 April 2010.

BACKGROUND:

Items listed in the plan for the future for 2010/11 are primarily extra bins to be placed within various parks around Green Head which are as follows:

- Cliff Park 2 Bins
- Morphett Park 3 Bins
- Battersby Park 1 Bin
- Lakes Reserve 2 Bins

COMMENT:

Staff have provided the following extra bins:

- Cliff Park 1 Bin taking the number to 3 bins between the BBQ and boat ramp.
- Morphett Park 1 Bin taking the number to 4 bins. One of these bins is located at the jetty. Staff do not believe that placing a bin at the end of the jetty is Council's responsibility.
- Battersby Park 1 Bin as requested.
- Lakes Reserve 1 Bin positioned behind the Gazebo at Lakes Park.

Staff, believe that any extra bins provided above this number will be extra to needs. Staff currently monitor public bin numbers and put extra bins out during school/public holidays and special events and then remove them.

During non peak times staff believe that most public bins besides Morphett Park and Leeman Foreshore receive little rubbish.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Council is charged \$2.03 per public bin lift.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council authorise staff actions of providing extra public bins at the following Parks:

- Cliff Park 1 bin
- Morphett Park 1 bin
- Battersby Park 1 bin
- Lakes Reserve 1 bin

RESOLUTION:

2010/122

Moved: Cr Williams

Seconded: Cr Mc Taggart

That Council authorise and endorse staff actions of providing extra public bins at the following Parks:

- *Cliff Park 1 bin*
- *Morphett Park 1 bin*
- *Battersby Park 1 bin*
- *Lakes Reserve 1 bin*

***CARRIED 8/0
Simple Majority***

GREEN HEAD PARKS AND GARDEN PLAN FOR THE FUTURE 2009/10

AIM

This document is to set out a progressive agenda for the planning, construction and maintenance of our open space, parks, ammenties and gardens in Green Head for the next 10 years.

METHOD

To allow the Green Head Progress Association, through our progressive plan, to apply for funding that may be able to assist with the progress and maintenance of our town asset's. To have this document included into the Coorow Shire strategic plan to help with future planning initiatives.

BACK GROUND

The Coorow Shire has a 10 year plan that we would like to tap into to allow a formulated approach to our parks, ammenties and gardens.

SCOPE OF WORK WITH PRIORITY AND COSTING

	TIME	APPROX COSTING	COMMITTMENT
Cliff Park			
4m x 4m x 100mm concrete pad for functions in the Park	2012/13	\$2000	
Sail shades to suit the above.	2014/15		
Useable seating and tables (Appendix 2)	2012/13		
Sealing of the South Bay Boat Ramp car park	2013/14		
Placement of rubbish bins x 2	2010/11	\$400	
Paving 1.5m around the Memorial Wall (Appendix 3)	2012/13		
6 x Solar lighting for the Park and car park	2015/16	\$60,000	
Table and seats for the new pad (Appendix 2)	2013/14		
New sealed car park on north side of park (op Bryant St)	2012/13		
Upgrade of existing footpaths with limestone/concrete.	2015/16		
Morphett Park			
Placement of rubbish bin x 2	2010/11	\$400	
Replacement of edging for the playground	2013/14		Underway
Sealing of the adjacent car park	2020/21		
Sealed footpath from the car park to the start of Three Bays Walk Trail	2013/14		
Sealed caravan and bus parking on the east side of the park	2011/12		
Shade sails for the playground	2014/15		
Rubbish bin at the end of the jetty	2010/11	\$200	
Replace grassed north end of park with a car park.	2015/16		

Battersby Street Park			
Reticulation of this park	2011/12		
Placement of rubbish bins x 1	2010/11	\$200	
Bus shelter for the school children catching the school bus	2013/14		
Bike rack for children's bikes	2012/13		
Road seal area around park to allow parking for cul de sac (Appendix 4)	2015/16		
South Bay POS			
Plan for the development of a native water wise park	2013/14		
Lakes Reserve			
Placement of rubbish bins x 2	2010/11	\$400	
Trees to replace removed ones	2009/10		Underway
Reticulation of this park	2011/12		
Skillion shed with rainwater tank for bus tours (as per appendix 1)	2013/14		
Sealed caravan and bus parking on the east side of the park	2011/12		
Remove cap rock and sand	2011/12		
Clean out mud water pond during the dry season. (Tri annual)	2011/12		
Dynamite Bay Park			
Upgrade of the BBQ facilities	2012/13		
Extend the grassed area			
Sealing of the car park	2011/12		
Sealed walk way to join the Three Bays Walk Trail	2015/16		
2 x Table and chairs around the BBQ area (as per appendix 2)	2012/13		
Skillion shed with rainwater tank for bus tours in lower area (as per appendix 1)			
Clean up the lower area to make suitable for shed			
Half moon table for the gazebo	2011/12		
Wind break on ballastrading southwest quadrant of large gazebo	2011/12		
Green Head Skate Park			
Lighting for the park (solar) x 1	2011/12	\$10,000	
Concrete slab for the existing bike rack	2012/13		
Islands in car park to break the sealed expanse	2013/14		
Half court basketball court	2013/14		
Miscellaneous			
Street and facilities signage	2011/12		
Street lighting (solar)			
Information bays on Indian Ocean Drive and Lakes road entrances.			
Maintenance component to be added to the budget for all parks in Green Head.			
Bore search for reticulation of all parks.	2011/12		
Current ariel photo's and maps of all towns displayed in the local library's and town halls			

Appendix 1

Skillion shed 12m x 7m (Sample from Eneabba town site)



Appendix 2



Appendix 3

Paving 1.5m around the Memorial Wall

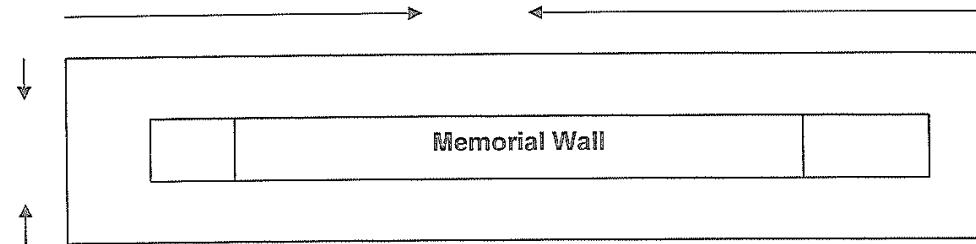
Make application to the Shire in the Community meeting March 2009 to make allocation for the materials and labour for the following.

——m3 sandstone pavers

6m3 sand for the base

3 bags of cement

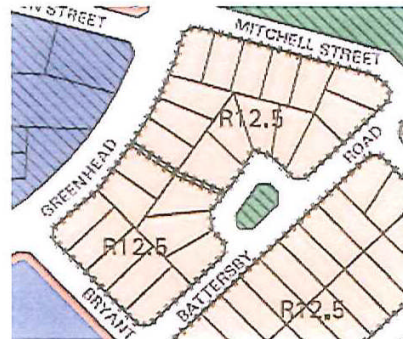
Green Head community to screed, compact the base and lay the pavers with concrete edging. This contribution will be in kind for the labour by the Green Head Community.



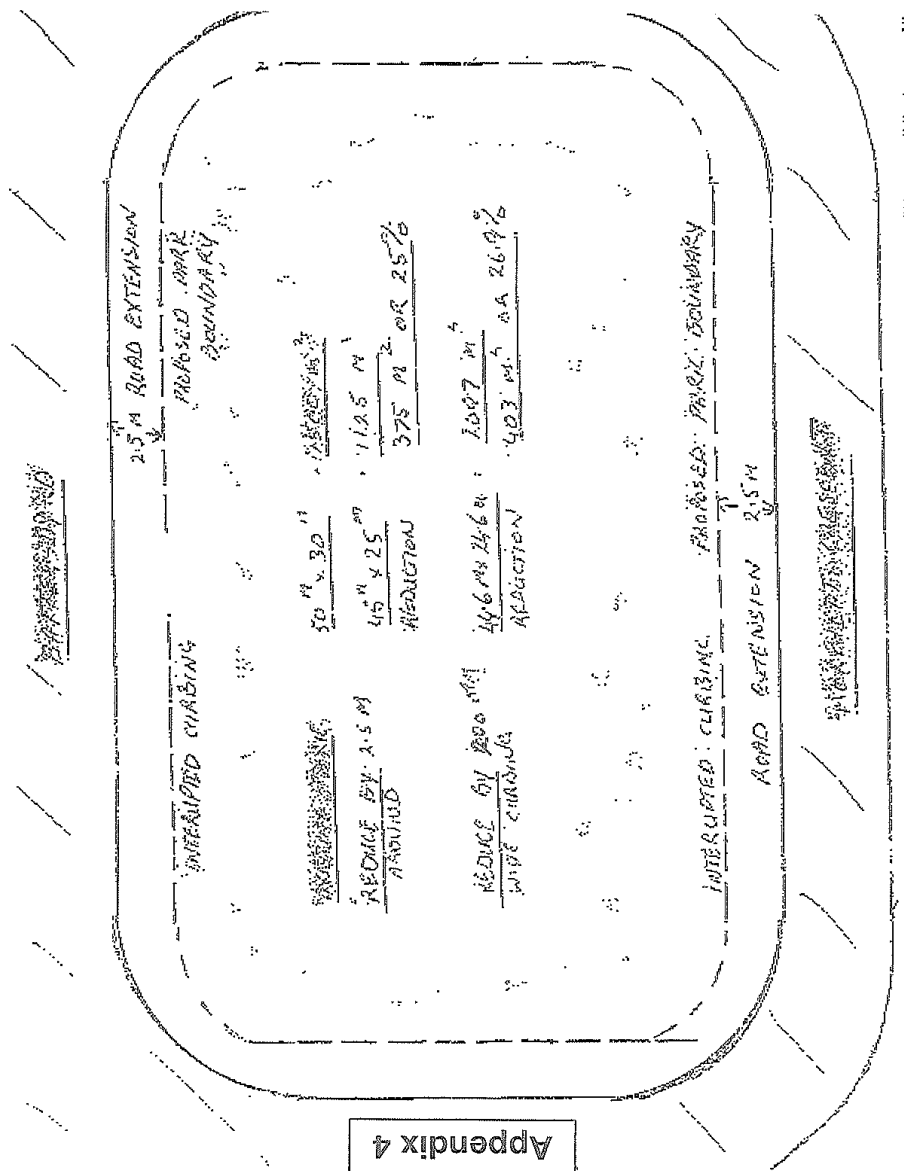
Appendix 4

This project has the potential to save the Coorow Shire money and solve a traffic problem. The park is surrounded by an oval shaped road which has battle axe shaped blocks off it (as shown by the picture below). These blocks due to their shape have minimal parking and during long weekends and school holidays the actual park is used as a parking area for the resident's boats, caravans and trailers. The reduction of the park size to allow bitumising would provide better parking as well as a reduction in the amount of water needed to maintain the park. It would also allow a safer school bus pick up area off the main access way. Interrupted curbing would still allow access to the park by users and help keep unwanted traffic off the grassed area.

Currently this park is in the budget to be reticulated and this needs to be addressed before the process starts.



The plan below shows (not to scale) shows the road extension which would greatly improve this area for all the residents and at the same time reduce costs for the shire as well as make it a safer environment for the school children of our community.



10.2.2 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM- ROUND 3- 2010/11

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	29 June 2010
ATTACHMENT	
FILE	ADM 0322

SUMMARY:

To present Council with a list of projects to prioritise and approve as projects for the \$30,000, 2010/11 Round 3 RLCIP program.

BACKGROUND:

The Federal Government in 2008/09, introduced the new Regional and Local Community Infrastructure Program to all Local Governments, with the Shire of Coorow receiving a round one allocation of \$100,000. The current Round 2 allocation is \$30,000.

Following are the guidelines for the Round 3 2010/11 Regional and Local Community Infrastructure Program.

1. Introduction
2. Project Eligibility
3. Annexure A

COMMENT:

Suggested eligible projects that were not approved in the Round 2 Program and some new projects are listed below for consideration of inclusion in the 2010/11 Round 3 Program.

Council will need to list these items in order of priority prior to applying for Round 3 approval. Staff, have tabled the projects in order of priority from a staff point of view as follows ie:

Round 3 2010/11

1. Airconditioning (Green Head Community Centre)	\$15,000
2. Green Head Community Centre Playground Equipment	\$15,000
3. Green Head Battersby Park	\$20,000
4. Installation of Lighting at the Leeman Foreshore Reserve	\$20,000
5. Coorow Caravan Park Refurbishment fit out	\$10,000
6. Green Head Tourist Visitor Bay	\$10,000
7. Coorow Pool minor Refurbishment incl Repaint Pool Bowl	\$10,000
8. Coorow Town Park Fence Laneway& Playground	\$3,500
Total	\$103,500

STATUTORY ENVIRONMENT:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

Shire of Coorow – Long Term Financial Planning

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS:

The Shire of Coorow 2010/11 Budget will be impacted by \$30,000 increased grants and offset by a corresponding amount of expenditure.

VOTING REQUIREMENTS:

Simple Majority

RECOMMENDATION:

That Council advise the Regional Community Infrastructure Program of its projects for 2010/11 as listed below in order of priority:

Round 3-2010/11

1. Airconditioning (Green Head Community Centre)	\$15,000
2. Green Head Community Centre Playground Equipment	\$15,000
3. Green Head Battersby Park	\$20,000
4. Installation of Lighting at the Leeman Foreshore Reserve	\$20,000
5. Coorow Caravan Park Refurbishment fit out	\$10,000
6. Green Head Tourist Visitor Bay	\$10,000
7. Coorow Pool minor Refurbishment incl Repaint Pool Bowl	\$10,000
8. Coorow Town Park Fence Laneway& Playground	\$3,500
Total	\$103,500

RESOLUTION:

2010/123

Moved: Cr George

Seconded: Cr Williams

That Council advise the Regional Community Infrastructure Program of its projects for 2010/11 as listed below in order of priority:

Round 3-2010/11

<i>1. Airconditioning (Green Head Community Centre)</i>	<i>\$15,000</i>
<i>2. Green Head Community Centre Playground Equipment</i>	<i>\$15,000</i>
<i>3. Green Head Battersby Park</i>	<i>\$20,000</i>
<i>4. Installation of Lighting at the Leeman Foreshore Reserve</i>	<i>\$20,000</i>
<i>5. Coorow Caravan Park Refurbishment fit out</i>	<i>\$10,000</i>
<i>6. Green Head Tourist Visitor Bay</i>	<i>\$10,000</i>
<i>7. Coorow Pool minor Refurbishment incl Repaint Pool Bowl</i>	<i>\$10,000</i>
<i>8. Coorow Town Park Fence Laneway& Playground</i>	<i>\$3,500</i>
Total	\$103,500

CARRIED 8/0
Simple Majority

Guidelines Regional and Local Community Infrastructure Program Round 3 – 2010/11 – \$100 Million

30 INTRODUCTION

On 18 June 2010, the Australian Government made an additional \$100 million available to boost the Regional and Local Community Infrastructure Program (RLCIP). This investment is intended to support local jobs and provide long-term benefits to communities by assisting councils to build and authorize local infrastructure. Round 3 of the RLCIP provides a non-competitive, direct allocation of \$100 million to be shared amongst all local governments (for further details about the RLCIP Rounds 1 and 2, please visit <http://www.infrastructure.gov.au/local/cip/index.aspx>)

Funding under the RLCIP Round 3 \$100 million component will be provided directly to councils as a one-off payment. The funding will be administered by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department). Eligible projects must be additional or additional stages of current projects, and represent value for money. Additional projects are those which have not been included in the local government's financial budget for 2010/11, are new or can be brought forward as a result of RLCIP funding.

Projects need to be ready to begin construction within 6 months of signing the Funding Agreement (contract). Councils must not commence their RLCIP project until they have received a Funding Agreement executed by the Commonwealth. Projects which represent value for public money are those which, in the context of the objectives and outcomes of the project, add value by achieving something worthwhile for the community that would not occur without grant assistance.

Local governments are responsible for community consultation and the consideration of the community benefit for potential infrastructure projects within their jurisdictions. Councils are encouraged to consider projects that:

- ☐ address the needs of the local indigenous population;
- ☐ address environmental sustainability, and how their RLCIP activities will promote green building technologies, design practices and operations and preparing for climate change impacts; and
- ☐ Involve collaboration with neighbouring councils including joint-projects.

Councils can also sponsor projects on behalf of not-for profit community authorizations.

2. PROJECT ELIGIBILITY

Eligible categories of infrastructure

Funding will be provided to councils for community infrastructure, including new construction and major renovations or refurbishments of assets such as:

- ☐ social and cultural infrastructure (e.g. art spaces, gardens);
- ☐ recreational facilities (e.g. swimming pools, sports stadiums);
- ☐ tourism infrastructure (e.g. walkways, tourism information centres);
- ☐ children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres);
- ☐ access facilities (e.g. boat ramps, footbridges); and
- ☐ environmental initiatives (e.g. drain and sewerage upgrades, recycling plants);

A full list of eligible categories is at Annexure A.

Funding can be used for:

- ☐ construction for new or upgraded facilities; and
- ☐ refurbishment and fit out.

Fit out is defined by the Department as internal construction of a facility to enable its functional use, for example, the installation of electrical sockets and lighting, or the painting of walls. Projects must clearly demonstrate value for money. Councils may wish to demonstrate this through undertaking a tender process, quotes or experience from similar projects.

Ineligible projects and activities

Projects must provide a clear and direct benefit to the local communities within a council's jurisdiction. Examples of projects that are ineligible for this reason include those which support council operations (such as an upgrade of council offices), those which make a direct contribution to private businesses (other than those which provide a direct community service as suggested in Annexure A), or those which benefit specific individuals (such as the renovation of a caretaker's residence).

Funding will not be approved to bolster funding for existing projects which have exceeded their original budget forecasts.

Funding cannot be used for:

- ☐ ongoing costs (e.g. operational costs and maintenance);
- ☐ roads or related infrastructure covered by the Roads to Recovery or Black Spots programs;
- ☐ artworks;
- ☐ information technology and communications hardware and software;
- ☐ non-fixed infrastructure [e.g. above ground irrigation systems]; or
- ☐ project management costs.

Further information and examples of ineligible projects is provided in the attached RLCIP
Frequently Asked Questions at Annexure B

Annexure A

Examples of Community Infrastructure Social and cultural infrastructure

Social and cultural infrastructure

- Town halls
- Community centres
- Libraries
- Local heritage sites
- Museums
- Cultural centres
- Enhancement of main streets & public squares
- Public marketplaces and saleyards
- Theatre/music/art spaces
- Historic buildings
- Parks and gardens
- Internet kiosk infrastructure
- Kitchens for organizations
- Community market areas
- Resources for cultural facilities

Recreational facilities

- Sports grounds and facilities
- Sports stadiums
- Community recreation spaces
- Playgrounds
- Rail trails
- Swimming pools
- Walking tracks and bicycle paths
- Skate parks
- BMX/ mountain bike parks/trails
- Surf lifesaving clubs

Tourism infrastructure

- Convention or trade centres
- Memorial halls/ walkways
- Tourism information centres
- Community public attractions
- Buildings for exhibits
- Local infrastructure to support or provide access to tourist facilities

Children, youth and seniors facilities

- Playground centres
- Youth centres
- Community childcare centres
- Scout/guide halls
- Senior citizens centre

Access facilities

- Disabled access infrastructure
- Foot/cycle bridges
- Bus/rail terminal upgrade
- Jetties/wharves/piers
- pontoons/bollards
- Foreshore development
- Boat ramps
- Airport infrastructure and terminals

Environmental initiatives

- Water source and treatment
- Drain and sewerage upgrades
- Water conservation infrastructure
- Waste management and processing infrastructure
- Wastewater infrastructure
- Water recycling plants
- Water catchments
- Recycling plants
- Environmental protection infrastructure

10.2.3 SOUTH BAY OFF-ROAD VEHICLE TRACK

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	30 June 2010
ATTACHMENT	
FILE	ADM0239*1

SUMMARY:

Council discussed problems associated with off-road vehicle use on undeclared Crown Land south east of the South Bay residential area during the Council Forum session on 16 June 2010.

COMMENT:

Staff has made contact with the Principal Ranger at the Shire of Gingin and the Manager – Professional Risks, LGIS-Perth Risk Services, seeking information on responsibilities relating to the management of off-road areas the following comments have been provided:

Gingin- I personally would not encourage the establishment /gazettal of an OVRA in your patch because:

1. There is a requirement under the *Control of Vehicles (Off-Road Areas) Act 1978*, that Council is responsible for enforcement of the Act ie: helmets, licensing, noise monitoring, installing/ repairing signs etc. This is time consuming/expensive and in our case takes up a full time Ranger on weekends (every weekend).
2. They put a great deal of pressure on the local St Johns Ambulance volunteers (Lancelin has two ambulances). On average they would do two trips per weekend to Joondalup. Many volunteers have been lost because they really only signed up to help locals not day trippers from Perth.
3. Council has been sued recently when a motor cyclist became a quadriplegic after falling off his bike. Fortunately, on appeal to the Supreme Court, our liability was diminished (two to one). If Council's insurers had lost they would have been facing a multi million dollar pay out. (You can't blame the motorcyclist as he had no alternative other than to try to have someone else pay for his misadventure).
4. We have recently made application to the Minister to have the area closed and have been refused. Once you provide an off-road vehicle area, be prepared for the long haul.
5. More recently Council received notice that a group of Lancelin residents was preparing to launch a civil suit against the Shire because of the noise from the area. This problem is currently being represented by LGIS (Matt Handcock).
6. The area often attracts undesirable individuals that are intent of damaging the area and other community assets in the near vicinity.

Manager –Professional Risks LGIS

The risks associated with owning/operating /controlling these Off-Road Vehicle Areas(“ORV”) whether Gazetted or otherwise, are considered and include:

1. The not insignificant risk of injury to the riders themselves, especially as death and serious injury are very often foreseeable outcomes. I acknowledge that the *Civil Liability Act* assists in passing responsibility to the riders themselves, but the legislation is interested (to any real extent) and there are therefore a range of factual circumstances (on a case by case basis) that may result in liability being attached to the Shire.
2. The recent Gingin experience in this regard is quite illuminating. Whilst ultimately (after going on appeal to the Full Court of the Supreme Court) the Shire was exonerated, the case (involving a rider who was effectively paralysed for life- some 45 minutes after another rider died) was litigated over many years and placed considerable strain on Staff resources in the Defence process. In practical terms, the final determination didn't restore the many hours of 'grief' the Shire went through in the process.
3. My 'take' on the Gingin situation is that, but for the legislation requiring the Shires input and management, the Shire would gladly relinquish this role.
4. Noise and amenity concerns also feature prominently and can be a festering problem. Ratepayers in adjoining areas find the noise to be especially irritating given the noise characteristics of the various OVR'S themselves. It is common for users to attach what are called “after Market” products (especially mufflers) that are designed to increase speed and unfortunately noise. Needless to say, this aggravates the concerns; and
5. The other significant and related issue, is the actually enforcing of the noise legislation. Current OVR legislation does have a mechanism for this but is fairly intensive and will consume resources.

I hope these observations are of assistance to you.

STATUTORY IMPLICATIONS:

Section 5(1) of the *Control of Vehicles (Off-Road Act 1978)* specifies that it shall be the duty of Local Government to administer and enforce the provisions of this Act within its district if provided with an Off- Road area.

STRATEGIC IMPLICATIONS:

There are few Gazetted Off-Road areas provided in Western Australia. If Council were to provide an Off-Road area locally it should expect a high patronage.

FINANCIAL IMPLICATIONS:

Management responsibilities for an off-road area will have significant budgetary implications relating to the enforcement of the Act ie: helmets, licensing, noise monitoring, installing/maintaining signs etc.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council authorise staff to:

- Remove jumps and man made Off-Road tracks throughout the South Bay area.
- More closely monitor the area by issuing infringement's to anyone caught using an unlicensed vehicle in the area in future.

RESOLUTION:

2010/124

Moved: Cr George

Seconded: Cr Williams

That Council authorise staff to:

- *Remove jumps and man made Off-Road tracks throughout the South Bay area.*
- *More closely monitor the area by issuing infringement's to anyone caught using an unlicensed vehicle in the area in future.*
- *Inform Police and ask for Community Policing.*

***CARRIED 8/0
Simple Majority***

10.2.4 COOROW COMMUNITY RESOURCE CENTRE-EXTENSION

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2010
ATTACHMENT	
FILE	ADM0152

SUMMARY:

Correspondence has been received from the Community Resource Centre seeking Council approval to investigate funding sources to carry out an extension on the Community Hall. A preliminary floor plan has been provided (attachment 10.2.4) indicating proposed changes that the Resource Centre would like Council to support.

COMMENT:

The Community Resource Centre is concerned that the detached toilet does not meet the needs of the community, staff and clients of the Community Resource Centre. The hall recently hosted a Country Arts production that was well supported and is increasingly hosting functions and training workshops.

The concept plan includes:

- Male/Female and disabled toilet facilities.
- Cool-room and Storeroom for the current Hall Kitchen
- Creche/Meeting Room/ Theatre Dressing Room
- Option for outside access to Toilets if required

The proposed preliminary plan indicates that the extension would wrap around the current Hall building as an extension of the existing kitchen roofline. Staff agree that the extension could be made to appear a seamless extension and keep the period style of the Coorow Hall. Staff believe that the Community Resource Centre to progress this proposal have two options i.e:

1. Seek quotes from builders for a Design and construct costing (including the production of tender documentation). To allow the Resource Centre to then seek funding opportunities for the full project cost.
2. Seek funding for the design and production of Working Drawings including Tender Documents for the proposed extension. Call for quotes on the working drawings from builders. Apply for further funding to construct the extension after quoted costings have been received.

STATUTORY ENVIRONMENT:

Compliance with relevant building control Legislation.

STRATEGIC IMPLICATIONS:

Nil

FINNANCIAL IMPLICATIONS:

At present the Community Resource Centre has not requested assistance from Council however, this could change after funding opportunities have been investigated.

VOTING REQUIREMENTS:

Simple Majority:

RECOMMENDATION:

That Council advise the Coorow Community Resource Centre that it supports the proposed plan as tabled in (attachment 10.2.4) to extend the Coorow Hall subject to:

- The Community Resource Centre investigate funding opportunities that will fully fund the design and construction costs of the proposed extension, and
- Council not being requested to contribute financially to the project in the 2010/11 financial year.

RESOLUTION:**2010/125****Moved:** Cr George**Seconded:** Cr Bothe

That Council advise the Coorow Community Resource Centre that it supports the proposed plan as tabled in (attachment 10.2.4) to extend the Coorow Hall subject to:

- *The Community Resource Centre investigate funding opportunities that will fully fund the design and construction costs of the proposed extension, and*
- *Council not being requested to contribute financially to the project in the 2010/11 financial year.*
- *With no financial commitment from the Shire before the 2011/12 budget considerations.*

***CARRIED 8/0
Simple Majority***

ADM 0152 ICR 10600

 **Coorow Community Resource Centre**

SHIRE OF COOROW
5 JUL 2010

Email: coorow@crc.net.au

Cnr Main & Bristol Street
PO Box 12
COOROW WA 6515
Ph: (08) 9952 1266
Fax: (08) 9952 1271

Mark Hook
CEO Shire of Coorow
Main St, Coorow
WA 6515

FILE	ITLS	DATE
CEO		
MAFA		
MWS		
SCD		
CEO		
FINANCE		
RANGER		
PLANS		

5 July 2010

Dear Mark

I have recently had discussions with local community members, Shire Councillors and met with Dave Hadden and yourself regarding the lack of inside ablutions for the Coorow District Hall. The Coorow Community Resource Centre (formally the Coorow Telecentre) committee is concerned that the detached public toilets do not meet the needs of the community, staff and clients of the Coorow Community Resource Centre.

The Public / Hall toilets are currently:-

- located a distance away from the Hall
- are open to the elements
- providing limited facilities.
- become flooded from water run off from the Hall

The Coorow Hall is now being well used, an example of which was last Friday evening when the Coorow CRC hosted a Country Arts production that was well supported with more than 120 people attending. Storage at the Hall is now also at a premium as the CRC has purchased equipment to ensure the Hall operates at a high professional standard. The existing dressing room is now used to store the tables, chairs and cleaning equipment as it is the only room available.

We seek permission to investigate the funding options to improve the facilities at the Coorow Hall and the support of the Shire of Coorow for the project.

We have included a concept plans that includes

- Male/Female and disabled toilet facilities
- Coolroom and storeroom for the current Hall kitchen
- Crèche/ meeting room / Theatre dressing rooms
- Option for outside access to toilets if required

These extensions would wrap around the current Hall building, and would be an extension of the current roof line of the kitchen. This would ensure a seamless extension and keep the period style of the Coorow Hall

The Coorow Community Resource Centre has actively improved the Coorow District Hall by refurbishing and re-equipping the Coorow Hall. The new ablution facilities would be a benefit to the community and ensure the Coorow Hall meets the needs of the community in the future.

Please contact me if you require further information.


Deborah Malcy
Chairperson

Proudly supported by



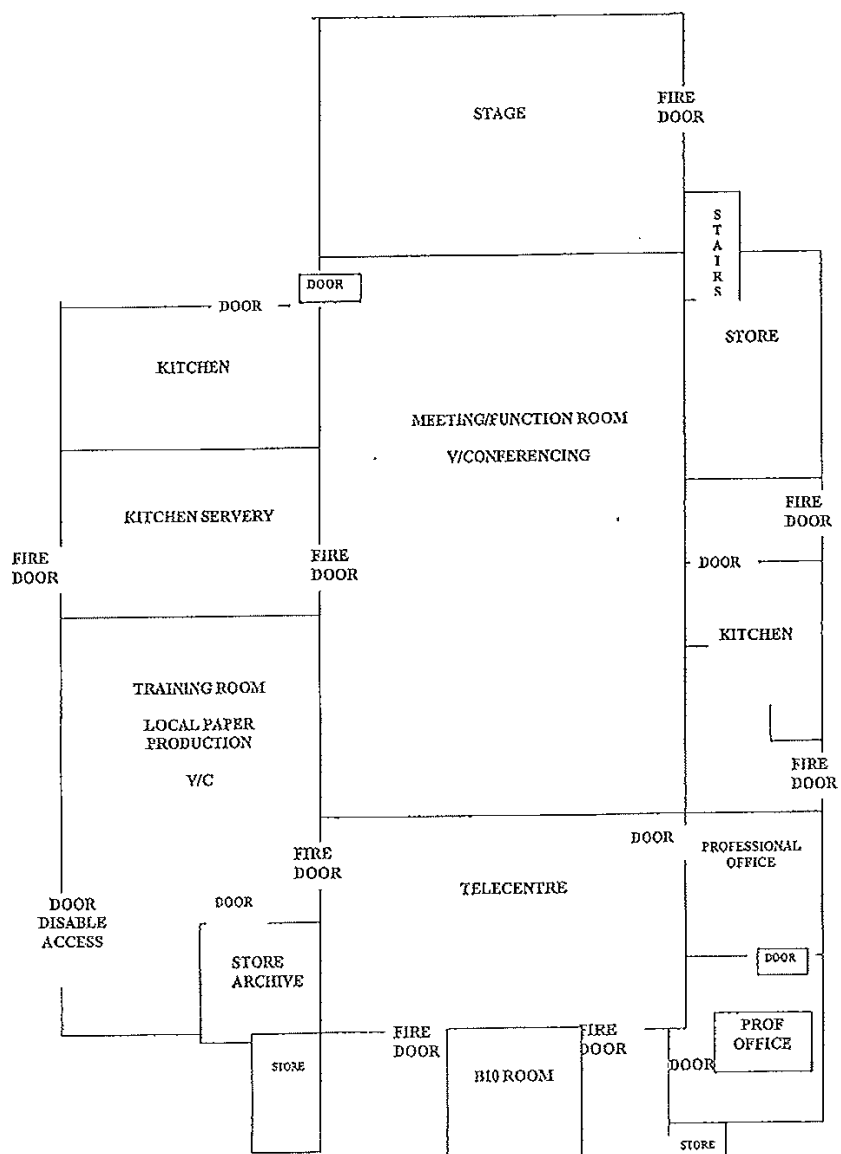
Department of
Regional Development and Lands



Existing Plan

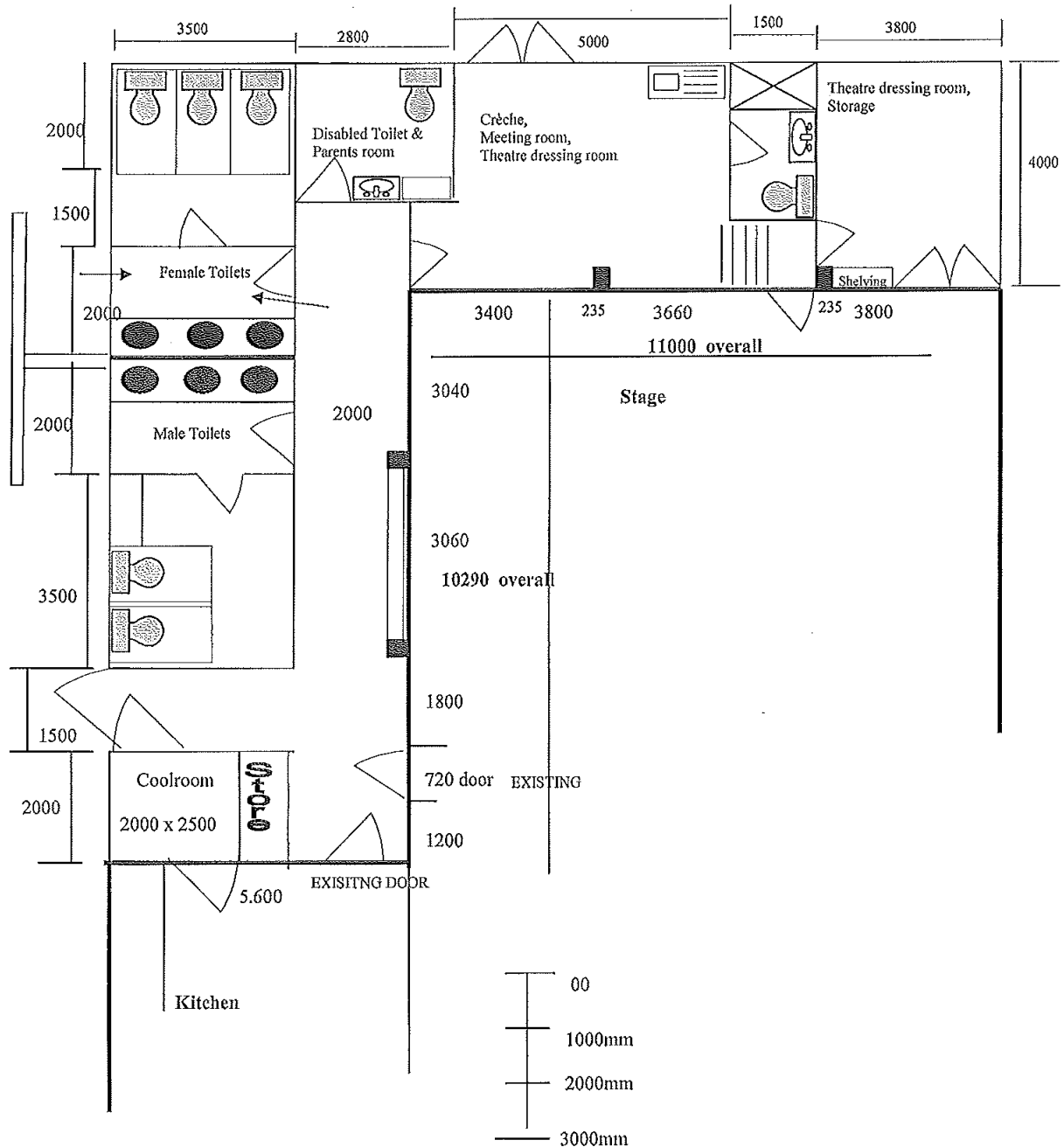
Not to scale

FEMALE TOILETS	DISABLED TOILETS	MEN'S TOILETS
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Concept Plan Coorow District Hall

6 July 2010



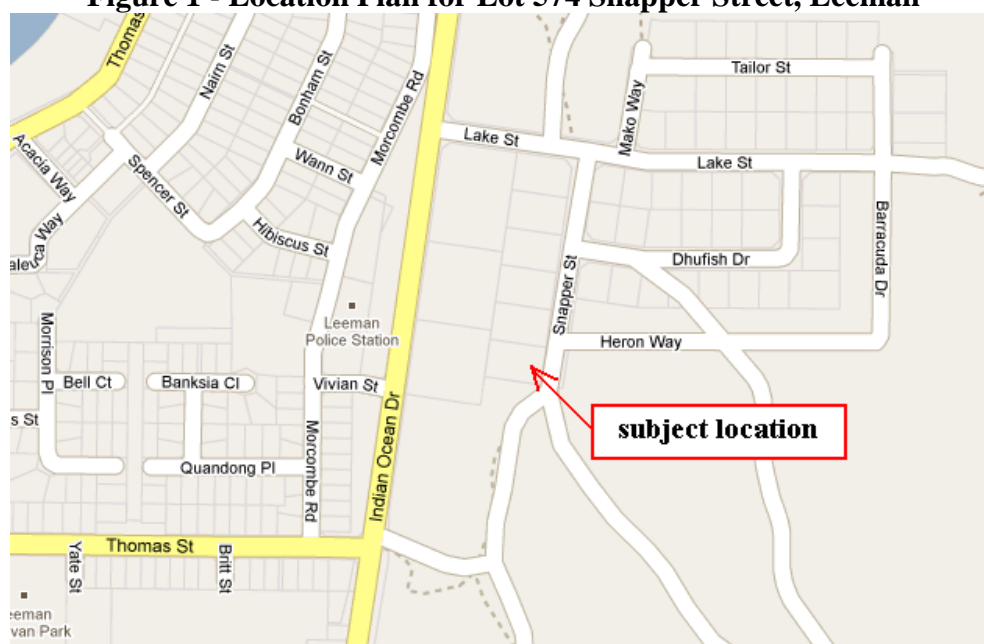
10.2.5 PROPOSED MOBILE PHONE BASE STATION – LOT 574 (NO.3) SNAPPER STREET, LEEMAN

AUTHOR	Simon Lancaster
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2010
ATTACHMENT	10.2.5.1 & 10.2.5.2
FILE	A772

SUMMARY / BACKGROUND:

Council has received a request for reconsideration of a condition of approval for the mobile phone base station upon Lot 574 Snapper Street, Leeman. This report recommends amendment to the subject condition of approval.

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



COMMENT:

Council resolved at its 16 June 2010 meeting as follows:

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

Conditions

- (a) *Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required*

as a consequence of any condition(s) of this approval. Tower to be setback 5 metres from side property boundary. The endorsed plans shall not be modified or altered without the prior written approval of the local government.

- (b) The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*
- (c) Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.*
- (d) All operations must be carried out in accordance with Australian Standard –Radiation Protection Standard*
- (e) All operations must be carried out in accordance with the Australian Communications and Media Authority requirements pertaining to electromagnetic energy;*
- (f) All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system to the specifications and approval of the local government.*
- (g) Upgrading of crossing place/s to the standards and specifications of the local government.*
- (h) The front verge area being landscaped effectively and maintained thereafter to the approval of the local government.*
- (i) The applicant shall provide to the local government as-constructed AHD structure heights so that this information may be passed onto the Royal Flying Doctor Service and other users of the Leeman airstrip;*
- (j) This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.”*

The applicant is requesting that Council reconsider its requirement that the development be sited with a 5m setback from the side (southern) property boundary. A copy of the applicant's correspondence has been included as Attachment 10.2.5.1 with the July 2010 Agenda.

The applicant's submitted plan proposed that the tower be located 1.5m from the southern side property boundary and 1.5 from the western/rear property boundary. The equipment shelter would be located 10m from the southern side property boundary and 4m from the western/rear property boundary. The satellite dish (if required) would be located 0.5m from the western/rear property boundary. The applicant's submitted site and elevation plans have been included as Attachment 10.2.5.2 with the July 2010 Agenda. A copy of the complete application was previously provided to Councillors with the June 2010 Agenda.

Table 2: Site and Development Requirements Table of the Shire of Coorow Town Planning Scheme No.2 ('the Scheme') does not set a minimum boundary setback specifically for 'telecommunications infrastructure' but it would be reasonable to assess the application as an industrial application given its use and setting. Table 2 sets the minimum boundary setback for industrial uses as being 5m from the side boundary and a minimum rear setback of 10m (although this is accompanied by notice that this can be assessed using the averaging provisions across the lot). Table 2 contains notation that:

"this table is intended as a guideline and may be varied at the discretion of the Shire Council".

Section 5.12.1 of the Scheme states the following:

"5.12 Industrial Area

5.12.1 Building Setbacks

- *Front setbacks shall be 7.5m from any front boundary;*
- *Side setbacks shall be determined by Council;*
- *No setbacks (nil) are required from the rear boundary."*

The applicant is seeking the reduced side boundary setback so that the existing buildings upon the property would better obscure the base of the tower as viewed from Snapper Street. The landowner has also asked that the development be sited as close to the southern boundary as possible to reduce its impact on the current operations and potential use of the remainder of the property. The applicant also suggests that as the adjoining land to the south of Lot 574 is unsubdivided and undeveloped Crown Land, and Lot 0 to the west is a Water Corporation property, that the reduced boundary setback would not present a negative impact to the immediate neighbours.

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

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

Figure 2 –Lot 574 as viewed from Snapper Street, Leeman looking south-west



Figure 3 –Lot 574 as viewed from nearby rise looking north-west



The subject property is zoned 'Industrial' under the Scheme the objective of this zone being:

The Leeman Industrial zone is located closer to the residential areas of the townsite than is the case with the Green Head Industrial zone, with Lot 574 Snapper Street being located 175m from the nearest residential zoned properties (although separated by Indian Ocean Drive).

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

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

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

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

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

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

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

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

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

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

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

- (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to*

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

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

“5.14 Height and Appearance of Buildings

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

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

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

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

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

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

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

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

The applicant is also required to comply with the Telecommunications Code of Practice 1997 and the industry codes and standards of the Australian Communications Authority.

The applicant was advised of the decision of Council by staff following the 16 June 2010 meeting, and in addition to being advised of the conditions of development approval, the correspondence also contained the following notes of advice:

“Notes

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

STRATEGIC IMPLICATIONS:

The purpose of the Leeman Industrial area is to provide a location for uses that should be kept separate from the residential portions of the townsite due to their potential to cause emissions (such as dust, noise or odour), the levels of traffic they may generate, or the ‘unsightly’ visual appearance of many industrial activities. It is considered that the siting

of a telecommunications infrastructure within an industrial area is an appropriate development. The conditions of approval issued by Council required (amongst other items) that landscaping be undertaken at the street frontage to the property, and compliance with Australian Standards (in spite of separate legislation already requiring this of the proponent) to ensure the development does not impact upon public health. The proposed total height of the development being 51.5m will inevitably make it visually apparent both within the industrial area and to passing traffic along Indian Ocean Drive (the tower would be located approximately 100m back from this road) but it is considered that towers of this type have become commonplace in many areas and are generally accepted as being part of modern living and its associated demands for higher speed verbal and computer communication.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

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

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

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

Copies of the submissions received were provided as Attachment 10.2.7.1 previously with the June 2010 Agenda. The issues and perceptions raised in objection to the application were as follows:

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

It should be noted that by allowing a reduced side and rear boundary setback the development will be moved further away from the objecting landowners.

The applicant was advised of the issues raised during the submission period and given the opportunity to address these, a copy of the applicant's 3 June 2010 correspondence was provided previously as Attachment 10.2.7.2 with the June 2010 Agenda.

The applicant provided further elaboration to that contained within their development application advising that the Australian Standard – Radiation Protection Standard sets the maximum exposure levels to radiofrequency fields as being in the range of 3kHz to 300GHz, and that the estimated cumulative radiofrequency electromagnetic energy level in this instance will be at 0.064% of this standard (1500 times less than the Australian Standard). Council approved the application at its 16 June 2010 meeting subject to compliance with the Australian Standard –Radiation Protection Standard, to ensure that this estimation is adhered to in operation.

VOTING REQUIREMENT:

Absolute majority required.

OFFICER RECOMMENDATION:

That Council:

- 1 Advise the applicant that it accepts their request for reconsideration of condition (a) and is prepared to amend its condition of approval from the 16 June 2010 meeting of Council on the basis that the reduced side southern boundary setback will better obscure the base of the tower as viewed from Snapper Street and relocate the development further away from the objecting landowner; and
- 2 Amend condition (a) relevant to its conditional formal planning consent for a mobile phone base station upon Lot 574 Snapper Street, Leeman to now read as follows:

“(a) Development shall be in accordance with the attached approved plan(s) dated 28 July 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.”

RESOLUTION:

2010/126

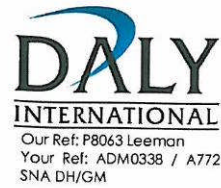
Moved: Cr Mc Donald

Seconded: Cr Williams

That Council:

- 1 Advise the applicant that it accepts their request for reconsideration of condition (a) and is prepared to amend its condition of approval from the 16 June 2010 meeting of Council on the basis that the reduced side southern boundary setback will better obscure the base of the tower as viewed from Snapper Street and relocate the development further away from the objecting landowner; and*
- 2 Amend condition (a) relevant to its conditional formal planning consent for a mobile phone base station upon Lot 574 Snapper Street, Leeman to now read as follows:*
 - “(a) Development shall be in accordance with the attached approved plan(s) dated 28 July 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.”*

***CARRIED 8/0
By Absolute Majority***



Dave Hadden
Manager, Regulatory Services
Shire of Coorow
Morcombe Road
PO Box 238
LEEMAN WA 6514

2/07/2010

Dear Dave,

**Proposed Telecommunications Infrastructure (Tower and Equipment Shelter) –
Lot 574 (No.3) Snapper Street, Leeman**

This letter refers to the planning approval on the 16/06/2010 (see attached) and our conversation on the 1/07/10. Daly International is formally requesting that condition (a) for a setback of 5m from the side property boundary be reassessed and removed.

It is our understanding that setbacks are implemented to ensure that they:

- Contribute to the desired streetscape - It is our feeling that with a relaxed side setback, the desired streetscape would be enhanced as the Optus compound would be in line with the existing buildings when viewed from the streets.
- Provide adequate privacy and open space for dwellings - As there are no adjoining dwellings to the south of the proposed site, privacy issues would not apply for this proposed development.
- Allow safety clearances for easements for essential service corridors – The property to the south is zoned "rural". According to our knowledge there are no future plans to develop the adjoining property. Therefore the requirement for essential services is irrelevant.

DALY INTERNATIONAL Pty Ltd, A.B.N. 17 054 002 461
Suite 2 / 18 Harvest Terrace,
West Perth, WA 6005
Telephone: 61 8 6267 0283 Facsimile: 61 8 6267 0286 E-Mail: Team@dalyinternational.com
www.dalyinternational.com



The following points are reasons why the setback was originally asked to be relaxed:

- Visual Impact – The tower had been designed so that once it had been built, the lower sections along with the equipment shelter would be hidden by the existing buildings on the property. If there was to be a 5m setback, the tower and equipment shelter would have a larger visual impact from the street as it would not be hidden behind the existing buildings.
- Request from property owner – The property owner has requested that the Optus compound takes up as little space as possible. This is to ensure once again that the compound is in line with the existing building on the property. Previous proposals that were submitted to the property owner had the tower set back from the side boundary to approximately 5m, however this was not agreed on. This will also allow future development on the property, if required.
- No developed property – As there are no developed properties (Dwellings) to the south of the proposed site it is believed that a setback is irrelevant.

I have looked at the Shire of Coorow Town Planning Scheme No.2, section 5.12.1 Building Setbacks. It states that '*side setbacks shall be determined by Council*'. Table 2: Site and Development Requirements Table advises that the table is intended as a guideline and may be varied at the discretion of the Shire Council. We took note of these comments prior to submitting the development application and requested that the side setback be relaxed due to the reasons above.

We are requesting that our concerns regarding a side setback be discussed with the Shire Town Planners as well as Councillors. We are concerned if the side setback is required we will not be able to proceed with the proposed facility at this site due to the above reasons.

If you have any queries please do not hesitate to contact Maria Engelbrecht on telephone number (08) 6267 0283.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Maria Engelbrecht".

Maria Engelbrecht
Town Planner

Daly International
Site Acquisitions Team for Optus
E-mail: mengelbrecht@dalyinternational.com.au

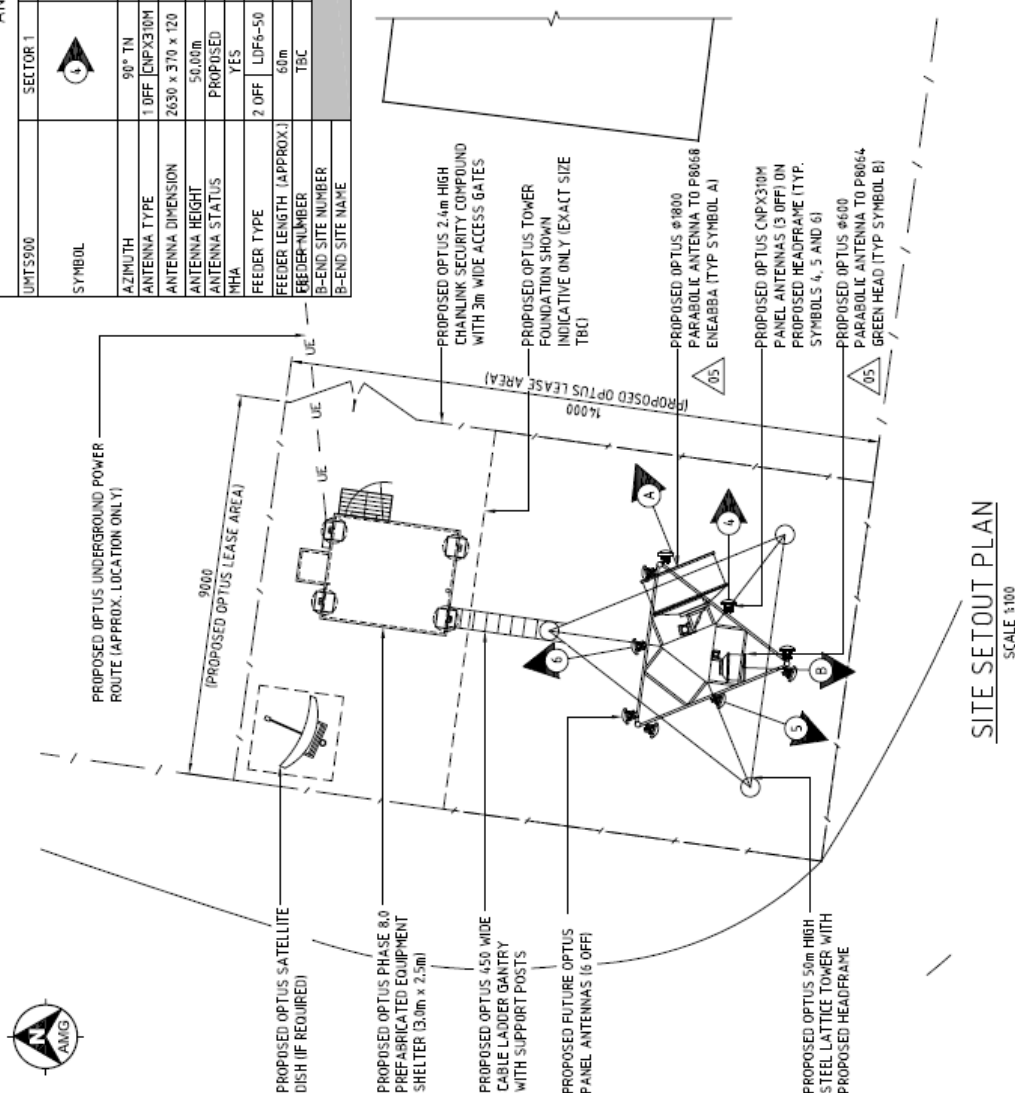
DALY INTERNATIONAL Pty Ltd, A.B.N. 17 054 002 461
Suite 2 / 18 Harvest Terrace,
West Perth, WA 6005
Telephone: 61 8 6267 0283 Facsimile: 61 8 6267 0286 E-Mail: Team@dalyinternational.com
www.dalyinternational.com



ANTENNA CONFIGURATION						
UNITS5900	SECTOR 1	SECTOR 2	SECTOR 3	SECTOR TBC	PARABOLIC A	PARABOLIC B
SYMBOL						
AZIMUTH	90° TN	200° TN	350° TN			
ANTENNA TYPE	1 OFF [NPX310M 2630 x 370 x 120	1 OFF [NPX310M 2630 x 370 x 120	1 OFF [NPX310M 2630 x 370 x 120	6 OFF	TBC	182° TN
ANTENNA DIMENSION				TBC	TBC	VHLPXG-7W-6GR VHLFX2-1L-6GR Ø900 0600
ANTENNA HEIGHT	50.00m	50.00m	50.00m	50.00m	50.00m	35.00m
ANTENNA STATUS	PROPOSED	PROPOSED	PROPOSED	FUTURE	PROPOSED	PROPOSED
WHA	YES	YES	YES	TBC		
FEEDER TYPE	2 OFF LDFs-50	2 OFF LDFs-50	2 OFF LDFs-50	TBC	1/2"	TBC
FEEDER LENGTH [APPROX.]	60m	60m	60m	TBC	62m	45m
FEEDER NUMBER	TBC	TBC	TBC	TBC		
B-END SITE NUMBER					P8068	P8064
B-END SITE NAME					ENE458A	GREEN HEAD

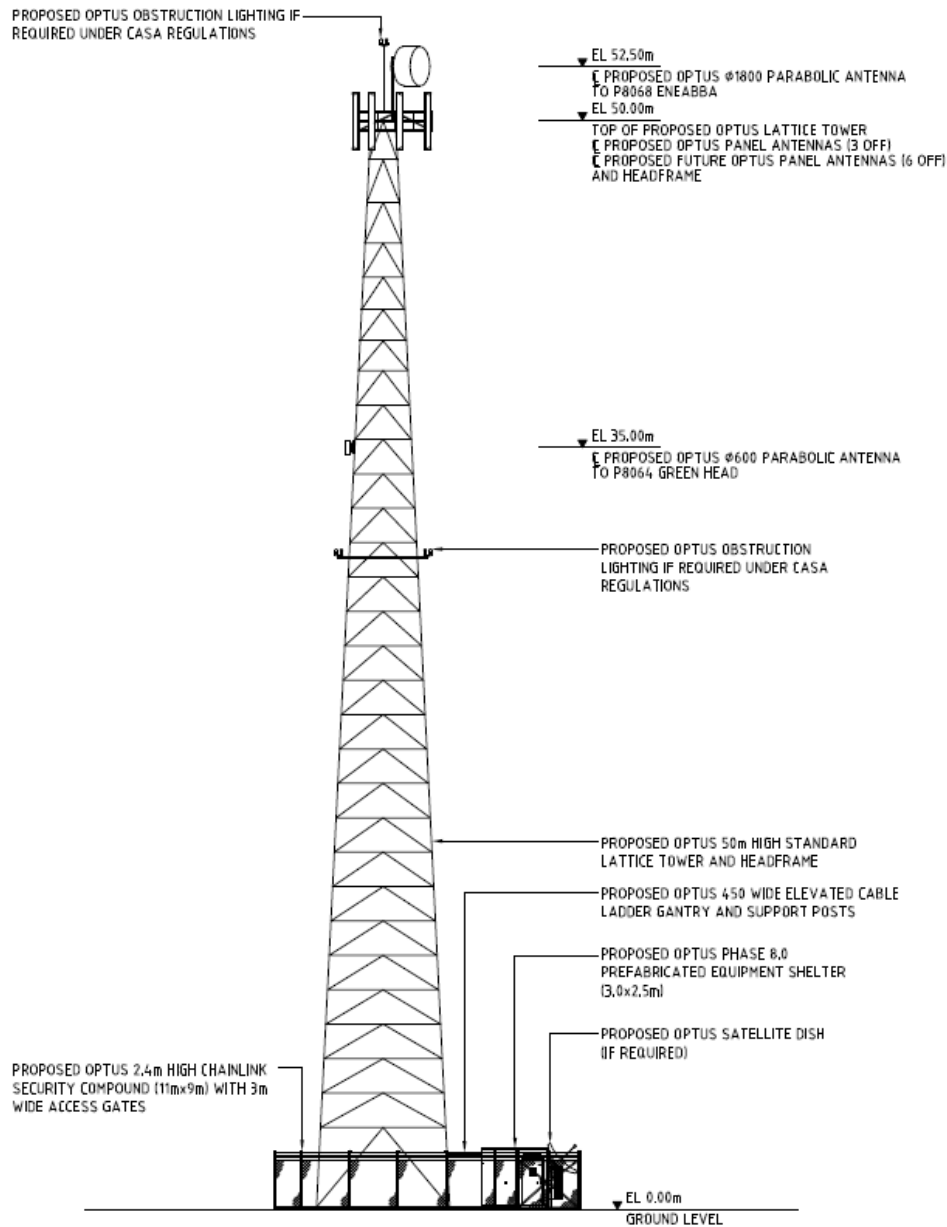
NOTES:

1. ALL ANTENNA AZIMUTHS ARE IN DEGREES RELATIVE TO TRUE NORTH.
2. PROPOSED PANEL ANTENNAS COLOUR TO BE CONFIRMED.
3. PROPOSED LATTICE TOWER DESIGN SHOWN INDICATIVE ONLY (MANUFACTURER, DESIGN AND CAPACITY TO BE CONFIRMED).



NOTES:

1. ALL ANTENNA AZIMUTHS ARE IN DEGREES RELATIVE TO TRUE NORTH.
2. PROPOSED PANEL ANTENNAS COLOUR TO BE CONFIRMED.
3. PROPOSED LATTICE TOWER DESIGN SHOWN INDICATIVE ONLY (MANUFACTURER, DESIGN AND CAPACITY TO BE CONFIRMED).



EASTERN ELEVATION

SCALE 1:200



Cr Mc Donald declared a Direct Financial interest and left the room at 4.36pm

10.2.6 ADOPTION OF LOCAL PLANNING POLICY- SHORT TERM ACCOMMODATION

AUTHOR	Kathryn Jackson
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	8 July 2010
ATTACHMENT	10.2.6.1 & 10.2.6.2
FILE	Policy Manual

SUMMARY:

Shire staff presented to Council at its 21 May 2010 meeting 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'). Council subsequently resolved to initiate the Policy and undertake advertising in accordance with Section 2.4.1 of the Scheme.

Advertising has now been completed and the purpose of this report is to present draft Local Planning Policy 6.6.16 – Short Stay Accommodation and the received submissions to Council for consideration and seek formal adoption of the Local Planning Policy (that has been modified in response to some of the issues raised during the advertising period).

BACKGROUND:

Draft Local Planning Policy 6.6.16 – Short Stay Accommodation was presented to the 19 May 2010 meeting, with Council resolving:

“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, require staff to present to Council a further report.”*

The Policy was advertised in accordance with the Scheme and during the advertising period there were three (3) submissions received. As such a further report is required to be presented to Council to review the draft Policy in light of the submissions received, and seek, with or without modifications, final adoption of the draft Local Planning Policy.

COMMENT:

The purpose of this Local Planning Policy is to meet projected demands for holiday accommodation in the Shire's townsites 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 Local Planning Policy 6.6.16 – Short Stay Accommodation proposed for Council's adoption has been included as Attachment 10.2.6.1 to this report. Modifications that have been made following the outcomes of the advertising period are in red font.

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 townsites 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 are required to be expanded to incorporate additional uses in a controlled and easily understood manner.

PUBLIC CONSULTATION

In accordance with Section 2.4.1 of the Scheme draft Local Planning Policy – Short Stay Accommodation was advertised from 4 June 2010 and concluded on 28 June 2010. Notices were placed in the Geraldton Guardian on 4 June 2010 and 11 June 2010, with notices also being placed in two locally produced newsletters; the Snag Island News and the SQUAWK.

During the advertising period three (3) submissions were received and have been included as Attachment 10.2.6.2 to this report.

The received submissions raised the following issues and perceptions.

- 1 Concern regarding Clause 2.3 of the draft Policy which states:
"It is common for holiday makers to have a boat, trailer, caravan etc. and there should be additional space allocated for such."
Respondent recommends a change to this Clause to instead read:
"The Council may require that additional parking space be allocated for a boat, trailer or caravan unless it can be demonstrated that this requirement is not applicable and/or management measures are in place to control the parking of boats, trailers and caravans on-site."
- 2 Concern with Clause 3.1 which states:
"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. The Local Government reserves the right at both the application for approval and/or renewal stage to direct that a sign (no larger than 0.2m²) be erected on-site clearly visible from the street at the applicant's expense, with wording to be to the satisfaction of the Chief Executive Officer."
This poses a security risk and adds to visual clutter which detracts from the residential character and nature of a neighbourhood.
- 3 Poorly managed holiday homes cause dissatisfaction and unhappy memories of a holiday makers stay.
- 4 Unhappy customer is likely to cause a huge negative effect on any advertising that has been spent trying to attract people to the town in the first place. The Shire rightly spends money on tourism promotion, would be prudent not to have this money wasted.
- 5 If Short Stay Holiday Homes with absentee owners are permitted in Leeman without proper control or regular inspection, Leeman could very easily get a bad name. School leavers in Dunsborough for example have created a bad image.
- 6 Holiday makers and residential dwellings do not mix. Holiday makers have a boat and lots of children. Many believe a different set of 'rules' apply and do uncivilised things that they wouldn't dream of in Perth.
- 7 A resident or ratepayer of Leeman does not want their routine upset by holiday makers having a good time next door till all hours next door.
- 8 Leeman Caravan Park and Leeman units are not located near residential dwellings. They each have a resident manager who will quiet or evict noisy tenants.
- 9 Leeman Units suffering from tourism downturn, owners have invested money in the Coorow Shire and do not need the extra competition at this stage.
- 10 Holiday Accommodation must be regulated and I believe that the Coorow Shire does not have the resources at this stage of its development to regulate Short Term Accommodation in Leeman.
- 11 Guidance Note No.9 – Aquatic Facilities in Developments Offered for Temporary and Holiday Accommodation (Department of Health) to be brought to the attention of applicants.

In regards to Point 1 the recommendation of the respondent to allow greater flexibility with car parking requirements has been taken into consideration by staff and the relevant modifications have been made to the draft Policy.

In regards to Point 2, the intent of signage is to give Council the power to enforce the erection of a sign should it deem it a necessary management measure. The policy has been updated to reflect this intent more clearly as it is agreed that signage can be detrimental to the residential amenity of an area. However, it is important that Council reserve the right to enforce signage should it be considered appropriate as in other regions it has been useful to have displayed a means of contact upon signage for the operator/landowner so that they can be easily contacted by any party (Shire, neighbours, occupants, police) in relation to the property and its use.

In regards to Points 3, 4, 5, 6, 7 and 8, Short Stay Accommodation is a use that has been approved in the past within residential areas and therefore it is noted for Council's information that Shire staff are not recommending a new use, but rather a Policy to give firmer guidance and regulation to Short Term Accommodation applications and their subsequent management. Many of the concerns raised by the respondent are shared by Shire staff and highlight the need to be prudent in putting into place appropriate measures and processes to ensure that Short Stay Accommodation uses are well managed, and to avoid such uses emerging indiscriminately without application in the absence of clear guidelines.

It is also noted for Council's information that the respondent and joint landowner of the Leeman Holiday Units was issued a development approval for their use on 2 November 1993 and therefore would not be subject to the requirements of this Policy, as the policy requirement would apply from the date of its adoption and not retrospectively to already operating developments.

Points 9 and 10 have been listed for Council's information only as staff do not consider the comments to be of planning nature.

In regards to Point 11, a submission received from the Department of Health, Shire Staff can provide information to an applicant at the time of application should they propose a swimming pool or spa as part of their development.

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 where a written-author identified objection has been received a further report will be placed before Council to review the draft Policy in the light of the submission(s) made, and Council may resolve to adopt the Policy with or without modification, or not proceed with the Policy.

Shire staff have now made suggested modifications based on the submissions received during the advertising period and recommend to Council final adoption of the Policy.

STRATEGIC IMPLICATIONS:

For the most part Local Planning Policies are formulated and aligned with a strategic planning direction as set by Council. The establishment of local planning policies 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.

It is also noted that should Council adopt this new Policy, the Policy is required to be reviewed annually to keep pace with current development trends, demands and Council expectations as per all Local Planning Policies that have been adopted for the Shire of Coorow.

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

It is suggested that the Council adopt Local Planning Policy 6.6.16 – Short Stay Accommodation at its 21 July 2010 meeting.

FINANCIAL IMPLICATIONS:

There is a cost for the preparation 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 \$203.00 fee with an annual renewal fee of \$67.00 (fees based on 2010/2011 budget figures).

VOTING REQUIREMENT:

Simple Majority of Council.

OFFICER RECOMMENDATION:

That Council resolve to adopt for final approval Local Planning Policy 6.6.16 – Short Stay Accommodation (as contained within Attachment 10.2.6.1 to this report) 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.

RESOLUTION: **2010/127**

Moved: Cr Waite

Seconded: Cr Girando

That this matter lay on the table to allow Staff to present the correct Policy.

***CARRIED 7/0
Simple Majority***

Cr McDonald returned to the Meeting at 4.38pm

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 6 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 6 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.
- 2.2 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.
- 2.3 Council may require additional parking space to be allocated for a boat, trailer or caravan unless it can be demonstrated that this requirement is not applicable and/or management measures are in place to control the parking of boats, trailers and caravans on-site.
- 2.4 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 Whilst generally the erection of a sign is not a requirement of approval, the Local Government reserves the right at both the application for approval and/or renewal stage to direct that a sign (no larger than 0.2m²) be erected on-site clearly visible from the street at the applicant's expense, with wording to be to the satisfaction of the Chief Executive Officer. 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.
- 3.2 Directional signage is generally not supported in residential areas. 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.

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 6 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

Simon Lancaster

From: Mark Hook [ceo@coorow.wa.gov.au]
Sent: Thursday, 24 June 2010 12:44 PM
To: ian@juriencharters.com
Cc: Simon Lancaster; Dave Hadden
Subject: RE: Submission on Draft Local Planning Policy 6.6.16

Thank you for your comments they will be passed onto Council as part of the final Agenda Item on this issue.

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

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From: Ian Stiles [mailto:ian@juriencharters.com]
Sent: Thursday, 24 June 2010 10:08 AM
To: Leonie Quantock
Subject: Submission on Draft Local Planning Policy 6.6.16

Dear Councillors/CEO Coorow Shire

With reference to proposed Policy 6.6.16 change in Short Stay accommodation.

Ian Stiles
 13 Batavia Way
 Jurien Bay

My Wife and I (unit 7) , plus my Daughters Melissa (unit 9) and Simone (unit 10) each own a unit at Leeman Holiday Units.

Potential Financial Loss to us due to proposed Policy change

I would like to submit the following observations.

1. Tourism will become a very important industry for the Coorow shire in the years to come and one of the main ingredients of successful Tourism is a good image.
2. The Leeman Holiday Units and the Leeman Caravan Park both maintain a high standard of accommodation so as the visitor's stay in Leeman is an enjoyable and memorable one. The Tourists will go away and spread the word that Leeman is a good place to holiday and will return with their friends.
3. I know of Holiday Homes in Jurien Bay whose owners refuse to even provide toilet paper for their guests staying in their accommodation. This has led to some unhappy memories of their stay.
4. Owners of some Holiday Homes have also put a strict amount of time that the cleaners of Holiday Homes can spend on cleaning a vacated Holiday unit/home. This results in a not as clean as dwelling as should be also causing dissatisfaction with the next tenants, consequently more unhappy memories of their holidays and the less likely hood of a return visit.
5. An unhappy customer is likely to cause a huge negative effect on any advertising that has been spent on trying to attract people to the town in the first place. A happy customer is the best sort of advertising and it is free. The Shire rightly spends money on Tourism promotion, it would be prudent not to have this money wasted.

6. If Short Stay Holiday Homes with absentee owners are permitted in Leeman without proper control or regular inspections by Shire inspectors, Leeman could very easily get a bad name. School leavers in Dunsborough for example have created a bad image,
7. Holiday makers and residential dwellings do not mix. A Holiday maker on the coast normally has a boat and lots of children. Many believe a different set of "rules" apply in the country and do uncivilised things that they would not dream of doing in Perth.
8. A resident and ratepayer of Leeman does not want his or her routine upset by Holiday makers having a good time till all hours next door .
9. Leeman Caravan Park and Leeman Units are not located near residential dwellings. They each have a resident manager who will quiet or evict any noisy tenants.
10. Leeman Unit owners like many Tourism business's in Australia are currently suffering from a downturn in Tourism. The owners have invested their money in the Coorow shire and do not need any extra competition in the form of Short Stay accommodation at this stage.
11. Tourism can be big business 10 years ago Tourism WA in a survey found that a person staying over night spent nearly \$100 in the town. This equates to local jobs and business opportunities for even people who do not believe tourism can effect them.
12. Holiday accommodation must be regulated and I believe that the Coorow Shire does not have the resources at this stage of it's development to regulate or control Short Term Accommodation in Leeman.

Ian Stiles JP

Former : Coorow Shire Councillor, Board member Australia's Coral Coast. Mid West Tourist Promotions, President Pinnacle Country Promotions.

Ms Amy Nancarrow
63 Grafton Road
BAYSWATER WA 6053
Ph: 0411 555 094

26 June 2010

Mr Mark Hook
Chief Executive Officer
Shire of Coorow
PO Box 42
COOROW WA 6515

Dear Mark

SHORT STAY ACCOMMODATION POLICY

Thank you for the opportunity to comment on the Shire's draft local planning policy for short stay accommodation. Generally, I believe the policy is sound, however there are a few comments and suggested amendments that I would like to make.

My family and I are the owners of a house in Green Head that is leased for short term holiday accommodation. It is managed by 3L Real Estate and is cleaned and maintained by local people in the Green Head area. The house is only 18 months old and is finished, furnished and equipped to a high standard. There is adequate car-parking and guest rules are displayed on the fridge to deal with issues such as noise control to minimise impacts on surrounding homes. The house is a popular holiday rental and we take pride in operating a high quality and well managed holiday home that is making a great contribution to the local economy and tourism industry.

My family and I do not object to the proposed requirement to obtain planning approval and annual renewal of a licence for our holiday rental, however there is one aspect of the policy that we believe requires further consideration and amendment: Clause 2.2 of the draft policy states that, *'It is common for holiday makers to have a boat, trailer, caravan etc and there should be additional space allocated for such.'*

Our holiday rental has a concrete driveway that can accommodate two cars or one car and a boat or caravan. We have had many guest bookings in the 14 months that our house has been available for rent, however to date we have had no guests requiring additional parking space for a boat, trailer or caravan. Our holiday home is at the luxury end of the local holiday accommodation market and therefore many of our clientele are attracted to our house because they intend to spend a significant portion of their time relaxing and entertaining in the house itself. For this very reason, we deliberately chose to landscape the rear yard to provide a pleasant setting for the outdoor BBQ deck, rather than put in more concrete hardstand for boat or trailer parking. More concrete hardstand would have significantly detracted from the visual amenity of the property for our guests.

The statement in the draft policy that 'it is common for holiday makers to have a boat, trailer or caravan' is an assumption about the visitor profile to the Green Head area that is not entirely accurate, as our holiday home has demonstrated. There are many other attractions in the area that draw visitors other than activities requiring boats and caravans. We have found that our visitors come for the wildflowers, swimming, beach fishing and attractions such as the Pinnacles

and Sandy Cape Recreation Park. We also have guests who are just seeking an escape from the city and, as already mentioned, are looking for a luxury home to relax in.

Whilst providing for boat and caravan parking is a valid consideration for the Shire in its assessment of short term holiday accommodation applications, the policy needs to provide greater flexibility with respect to how this requirement is applied. This will ensure that diversity in holiday accommodation options can be achieved, which is important for the local tourism industry. Therefore it is recommended that Clause 2.2 of the policy be amended as follows:

'The Council may require that additional parking space be allocated for a boat, trailer or caravan, unless it can be demonstrated that this requirement is not applicable and/or management measures are in place to control the parking of boats, trailers and caravans on site.'

An appropriate management measure might be advising guests at the time of booking that there are two parking spaces available and only two cars or one car plus a boat or caravan can be parked on the premises at any one time.

Further to the above, there is one other policy provision that I would like to comment on: Clause 3.1 states that, '...The Local Government reserves the right at both the application for approval and/or renewal stage to direct that a sign (no larger than 0.2m²) be erected on-site clearly visible from the street at the applicant's expense, with wording to be to the satisfaction of the Chief Executive Officer.' The intent of this requirement is not clear – is it suggesting that the Council can require that a sign identifying a home as holiday accommodation must be erected on the property? If so I object to this provision, firstly because signs in residential areas should be avoided, as they add visual clutter and detract from the residential character and nature of a neighbourhood. Secondly, the erection of a sign that identifies a home as holiday accommodation poses a security risk, in that it advertises the house as being vacant for much of the year and therefore is an easy target for vandalism and theft.

Thank you again for the opportunity to comment. I look forward to your response to submissions and hearing about the outcome of the policy in due course.

Yours sincerely



Amy Nancarrow



Government of Western Australia
Department of Health

EHB-00390/05

Simon / Anthony

RECEIVED
- 3 JUN 2010

Shire of Chapman Valley
PO Box 1
NABAWA WA 6532

BY: _____

Attention: Principal Environmental Health Officer

Dear Sir / Madam

AQUATIC FACILITY LEGISLATION APPLYING TO TEMPORARY AND HOLIDAY ACCOMMODATION

The *Health (Aquatic Facilities) Regulations 2007* was amended in 2009 to further define a "residential lot" to be a place of residence but not a lot used for a business of providing holiday or temporary accommodation. The Tourism Council of WA has now sought an interpretation how this legislation is to be applied. Guidance Note No. 9 *Aquatic Facilities in Developments Offered for Temporary and Holiday Accommodation* has been prepared for this purpose. A copy is enclosed for your records and will be posted online.

I would appreciate if your Council could bring this Guidance Note to the attention of persons, through Council publications, known to conduct a business of providing temporary and holiday accommodation operating from private residences.

The obligation shall rest with the Operator of an aquatic facility under these Regulations to ensure that their swimming pool or spa pool is issued with a Certificate of Compliance and Permit to Operate.

I trust this information is of assistance but should you require any further information or clarification, please contact Officers of Applied Environmental Health on 9388 4911 or email to swimmingpools@health.wa.gov.au

Yours sincerely

Jim Dodds
Delegate of
EXECUTIVE DIRECTOR
PUBLIC HEALTH
27 May 2010

(s:EHB/Applied/Swimming Pools/Guidance Note 9/ Letter to Local Government)

Environmental Health

All Correspondence: PO Box 8172 Perth Business Centre Western Australia 6849

Grace Vaughan House 227 Stubbs Terrace Shenton Park WA 6008

Telephone (08) 9388 4999 Fax (08) 9388 4955

wa.gov.au

ABN 28 684 750 332



Delivering a Healthy WA



Government of Western Australia
Department of Health

Aquatic Facilities

GUIDANCE NOTE 9

AQUATIC FACILITIES IN DEVELOPMENTS OFFERED FOR TEMPORARY OR HOLIDAY ACCOMMODATION

The following information is provided for Local Government officers and those persons who conduct the business of offering developments as temporary or holiday accommodation that includes an associated aquatic facility (e.g. a spa or swimming pool) that is available for use by the renting/hiring party.

Example :

Bill & Jenny have a home in the city (where they normally live) and they also have a beach house for their private occasional use. They rent/hire out their beach house to others for a fee as temporary holiday accommodation when they are not using it. The beach house has a spa and pool which are available for use by the persons renting/hiring the temporary/holiday accommodation. When a beach house/apartment or similar accommodation is rented/hired out to others in this manner, any included spa or pool is deemed an aquatic facility and as such must comply with the approval, construction and operational requirements of the Health (Aquatic Facilities) Regulations 2007.

Whilst this requirement has not been widely promoted in the past it has nevertheless long been the legal requirements for such public type swimming pools, but only in recent times have spas also been included with pools as aquatic facilities and in need of such approval for use.

Why has this issue arisen?

Improperly designed, constructed and operated aquatic facilities pose a serious physical or microbiological hazard to the health and safety of users. There have been a number of cases where water borne disease from inadequately maintained aquatic facilities has affected entire parties of holiday makers. Those persons have no control over the ongoing operation and maintenance of any associated aquatic facility and therefore, rely entirely on the accommodation provider. When those aquatic facilities are commercially offered to users with short term temporary/holiday accommodation, then the operator has a legal obligation to ensure those facilities are properly designed, constructed and maintained and do not pose a hazard or risk to the users.

In recent years the Department of Health in association with local government has audited approximately 600 public type swimming pools throughout Western Australia (in hotels, motels, caravan parks, bed & breakfast developments, multi residential complexes etc) which had historically been constructed and put into use without the necessary design consideration or required approvals in place. Many of these audited pools were found to be substandard and required substantial works to ensure as a minimum they met basic standards of design, safety, construction, operation and maintenance requirements for use as a public type swimming pool. In this regard, minimum standards must be applied equally and fairly to all commercial operations throughout Western Australia, to ensure an even playing field exists and no operators are being commercially disadvantaged.

The owner of a beach house in a popular holiday resort town recently sought a determination from their local government and Department of Health (DOH) as to whether the swimming pool/spa provided at their holiday property would (when rented out as holiday accommodation) be deemed an aquatic facility and in turn need to comply with aquatic facilities legislation requirements. The owner used due-diligence to confirm they were satisfying their duty of care in ensuring the accommodation they commercially rent/hire satisfied all legal requirements and recognised standards within Western Australia. There were likewise, obvious economic considerations about whether to continue making the pool and spa available, given a need for costly system modification and daily operation and maintenance costs if deemed an aquatic facility.





What providers of temporary holiday accommodation with an aquatic facility must do?

The Health (Aquatic Facilities) Regulations 2007 (the regulations) prohibits any person from operating an aquatic facility, except where it has been issued a Certificate of Compliance & Permit to Operate by the Executive Director, Public Health (EDPH). If an aquatic facility has not been issued the Certificate & Permit then it must not be opened or offered for use.

An existing aquatic facility may be confirmed as satisfactory by the EDPH and in turn be issued the required Certificate & Permit where the facility is shown to meet the minimum design and construction requirements and where operational arrangements will be in place as prescribed within the regulations and *Code of Practice for the Design, Construction, Operation, Management and Maintenance of Aquatic Facilities*. The Code may be viewed or downloaded from the internet at http://www.public.health.wa.gov.au/3/914/2/code_of_practice.pm

Having an existing an aquatic facility confirmed by the EDPH for use

So an existing aquatic facility may be authorized for use, it must be shown to satisfy the minimum construction, design and operational requirements. Owners/operators will need to initially make contact with their local government Environmental Health Officer (EHO) to request that an audit be undertaken of their aquatic facility. The EHO will use a Department of Health audit checklist and when completed provide the completed checklist and photographs to the Department of Health. The Department of Health will in turn assess the audit findings and confirm any works necessary, so the aquatic facility may be authorized by the EDPH.

Typical design & construction works required on existing facilities will generally include:

- having a licensed electrician check and confirm the wiring/electrics is not a hazard to users
- confirming the filtration system design is satisfactory in regard to maximum water turnover time
- installation of an automatic liquid chlorine injection system with automatic chemical/ pH controls
- plumbing works to ensure all make-up water is filtered before entering the pool
- installation of depth markings and other safety signage
- ensuring overhead lighting intensity is adequate for night use or alternatively limiting facility only to daylight use
- provision of an approved water chemistry test kit

Ongoing operational requirements on such an aquatic facility will typically include:

- having an operation manual in place detailing precise ongoing operational procedures
- daily manual testing of water chemistry for chlorine and pH and recording of the results in a logbook
- having a nominated and qualified technical operator whom will oversee technical operation but not necessarily undertake daily testing. Typically, operators undertake that formal training or engage a qualified service person whom will visit monthly.
- monthly microbiological sampling and inspection by the local government

To arrange an audit of your aquatic facility contact the Environmental Health Officer at your local government. For further information please contact officers of the Department of Health's Environmental Health Hazards Unit on 9388 4999 or email to swimmingpools@health.wa.gov.au or visit the web site on www.public.health.wa.gov.au/2/641/2/aquatic_facilities.pm



Mr Norman Johnstone addressed Council on item 10.2.7

10.2.7 THREE BAYS WALK WAY MANAGEMENT PLAN

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	19 March 2010
ATTACHMENT	Draft three bays walkway management plan – 10.2.7 Under Separate Cover
FILE	ADM0309

SUMMARY:

The Green Head Coast Care Group has prepared a Final Plan of the Three Bays Walkway Project at Green Head for Council approval. (Attachment 10.2.7)

BACKGROUND:

Representatives of the Green Head Coastal Group presented the draft plan to Council at the March 2010 Meeting of Council, which was approved for a 30 day Public Consultation Period. Comments received during the consultation period have been incorporated into the Final Plan where appropriate.

COMMENT:

The initiative to develop the Three Bays Walkway has been driven by the local Green Head Community with the assistance of Council and the Northern Agricultural Catchments Council. It is also within the 2008 Carnamah-Coorow Coastal Management Strategy (CCCMS) which identifies Green Head as the beginning of the Marathon Walkway. The CCCMS suggests a limestone pathway, primarily for hikers, walkers and joggers to link Green Head to Leeman. The CCCMS states the intent of the pathway is to provide a smooth pathway as close to the coastline as practicable and sustainable. It also recommends that route include seating, signs and strategically placed shelter.

The Central Coast Tourism Strategy anticipates that visitor numbers to the Central Coast (inclusive of Green Head) will increase with construction of the Indian Ocean Drive. The Three Bays Walkway aims to foster sustainable recreational and tourist use of the coast through maintenance of public amenity and provision of safe and informative public access to the coast.

In 2010 Council will be developing planning strategies for the Leeman and Green Head town sites. This management plan will serve as input into these planning strategies.

STATUTORY ENVIRONMENT:

Aboriginal Heritage Act
Land Administration Act
Local Government At 1995

STRATEGIC IMPLICATIONS:

Fits within GOAL 5 STRATEGIES of the Shire of Coorow Strategic Plan.

Value Adding

The Shire will be proactive in seeking to have the natural assets of the district responsibly utilised while promoting the recognition of their environmental values. Initiatives will include-

- Improve access to natural environment assets.
- Monitor the opportunities which may arise from the introduction of carbon credit trading.

Maintain and Improve

Support initiatives which promote and enhance the value of the natural and built environment of the Shire -

- Support local Land Conservation District Committees.
- Seek opportunities through (Federal Government) natural heritage funding.
- Control pests, plants and animals.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Council in the past has allocated \$7,000 of in kind support providing brushing materials and carting limestone etc.

The cost will generally be funded through grants each year but there will be a requirement for funding of some sort. The amount of \$7,000 for in kind work at this stage is adequate but it will need to be looked at in the normal budget frameworks.

PUBLIC CONSULTATION:

The draft report will be put out for a 30 day public consultation period prior to it being brought back to Council.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That the Shire of Coorow approves the Final Plan on the Three Bays Walkway Project as tabled in attachment 10.2.7

RESOLUTION: **2010/128**

Moved: Cr Williams

Seconded: Cr Mc Donald

That the Shire of Coorow approve the Final Plan on the Three Bays Walkway Project as tabled in attachment 10.2.7

***CARRIED 8/0
Simple Majority***

Mr Norman Johnstone left the Meeting at 4.43pm

Green Head Site Management Plan

Public Comments (submitted to Shire of Coorow)

Comment by...	Page number referred to...	Comment...	NACC / Ferart recommended changes...	Shire's comments...
Shire of Coorow (CEO Mark Hook)	4.1 Pg5	2 x Section 4.1. Change Introduction to 4.0	Ok.	OK
Shire of Coorow (CEO Mark Hook)	4.1 Pg5, last paragraph	Change last sentence to "Details of the construction of the paths and work descriptions are given in Appendix 1. Details of the budget are given in Appendix 2."	Ok.	OK
Shire of Coorow (CEO Mark Hook)	4.4.1 Pg7	Change from 4.4.1 to 4.1.1	Ok.	OK
Shire of Coorow (CEO Mark Hook)	4.1.2 Pg 7	Note page 13 (pg7) makes comment about a section of Ocean View Drive (currently formed to a track standard) that might need to be considered for closure, this might be achievable given the lots to the east could obtain road frontage from other sections of road. However, Lots 184, 186 and 209 are privately owned freehold titles and given Lots 184 and 186 are zoned 'Tourist Accommodation' and Lot 209 'Residential R12.5' it may be too expensive to reacquire and amalgamate into a foreshore reserve to protect the high quality bushland upon them (with the relevant dissecting section of Ocean View Drive closed). The document does not make a definite recommendation pertaining to this, instead it highlights this as an issue for future consideration "if possible". I don't see it as an issue to leave it in the document at this stage.	Noted. This is an active blowout however it is in a relatively constrained environment. From an environmental management perspective, this is a high value area of flora, as highlighted in Appendix 4 Vegetation Survey. Plan is not taking a position just pointing out this and potential road reserve concerns. Wording is appropriate in document. Leave as is.	Council has appointed a consultant to undertake a full planning strategy for Leeman and Green Head which will look at the whole land use issue for Green Head.
Sandra Trenowden	4.1.2 Pg 7	I wish to express concern with proposed suggestions to include prime	Noted. See above.	

		development land into the coastal reserves as in 4.1.2 figure .3(access and track safety). This situation of land is important to the planning of future development of residential, commercial and tourism. In coming years Green Head will have a population to support Seniors' Housing and these dwellings need to be close to commercial facilities, thus this area is ideal. This area is also prime land for tourist accommodation development and would attract developers to the town.	Leave Plan as is.	
Sandra Trenowden	4.1.2 Pg 7	Ocean View Road also runs adjacent to this bush land and it is imperative that a continuation of this road runs from South Bay around to the jetty including the proposed behind the caravan park. To attract tourism to cater for the huge numbers which Indian Ocean Drive will bring, it is essential that Ocean View Road is developed to its full capacity to enhance the fantastic ocean vista which makes the town of Green Head.	Noted. See above, there are genuine concerns with road reserve alignment here. Leave Plan as is.	Council will be looking at this issue in future plans.
Sandra Trenowden	Figure 4.1 pg6	For decades children and young adults have used the North point of Dynamite Bay as a 'bombie jumping' and recreational area. The figures (maps) are difficult to distinguish whether this area will have an access track leading to it. I believe it is necessary to include access as the young people will continue to use this area regardless and just make another track if they are denied access.	<p>There is no trail to this area because:</p> <p>This area is marked as Risk Category HIGH in the Shire of Coorow Coastal Limestone Risk Study (Landform Research 2002).</p> <p>This area is a registered midden site, see document Yued Boodja Environmental Audit of Cultural Spiritual Sites and Land Use Practices Project</p>	Council does not endorse the dangerous use of this area however it must be recognised that the locals will still use this area even with the track being closed.

			(SWALSC 2007). Leave plan as is.	
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Other changes...

Comment by...	Page number referred to...	Comment...	NACC / Ferart recommended changes...	Shire Comments...
Green Head Coastcare Group	Front Cover	Change photo to something identifiable as Green Head and headlands.	Change cover to Preliminary Draft cover photos or similar.	Seems reasonable
Riki Porteus – NACC Coastal Team	Introduction, pg1.	Nothing to acknowledge climate change. Please add after second paragraph on Page 1, "As global warming continues to drive climate change at increasing rates, the vulnerability of Green Head's coastline to extreme weather events, storm surges and sea level rise will increase. "	Ok.	Climate change is still being debated however it is felt that it should be mentioned
NACC Coastal (in consultation with Ian Eliot)	Appendix 1	Boardwalk design principles, add "Principle 5 Areas have been deemed as having a relatively stable limestone sub-structure." (Reason is to show that thought has been given to dynamic coastal environ and that boardwalk should not be used in all cases, only where shown on site plan).	Ok.	Seems sensible
NACC Coastal (in consultation with Ian Eliot)	Appendix 1	Boardwalk design principles, add "Principle 6 Design and specific alignment must recognise and consider the effects of future extreme events, particularly at beach access points" (To ensure designers / landscape architects consider these possibilities in any design of stairs and boardwalk beach access points)	Ok.	Seems reasonable

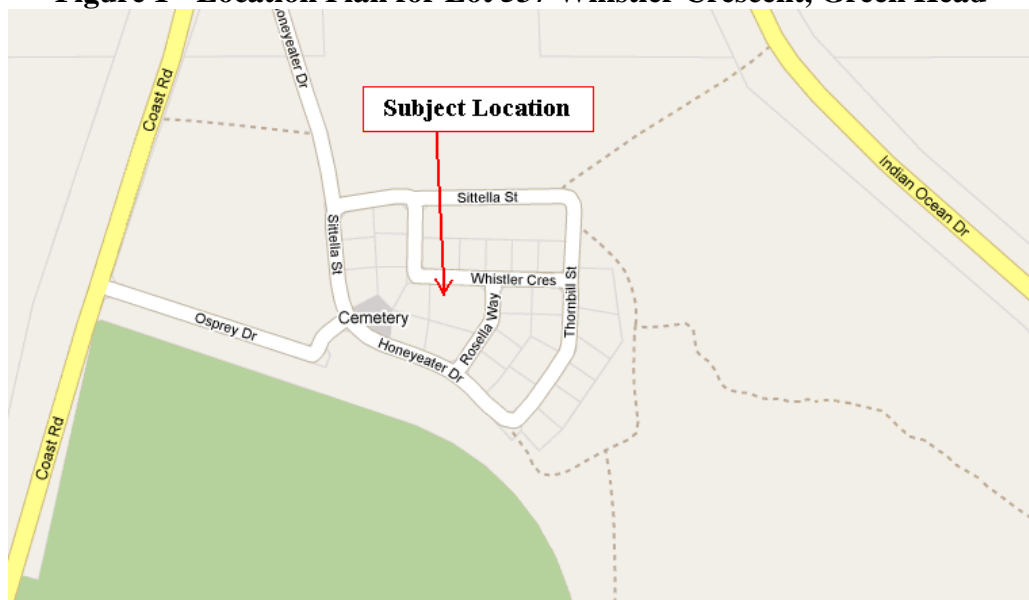
10.2.8 PROPOSED MOBILE PHONE BASE STATION - LOT 537 (No.12) WHISTLER CRESCENT, GREEN HEAD

AUTHOR	Simon Lancaster
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	14 July 2010
ATTACHMENT	10.2.8
FILE	A932

SUMMARY / BACKGROUND:

Council has received a modified plan for the proposed mobile phone base station upon Lot 537 Whistler Crescent, Green Head. This report recommends refusal of the modified plan.

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



COMMENT:

Council resolved at its 16 June 2010 meeting as follows:

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

Conditions

- (a) Development shall be in accordance with the attached approved plan(s) dated 16 June 2010 and subject to any modifications required as a consequence of any condition(s) of this approval. Tower to be setback 5 metres from property boundary. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*

- (b) *The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*
- (c) *Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.*
- (d) *All operations must be carried out in accordance with Australian Standard –Radiation Protection Standard*
- (e) *All operations must be carried out in accordance with the Australian Communications and Media Authority requirements pertaining to electromagnetic energy;*
- (f) *All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system to the specifications and approval of the local government.*
- (g) *Upgrading of crossing place/s to the standards and specifications of the local government.*
- (h) *The front verge area being landscaped effectively and maintained thereafter to the approval of the local government.*
- (i) *This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.”*

The applicant is seeking the Council’s approval to reorientate the proposed development from north-south to east-west on the property. A copy of the applicant’s revised site and elevation plans have been included as Attachment 10.2.8 with the July 2010 Agenda. A copy of the complete application was previously provided to Councillors with the June 2010 Agenda.

The applicant’s revised plan proposes that the tower be located 5m from the front (northern) property boundary and 9m from the nearest side (western) property boundary. The revised plan also proposes that the equipment shelter be located 3m from the nearest side (western) property boundary and 8m from the front (northern) property boundary.

The previously submitted plan proposed that the tower and equipment shelter be located 3.5m from the side (western) property boundary and that the equipment shelter be setback 4.5m from the front (northern) property boundary and the tower 10.5m from the front (northern) property boundary. The subsequent approval of Council at the 16 June 2010 meeting was subject to the tower being ‘setback 5m from the property boundary’, and it could be argued that the revised plan complies with this decision. However, it is understood by staff that the 5m modification arising from the Council meeting was specifically in relation to the side (western) boundary and given that the minutes of the 16 June 2010

meeting are unconfirmed by Council at the time of receipt of the revised plan this matter has been returned to Council for its deliberation.

It may be argued that the reorientation of the development actually results in the overall development being moved 0.5m back from the front property boundary and is strictly in compliance with Council's (unconfirmed) resolution, however, the visual impact of the 2.8m high equipment shelter (with a 4.5m front setback upon the Council approved plan) and the 52.6m high tower (with a 5m front setback upon the submitted revised plan) are not comparable. It is therefore recommended that Council require that the tower be sited a minimum distance of 7.5m from the front property boundary in accordance with the Scheme and not the proposed 5m.

Table 2: Site and Development Requirements Table of the Shire of Coorow Town Planning Scheme No.2 ('the Scheme') does not set a minimum boundary setback specifically for 'telecommunications infrastructure' but it would be reasonable to assess the application as an industrial application given its use and setting. Table 2 sets the minimum boundary setback for industrial uses as being 5m from the side boundary and a minimum rear setback of 10m (although this is accompanied by notice that this can be assessed using the averaging provisions across the lot). Table 2 contains notation that:

"this table is intended as a guideline and may be varied at the discretion of the Shire Council".

Section 5.12.1 of the Scheme states the following:

"5.12 Industrial Area

5.12.1 Building Setbacks

- *Front setbacks shall be 7.5m from any front boundary;*
- *Side setbacks shall be determined by Council;*
- *No setbacks (nil) are required from the rear boundary."*

The proposed development would consist of a 52.6m high lattice tower with 3 x 26.3m panel antennas (with provision for a further 6 panel antennas if required) and 3 parabolic antennas, associated equipment would be stored in a 7.5m² flat roofed shed at the base of the tower, situated in a 2.4m high chain link fence security compound. The security compound would be 201.5m² (13m x 15.5m) in area with access to the site via the existing crossover onto Whistler Crescent. The development would provide enhanced digital mobile telephone coverage and wireless broadband coverage within the Green Head area.

The proposed tower would be linked via parabolic antenna to nearby base stations at Jurien, Eneabba and Leeman (subject to a separate application on the 16 June 2010 and 28 July 2010 Council Agendas). The applicant has advised that co-location with the Telstra Green Head Road site was investigated but that the tower was considered too low to meet cell coverage objectives, necessitating a purpose built structure.

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



STATUTORY ENVIRONMENT:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Given the proposed tower will be 52.6m in total height then Section 5.14 of the Scheme must also be considered in the assessment of this application:

“5.14 Height and Appearance of Buildings

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

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

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

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

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

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

of the local government relevant to the use or development the subject of the application:

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

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

The applicant is also required to comply with the Telecommunications Code of Practice 1997 and the industry codes and standards of the Australian Communications Authority.

The applicant was advised of the decision of Council by staff following the 16 June 2010 meeting, and in addition to being advised of the conditions of development approval, the correspondence also contained the following notes of advice:

"Notes

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

STRATEGIC IMPLICATIONS:

The purpose of the Green Head Industrial area is to provide a location for uses that should be kept separate from the residential portions of the townsite due to their potential to cause emissions (such as dust, noise or odour), the levels of traffic they may generate, or the 'unsightly' visual appearance of many industrial activities. It is considered that the siting of a telecommunications infrastructure within an industrial area is an appropriate development. The conditions of approval issued by Council required (amongst other items) that landscaping be undertaken at the street frontage to the property, and compliance with Australian Standards (in spite of separate legislation already requiring this of the proponent) to ensure the development does not impact upon public health. The proposed total height of

the development being 52.6m will inevitably make it visually apparent both within the industrial area and to passing traffic along Green Head Road and Indian Ocean Drive (the tower would be located approximately 500m back from each of these roads) but it is considered that towers of this type have become commonplace in many areas and are generally accepted as being part of modern living and its associated demands for higher speed verbal and computer communication.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

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

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

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

Copies of the submissions received were provided as Attachment 10.2.6.1 previously with the June 2010 Agenda. The issues and perceptions raised in objection to the application were as follows:

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

The applicant was advised of the issues raised during the submission period and given the opportunity to address these, a copy of the applicant's 3 June 2010 correspondence was provided previously as Attachment 10.2.6.2 with the June 2010 Agenda.

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

Standard –Radiation Protection Standard, to ensure that this estimation is adhered to in operation.

VOTING REQUIREMENT:

Absolute majority required.

OFFICER RECOMMENDATION:

That Council advise that the applicant that:

1 Council does not support the revised siting for a mobile phone base station upon Lot 537 Whistler Crescent, Green Head for the following reasons:

(a) The proposed front boundary setback of 5m for the 52.6m high tower is not in compliance with Section 5.12 of the Shire of Coorow Town Planning Scheme No.2 that requires a front setback of 7.5m for developments within the industrial area;

(b) Given the visual prominence of the 52.6m high tower it is not considered that a relaxation of the property boundary setback requirements is appropriate in this instance and would be contrary to Section 10.2 of the Shire of Coorow Town Planning Scheme No.2 that requires Council to have regard for the following:

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

(c) Given the visual prominence of the 52.6m high tower it is not considered that a relaxation of the property boundary setback requirements is appropriate in this instance and would be contrary to Section 5.14 of the Shire of Coorow Town Planning Scheme No.2 that stipulates that no structure shall be erected above 8m in height in the Scheme Area unless Council has given regard for the following:

“...submissions made by persons owning or having an interest in land affected directly or indirectly by the proposed building...

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

- *Has been designed in harmony with the natural land form of the site.”*
- 2 Council issue delegated authority to the Chief Executive Officer to approve a revised plan for a mobile phone base station upon Lot 537 Whistler Crescent, Green Head, if submitted by the applicant, that proposes a 7.5m setback from the front (northern) property boundary and a 5m setback from the side (western) property boundary for the proposed tower, subject to the application of the remaining development approval conditions as resolved by Council at its 16 June 2010 meeting.

RESOLUTION:

2010/129

Moved: Cr Bothe

Seconded: Cr George

That Council advise the applicant that:

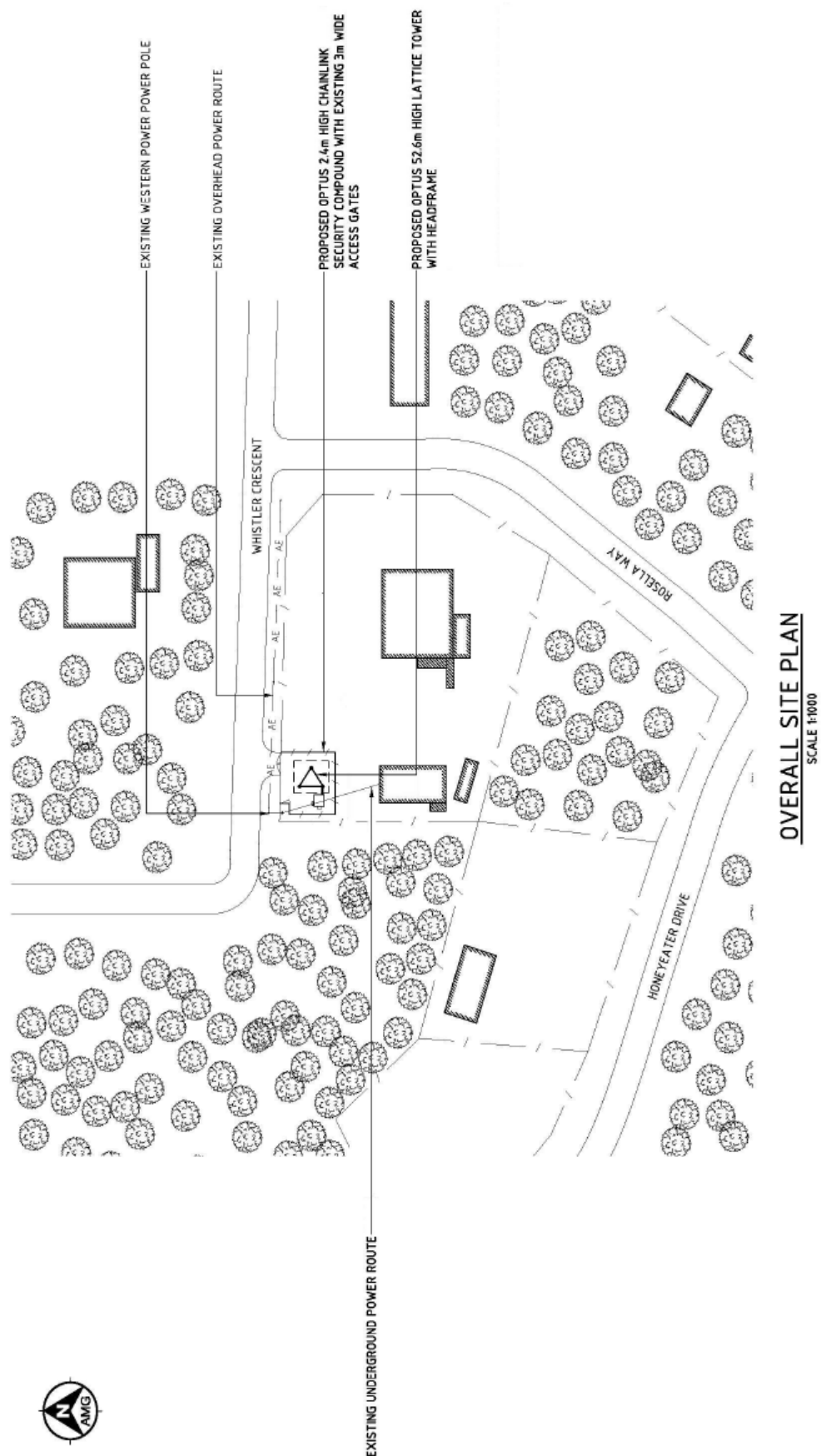
- 1 *Council does not support the revised siting for a mobile phone base station upon Lot 537 Whistler Crescent, Green Head for the following reasons:*
 - (a) *The proposed front boundary setback of 5m for the 52.6m high tower is not in compliance with Section 5.12 of the Shire of Coorow Town Planning Scheme No.2 that requires a front setback of 7.5m for developments within the industrial area;*
 - (b) *Given the visual prominence of the 52.6m high tower it is not considered that a relaxation of the property boundary setback requirements is appropriate in this instance and would be contrary to Section 10.2 of the Shire of Coorow Town Planning Scheme No.2 that requires Council to have regard for the following:*
 - “(i) the compatibility of a use or development with its setting;*
 - (j) any social issues that have an affect on the amenity of the locality;*
 - (n) the preservation of the amenity of the locality;*
 - (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
 - (y) any relevant submissions received on the application.”*
 - (c) *Given the visual prominence of the 52.6m high tower it is not considered that a relaxation of the property boundary setback requirements is appropriate in this instance and would be contrary to Section 5.14 of the Shire of Coorow Town Planning Scheme No.2 that stipulates that no structure shall be erected above 8m in height in the Scheme Area unless Council has given regard for the following:*

“...submissions made by persons owning or having an interest in land affected directly or indirectly by the proposed building...”

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

2 *Council issue delegated authority to the Chief Executive Officer to approve a revised plan for a mobile phone base station upon Lot 537 Whistler Crescent, Green Head, if submitted by the applicant, that proposes a 7.5m setback from the front (northern) property boundary and a 5m setback from the side (western) property boundary for the proposed tower, subject to the application of the remaining development approval conditions as resolved by Council at its 16 June 2010 meeting.*

CARRIED 8/0
By Absolute Majority



10.3 PRINCIPAL WORKS SUPERVISOR:

10.3.1 REQUEST FOR THE COLLECTION OF NATIVE PLANT SEED FROM SHIRE OF COOROW ROAD RESERVES

AUTHOR	Kelvin Bean
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	29 June 2010
FILE	ADM0110 / ICR10372
ATTACHMENT	

SUMMARY:

Council is to consider a request from Greening Australia WA, for the collection of native seed within Reserves in the Shire of Coorow for a twelve (12) month period beginning 1 July 2010.

COMMENT:

Council considers this matter annually upon application from Greening Australia.

In 2008 Council investigated the need for inductions and Public Liability Insurance for people working in Council Reserves. As Greening Australia is not a contractor nor an employee of Council, there is no need for Council to do an induction.

Council needs to insist on a current Public Liability Certificate to be provided before any work or seed collection takes place in Council's Reserves.

In the past permission has been given to Government Departments for the collection of various native seeds, but not to commercial enterprises for profit.

It is recommended that Council impose the following conditions to all applications for the collection of native seeds including:

1. permission is for a twelve (12) month period commencing 1 July 2010;
2. all persons collecting native seed are to be Greening Australia (WA) staff members and licensed according to the Wildlife Conservation Act (1950) and abide by the condition of the license
3. all staff are to wear high visibility safety vests;
4. any stationary vehicles are to use revolving amber flashing lights;
5. appropriate hygiene measures to be followed at all times to prevent the spread of plant disease and weeds;
6. all care be taken to avoid the disturbance of fauna habitat;
7. all care be taken to avoid any disturbance that may lead to soil degradation, and
8. no work to commence in Council Reserves until Council has received a current Certificate for Public Liability Insurance

Seed collected from within Shire of Coorow Reserves will be utilised in strategic revegetation projects throughout the Midwest Region, and will directly benefit the community as a whole. Some seeds may also be used for the purposes of research into best practice revegetation and development of tree cropping programs for the region.

STATUTORY ENVIRONMENT:

Nil.

STRATEGIC IMPLICATIONS:

By allowing the collection of seed, Council provides a mechanism for the survival of various and endangered native flora.

POLICY IMPLICATIONS:

Shire of Coorow Policy 8.1.1 – Management of Road Reserves.

Policy Statement:

Construction:

- 1 Flora to be preserved wherever practicable
- 2 Optimum width for road construction and maintenance 20.0m
- 3 Minimum width necessary 16.6m; ie 8.6m construction 4m either side for water table
- 4 Gravel borrow pits should be re-instated when extinct
- 5 Abortive bulldozer cuts made in search for gravel should be immediately reinstated
- 6 Work to be planned to allow for consultation with a botanist or knowledgeable person, with a view to preserving rare plants. Practical road building may require the moving of a rare plant, eg when growing in gravel in gravel scarce area
- 7 Discourage the indiscriminate ploughing and burning of fire breaks outside the boundary line
- 8 Any persons wishing to carry out fire hazard or weed reduction on the road reserve adjacent to their property, must be authorized by Council before doing so
- 9 That as a matter of Council Policy, farmers be encouraged to set-back their fence lines 3.0m in from the boundaries facing a road. And that Council provide trees (if requested) for planting in this set-back area. Further that, this Policy places no restrictions on any landholder who wishes to develop this land (in setback area) in whatever way
- 10 Picking Wildflowers - NO unauthorised picking of blooms or seeds on any road verge under the control of the Council, and on all Reserves vested in or under the control of Council
- 11 There shall be no planting of trees/shrubs in Council road Reserves without express written authorization from Council.

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

Nil

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council grant permission to Greening Australia WA, to collect native plant seed on Road Reserves within the Shire of Coorow with the conditions that:

1. permission is for a twelve (12) month period commencing 1 July 2010;
2. all persons collecting native seed are to be Greening Australia (WA) staff members and licensed according to the Wildlife Conservation Act (1950) and abide by the condition of the license;
3. all staff are to wear high visibility safety vests;
4. any stationary vehicles are to use revolving amber flashing lights;
5. appropriate hygiene measures to be followed at all times to prevent the spread of plant disease and weeds;
6. all care be taken to avoid the disturbance of fauna habitat;
7. all care be taken to avoid any disturbance that may lead to soil degradation, and
8. no work to commence in Council Reserves until Council has received a current Certificate for Public Liability Insurance.

RESOLUTION:

2010/130

Moved: Cr Bothe

Seconded: Cr Williams

That Council grant permission to Greening Australia WA, to collect native plant seed on Road Reserves within the Shire of Coorow with the conditions that:

- 1. permission is for a twelve (12) month period commencing 1 July 2010;*
- 2. all persons collecting native seed are to be Greening Australia (WA) staff members and licensed according to the Wildlife Conservation Act (1950) and abide by the condition of the license;*
- 3. all staff are to wear high visibility safety vests;*
- 4. any stationary vehicles are to use revolving amber flashing lights;*
- 5. appropriate hygiene measures to be followed at all times to prevent the spread of plant disease and weeds;*
- 6. all care be taken to avoid the disturbance of fauna habitat;*
- 7. all care be taken to avoid any disturbance that may lead to soil degradation, and*
- 8. no work to commence in Council Reserves until Council has received a current Certificate for Public Liability Insurance.*

***CARRIED 8/0
Simple Majority***

10.4 DEPUTY CHIEF EXECUTIVE OFFICER:

10.4.1 ACCOUNTS FOR PAYMENT

AUTHOR	Erika Clement
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	22.07.10
ATTACHMENT	10.4.1 Accounts Due and Submitted To Council Meeting 28 July 2010

SUMMARY:

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

COMMENT:

Approval is sought for the following list of payments of accounts made since Council's last meeting on 16 June 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 28 July 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 28 July 2010 including:

1. Vouchers 18434 to 18438, 18477 to 18504, PR71010710 to PR72300610, DD 23/06/2010 to DD 21/07/2010, EFT2810 to EFT2898, totalling \$496,845.73 from Council's Municipal Fund
2. Vouchers 157 totalling \$800.00 from Council's Trust Fund

be authorised and passed for payment.

RESOLUTION:

2010/131

Moved: Cr Jack

Seconded: Cr Williams

That payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 28 July 2010 including:

1. *Vouchers 18434 to 18438, 18477 to 18504, PR71010710 to PR72300610, DD 23/06/2010 to DD 21/07/2010, EFT2810 to EFT2898, totalling \$496,845.73 from Council's Municipal Fund*
2. *Vouchers 157 totalling \$800.00 from Council's Trust Fund*

be authorised and passed for payment.

***CARRIED 8/0
Simple Majority***

LIST OF ACCOUNTS SUBMITTED TO COUNCIL 22/07/2010

Chq/EFT	Date	Name	Description	<u>TRUST</u>	<u>MUNI</u>
157	13/07/2010	COOROW COMMUNITY LAND INC	LOCAL PLATE PURCHASES 09/10	\$800.00	
EFT2810	15/06/2010	FIRE & EMERGENCY SERVICES AUTHORITY OF WA	ESL LEVY RETURN MAY 2010		\$ 522.30
EFT2811	25/06/2010	AVON WASTE	WASTE REMOVAL		\$ 11,566.84
EFT2812	25/06/2010	AIT SPECIALISTS PTY LTD	REVIEW RECORDS - WA BULK END USER SUBSIDY		\$ 153.04
EFT2813	25/06/2010	BILLEROO NOMINEES PTY LTD	TYRE REPAIR BACKHOE		\$ 82.50
EFT2814	25/06/2010	BOC GASES	GAS BOTTLE RENTAL		\$ 339.34
EFT2815	25/06/2010	BEAN KJ	INTERNET PWS		\$ 69.95
EFT2816	25/06/2010	BINDOON TRACTORS	BLADES - SLASHER		\$ 1,295.20
EFT2817	25/06/2010	BT EQUIPMENT	BELTS & FILTERS CW0018		\$ 517.36
EFT2818	25/06/2010	COURIER AUSTRALIA	FREIGHT - LISWA		\$ 69.96
EFT2819	25/06/2010	COVENTRY GROUP LTD	SAFETY GLASSES & WELDERS APRON		\$ 444.70
EFT2820	25/06/2010	CUNNINGHAM'S AG SERVICES	GLOBES, HYDRAULIC HOSES, FILTERS, BELTS, SHAFT & YOKE		\$ 821.03
EFT2821	25/06/2010	DRUMMOND JOE ELECTRICS	CHECKING OF LIGHTS ADMIN LEEMAN		\$ 77.00
EFT2822	25/06/2010	FARMWORKS	FITTINGS FOR CHLORINATOR		\$ 17.20
EFT2823	25/06/2010	GH COUNTRY COURIERS	FREIGHT - COVENTRY'S		\$ 77.60
EFT2824	25/06/2010	GERALDTON NEWSPAPERS LIMITED	TOWN PLANNING ADVERTS - MOBILE TOWERS		\$ 618.20
EFT2825	25/06/2010	GIRANDO MJ	TRAVELLING & SITTING FEES		\$ 1,001.11
EFT2826	25/06/2010	GRONOW'S MECHANAIR	REPAIRS TO CW0027		\$ 820.27
EFT2827	25/06/2010	GREENWAY ENTERPRISES	COIR MESH MATTING & PINS		\$ 863.00
EFT2828	25/06/2010	HOIST HYDRAULICS WA PTY LTD	HYDRAULIC RAM REPAIRS & PUMP SEAL KIT		\$ 1,091.75
EFT2829	25/06/2010	UHY HAINES NORTON	AUDIT CERTIFICATES		\$ 1,375.00
EFT2830	25/06/2010	KLEENHEAT GAS	GAS BOTTLE RENTAL		\$ 138.20
EFT2831	25/06/2010	LEEMAN HARDWARE	REPAIRS TO UNIT 4 LEEMAN AGED UNITS		\$ 803.55
EFT2832	25/06/2010	LANDMARK ENGINEERING & DESIGN	HUDSON 2 SEATER TABLE		\$ 1,665.40
EFT2833	25/06/2010	MIDALIA STEEL PTY LTD	POST FOR SIGNAGE		\$ 60.94
EFT2834	25/06/2010	MARTINS TRAILER PARTS PTY LTD	MUDFLAPS & TRAILER CHAIN		\$ 92.66

EFT2835	25/06/2010	NEAT N' TRIM UNIFORMS PTY LTD	UNIFORMS - CSO		\$ 132.37
EFT2836	25/06/2010	PURCHER-INTERNATIONAL PTY LTD	FREIGHT FOR FILTERS CHARGED TO PURCHER ACCOUNT		\$ 26.37
EFT2837	25/06/2010	PAPER PLUS OFFICE NATIONAL	PAPER CLIPS - BACK ORDER		\$ 3.55
EFT2838	25/06/2010	RICOH FINANCE	LEASES CHARGES PHOTOCOPIERS		\$ 663.49
EFT2839	25/06/2010	SEASIDE SUPPLIES	MILK,SUGAR,GARBAGE BAGS,DISHWASHING DETERGENT		\$ 37.16
EFT2840	25/06/2010	STAR TRACK EXPRESS	FREIGHT - WESTRAC, BT EQUIPMENT, HOIST HYDRAULICS & MIDVALE DISCOUNT TYRES		\$ 297.87
EFT2841	25/06/2010	RELIANCE PETROLEUM	DIESEL		\$ 25,555.29
EFT2842	25/06/2010	SHARED SERVICES- DEPT OF TREASURY & FINANCE	FEE FOR SERVICE - NOTICE IN GOVERNMENT GAZETTE- LEEMAN CEMETERY		\$ 87.15
EFT2843	25/06/2010	THREE SPRINGS SHIRE COUNCIL	MEDICAL CENTRE CONTRIBUTIONS		\$ 3,210.11
EFT2844	25/06/2010	WESTRAC EQUIPMENT	SERVICE & REPAIRS TO DOZER CW0035		\$ 35,926.70
EFT2845	25/06/2010	WAITE JAN	TRAVELLING & SITTING FEES		\$ 158.28
EFT2846	05/07/2010	PANACHE RESTAURANT	REFRESHMENTS COUNCIL MEETING		\$ 450.00
EFT2847	06/07/2010	FIRE & EMERGENCY SERVICES AUTHORITY OF WA	ESL LEVY RETURN JUNE 10		\$ 482.43
EFT2848	13/07/2010	LEADING EDGE COMPUTERS	COMPUTER SUPPORT		\$ 486.00
EFT2849	13/07/2010	AVON WASTE	WASTE REMOVAL		\$ 9,811.38
EFT2850	13/07/2010	AURECON	DRAINAGE DESIGN THOMAS STREET LEEMAN		\$ 6,875.00
EFT2851	13/07/2010	BOC GASES	GAS		\$ 309.20
EFT2852	13/07/2010	BEAN KJ	ELECTRICITY ACCOUNT PWS		\$ 309.70
EFT2853	13/07/2010	CATALINA FARMS	PURCHASE OF GRAVEL		\$ 4,400.00
EFT2854	13/07/2010	BRANDED	COOLER BAGS- GREEN HEAD BUSHFIRE BRIGADE		\$ 759.00
EFT2855	13/07/2010	COURIER AUSTRALIA	FREIGHT - RBC RURAL , FORPARK		\$ 663.47
EFT2856	13/07/2010	COVENTRY GROUP LTD	VBELTS,TRUCK WASH, ARMOR ALL, TAPE, FILTERS,VICE		\$ 1,167.58
EFT2857	13/07/2010	COOROW HIGHWAY STORE	REFRESHMENTS		\$ 38.03
EFT2858	13/07/2010	CUNNINGHAM'S AG SERVICES	VBELTS,FILTERS,BATTERY HOLDER & WIPER REFILLS		\$ 576.69
EFT2859	13/07/2010	COOROW AG PTY LTD	HARDWARE		\$ 500.76
EFT2860	13/07/2010	DRUMMOND JOE ELECTRICS	REPAIRS TO SMOKE ALARM UNIT 1 AGED UNITS LEEMAN		\$ 124.30
EFT2861	13/07/2010	DAVE GOODBODY MAINTENANCE SERVICES	BUILDING REPAIRS CARAVAN PARK & COOROW HALL		\$ 575.00
EFT2862	13/07/2010	FORPARK AUSTRALIA	PLAYGROUND EQUIPMENT - RCLIP		\$ 14,764.20
EFT2863	13/07/2010	FAMILY SHOPPING CENTRE	REFRESHMENTS		\$ 362.49

EFT2864	13/07/2010	FARMWORKS	MDF WORKSHOP		\$ 66.20
EFT2865	13/07/2010	GREEN HEAD PLUMBING & GAS	PLUMBING REPAIRS TO COOROW CARAVAN PARK		\$ 1,969.56
EFT2866	13/07/2010	GERALDTON MOWER & REPAIRS	FUEL CAP CW0052		\$ 39.20
EFT2867	13/07/2010	GREEN HEAD COMMUNITY CENTRE MANAGEMENT	CLEANING GREEN HEAD COMMUNITY CENTRE		\$ 100.00
EFT2868	13/07/2010	GERALDTON NEWSPAPERS LIMITED	TOWN PLANNING ADVERTS- SHORT STAY ACCOMMODATION		\$ 314.50
EFT2869	13/07/2010	GIRANDO MJ	SITTING FEES STATE COUNCILLOR 1/12/2009-31/05/2010		\$ 220.00
EFT2870	13/07/2010	GREEN HEAD COMMUNITY & RATEPAYERS ASSOC	DONATION ANZAC CEREMONY GREEN HEAD 2010		\$ 300.00
EFT2871	13/07/2010	HONDA SHOP	STARTED ASSEMBLY CW0058		\$ 78.92
EFT2872	13/07/2010	UHY HAINES NORTON	INTERIM BILLING FOR AUDIT		\$ 5,648.50
EFT2873	13/07/2010	HERSEY JR & A PTY LTD	PROTECTIVE CLOTHING		\$ 1,082.29
EFT2874	13/07/2010	IT VISION	UPGRADE TO SYNERGY 8.1		\$ 1,100.00
EFT2875	13/07/2010	JULIE ANNE BLOM	REFRESHMENTS COUNCIL MEETING LEEMAN		\$ 105.00
EFT2876	13/07/2010	LEEMAN HARDWARE	ERECTION OF GAZEBO ANZAC PARK LEEMAN		\$ 12,876.30
EFT2877	13/07/2010	LANDMARK	PROTECTIVE CLOTHING		\$ 564.25
EFT2878	13/07/2010	LEEMAN COUNTRY & SPORTING CLUB INC	DONATION TOWARDS PURCHASE OF COMMUNITY BUS		\$ 4,667.00
EFT2879	13/07/2010	MIDALIA STEEL PTY LTD	STEEL FOR VARIOUS SITES		\$ 3,410.96
EFT2880	13/07/2010	MIDVALE DISCOUNT TYRES	TYRES FOR CW001 & CW004		\$ 1,882.80
EFT2881	13/07/2010	MCINTOSH & SON	FILTERS BELT CW0027		\$ 617.36
EFT2882	13/07/2010	NORTHAM BEARING SALES	BRONZE BAR CW0027		\$ 79.30
EFT2883	13/07/2010	FULTON HOGAN INDUSTRIES PTY LTD	EZI- STREET		\$ 1,342.00
EFT2884	13/07/2010	PURCHER-INTERNATIONAL PTY LTD	LIGHTS,WIPER BLADES,AIR RAM - CW004		\$ 1,551.79
EFT2885	13/07/2010	TIVELLA PTY LTD	BINDING OF MINUTES		\$ 412.20
EFT2886	13/07/2010	QUANTOCK S & L ELECTRICS	ELECTRICAL REPAIRS TO VARIOUS SITES		\$ 11,221.63
EFT2887	13/07/2010	RNR CONTRACTING PTY LTD	EMULSION		\$ 1,650.00
EFT2888	13/07/2010	RBC-RURAL	LEASE CHARGES PHOTOCOPIERS		\$ 1,942.49
EFT2889	13/07/2010	RUMBOLD FORD	FILTERS & STRAPS FOR CW017,CW023,CW003 & CW0050		\$ 60.60
EFT2890	13/07/2010	RYLAN PTY LTD	KERBING FOR THOMAS STREET LEEMAN		\$ 13,009.15
EFT2891	13/07/2010	SNAG ISLAND ROADHOUSE	PRINTER INK, REFRESHMENTS, POST IT FLAGS		\$ 209.30
EFT2892	13/07/2010	STAR TRACK EXPRESS	FRIGHT - HONDA SHOP, WESTRAC, HERSEY		\$ 137.43
EFT2893	13/07/2010	RELIANCE PETROLEUM	UNLEADED		\$ 3,425.16
EFT2894	13/07/2010	TUSS CONCRETE	CONCRETE PRODUCTS		\$ 4,790.28

EFT2895	13/07/2010	WALTON'S STORES	FILTERS		\$ 23.05
EFT2896	13/07/2010	WESTRAC EQUIPMENT	CABLE - CW0011		\$ 363.16
EFT2897	13/07/2010	W A TREASURY CORPORATION	REPAYMENT LOAN#82		\$ 3,981.41
EFT2898	13/07/2010	WORLDWIDE TYRE SUPPLIES	TYRE REPAIRS CW0012 & CW0024		\$ 711.50
18434	09/06/2010	AUSTRALIAN TAXATION OFFICE	MAY BAS		\$ 30,483.00
18435	09/06/2010	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		\$ 190.00
18436	23/06/2010	PAYROLL DEDUCTION - SUPERANNUATION	SUPERANNUATION DEDUCTIONS		\$ 21,506.99
18437	23/06/2010	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		\$ 190.00
18438	07/07/2010	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		\$ 190.00
18477	25/06/2010	AUSTRALIAN COMMUNICATIONS AUTHORITY	RADIO & TV LICENSE RENEWALS		\$ 148.00
18478	25/06/2010	R B BOTHE & CO	GRAVEL FOR COOROW GREEN HEAD ROAD		\$ 2,772.00
18479	25/06/2010	GERALDTON MEDICAL GROUP	PRE PLACEMENT MEDICAL W.BUYING		\$ 121.00
18480	25/06/2010	RENDEZVOUS HOTELS (AUSTRALIA) PTY LTD	ACCOMMODATION - CR GIRANDO & CR MCDONALD		\$ 1,096.00
18481	25/06/2010	MCDONALD BJ	TRAVELLING & SITTING FEES		\$ 436.68
18482	25/06/2010	PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT - LEEMAN SERVER, RANGER PC, GH LIBRARY		\$ 1,278.00
18483	25/06/2010	SHIRE OF COOROW	LICENSES 2010/2011		\$ 5,827.35
18484	25/06/2010	SYNERGY	ELECTRICITY ACCOUNTS		\$ 10,322.65
18485	13/07/2010	MACKA'S ROADHOUSE	UNLEADED FUEL		\$ 68.01
18486	13/07/2010	COATES HIRE	HIRE OF GRADER		\$ 4,556.75
18487	13/07/2010	CRAKE FAMILY TRUST	FENCING FOR LEEMAN RUBBISH SITE		\$ 8,281.00
18488	13/07/2010	GREEN HEAD BUSHFIRE BRIGADE	STENCILLING OF STREET NUMBERS GREEN HEAD & LEEMAN		\$ 835.00
18489	13/07/2010	GARY GEORGE	SITTING FEES		\$ 60.00
18490	13/07/2010	H.F.KAU & CO	GRAVEL PURCHASE		\$ 5,170.00
18491	13/07/2010	LEEMAN FUEL & LIQUOR	DIESEL, COOLANT, GAS BOTTLE		\$ 366.69
18492	13/07/2010	LANDGATE	VALUATION CHARGES		\$ 193.48
18493	13/07/2010	DEBORAH MALEY	ACCOMMODATION AUDITORS		\$ 85.00
18494	13/07/2010	LEEMAN MEMORIAL GROUP	DONATION TO ANZAC DAY BREAKFAST 2010		\$ 300.00
18495	13/07/2010	MOBILE MASTERS	UHF HANDHELD RADIOS X2		\$ 1,056.00
18496	13/07/2010	PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT		\$ 1,650.00
18497	13/07/2010	BENJAMIN WILLIAM PLOZZA	REIMBURSEMENT FOR HAND HELD NOZZLES WARRADARGE BUSHFIRE BRIGADE		\$ 423.50
18498	13/07/2010	SYNERGY	STREET LIGHTING		\$ 2,675.40

18499	13/07/2010	STEWART & HEATON CLOTHING PTY LTD	PROTECTIVE CLOTHING- WABFB		\$ 2,308.24
18500	13/07/2010	SHIRE OF CHAPMAN VALLEY	PLANNING SERVICES MAY2010		\$ 704.25
18501	13/07/2010	HEATHER SEWELL	MATERIALS TO FIX WALL AT WARRADARGE FIRE SHED		\$ 32.76
18502	13/07/2010	TELSTRA	TELEPHONE ACCOUNT		\$ 2,008.62
18503	13/07/2010	TOLL IPEC PTY LTD	FREIGHT FOR BENCH WARRADARGE FIRE SHED		\$ 215.13
18504	13/07/2010	WILLIAMS AK & P	SITTING FEES		\$ 60.00
13100610	16/06/2010	BANKWEST	MASTERCARD DCEO		\$ 2,954.93
			MASTERCARD CEO		\$ 207.48
			MASTERCARD PWS		\$ 424.50
			MASTERCARD MRS		\$ 498.50
71010710	01/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,106.20
71020710	02/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 116.00
71050710	05/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 648.10
71060710	06/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,402.35
71070710	07/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 53.05
71080710	08/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 598.30
71090610	09/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,069.00
71090710	09/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 223.60
71100610	10/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 894.50
71110610	11/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 270.90
71120710	12/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,076.25
71140610	14/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 107.85
71150610	15/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,848.05
71170610	17/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 758.55
71210610	21/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 637.56
71220610	22/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 3,008.50
71230610	23/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,925.50
71240610	29/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 605.15
71250610	25/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,515.05
71280610	28/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 7,058.50
71290610	29/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 2,177.25
71300610	30/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,640.35
72010710	01/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,867.10
72020710	02/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 759.55
72050710	05/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 651.40
72060710	06/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 687.10

72070710	07/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 262.15
72080710	08/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 221.25
72090610	09/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 237.60
72090710	09/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,170.80
72100610	10/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 917.95
72110610	11/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 2,246.05
72120710	12/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 173.05
72130710	13/07/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 386.60
72140610	14/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 445.15
72150610	15/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 335.95
72160610	16/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 151.90
72170610	17/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 796.15
72180610	18/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 902.40
72210610	21/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,810.55
72220610	22/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 98.45
72230610	29/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 322.50
72240610	24/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 309.40
72250610	25/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 383.00
72280610	28/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 678.70
72290610	29/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 812.70
72300610	30/06/2010	TRANSPORT DEPT OF	TRANS LICENSING		\$ 759.40
DDEBIT	21/07/2010	PAYROLL	PAYROLL		\$ 42,635.00
DDEBIT	23/06/2010	PAYROLL	PAYROLL		\$ 43,102.00
DDEBIT	07/07/2010	PAYROLL	PAYROLL		\$ 41,993.00
				\$800.00	\$496,845.73

10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – JUNE 2010

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 July 2010
ATTACHMENT	10.4.2 Statement of Financial Activity to 30 June 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 June 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 June 2010 as prepared and presented by the Deputy Chief Executive Officer.

RESOLUTION: **2010/132**

Moved: Cr Bothe

Seconded: Cr Williams

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

***CARRIED 8/0
Simple Majority***

10.4.3 2010/2011 ANNUAL BUDGET ADOPTION

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	20 July 2010
ATTACHMENTS	10.4.3 2010/11 Draft Budget
FILE	Budget 2010/11

SUMMARY:

Council's 2010/2011 Budget is presented to Council for adoption.

BACKGROUND:

Council considered the first Draft Budget at the Budget Workshop meeting held on Wednesday 16 June 2010 at the Leeman Administration Centre.

COMMENT:

A budget workshop was held on 20 June 2010 and the Draft 2010/11 Budget was presented for discussion.

STATUTORY ENVIRONMENT:

Council's 2010/2011 Budget documents contain a number of items that require adoption by Council under the Local Government Act 1995. These are in accordance with:

- As per Section 6.32 (1) of the Local Government Act 1995, Rates and Minimum Rates to be levied on all rateable property be as follows:

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2010/11 Budgeted Rate
Differential General Rate				
GRV – Town	11.2030	793	6,786,868	760,333
UV - Agricultural	1.1940	201	110,907,000	1,324,230
UV - Mining	7.7800	16	704,471	54,808
Total		1181		
	Minimum			
Minimum Rates	\$			
GRV – Town	600	120	473,033	72,000
UV - Agricultural	600	7	90,800	4,200
UV - Mining	600	26	47,691	15,600
Total		153		
Total Rates Levied		1334	119,009,863	2,231,171

- As required by Section 6.37 of the Local Government Act 1995, specified rates are to be levied on rateable properties as follows:

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	20010/11 Budgeted Rate
Specified Area Rate				
GRV – Leeman	0.11114	314	\$3,925,560	\$4,363
GRV – Green Head	0.11114	496	\$2,721,813	\$3,025
GRV – Coorow	0.28700	95	\$533,170	\$1,588
UV – Coorow	0.02075	215	\$111,038,300	\$23,037
Total		1,120	\$118,238,843	\$32,013

- Differential rating has been adopted in the past for Unimproved Values based on the land use of either Agriculture or Mining. Council has advertised the proposed differential rates, as required by Section 6.36 of the Local Government Act 1995, and no submissions have been received;
- Section 6.33(3) of the Local Government Act 1995 requires that the Minister for Local Government's approval be sought for the imposing of differential rates which are more than twice the lowest differential general rate;
- Section 6.35 (5) of the Local Government Act 1995 requires that the Minister for Local Government's approval be sought for the imposing of a minimum payment where the number of separately rated properties in the district on which a minimum payment is imposed is greater than 50%;
- Section 6.46 of the Local Government Act a discount of 5% be allowed for payment of rates in full within 35 days of the date of issue of the rate notice;
- Section 6.45 of the Local Government Act a 5.5% interest charge be levied on rates instalments, Deferred Pensioners Rates' excluded;
- Section 6.51 of the Local Government Act an 11% interest charge be levied on all overdue rates outstanding, Deferred Pensioners' Rates excluded;
- Section 6.45 of the Local Government Act an administration charge of \$5 be levied for the second and each of the subsequent rates instalments;
- Section 6.32 (1) of the Local Government Act 1995 the Schedule of Rents, Leases and Charges as detailed in the budget document;
- Section 64 (2) of the Local Government (Financial Management) Regulations 1996 that the due date for instalments be set as follows:

Two Instalment Option

1st Instalment due 16 September 2010
2nd Instalment due 16 January 2011

Four Instalment Option

1st Instalment due 16 September 2010
2nd Instalment due 16 November 2010
3rd Instalment due 16 January 2011
4th Instalment due 16 March 2011

- Section 6.19 of the Local Government Act 1995 requires a local government to give local public notice of any fees or charges it wishes to impose after adoption of the annual budget.

FINANCIAL AND POLICY IMPLICATIONS:

The budget sets the Council approved expenditure for the 2010/2011 financial year.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Absolute Majority for all Recommendations.

OFFICER RECOMMENDATIONS:**Recommendation 1:****MUNICIPAL FUND BUDGET**

That the Municipal Fund Budget, showing rates to be levied at (to be tabled) be applied by the Shire of Coorow for the 2010/2011 financial year.***STRIKING OF RATES***

That the Rates and Minimum Rates to be levied on all rateable property be as follows:

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2010/11 Budgeted Rate
Differential General Rate				
GRV – Town	11.2030	793	6,786,868	760,333
UV - Agricultural	1.1940	201	110,907,000	1,324,230
UV - Mining	7.7800	16	704,471	54,808
Total		1181		
	Minimum			
Minimum Rates	\$			
GRV – Town	600	120	473,033	72,000
UV - Agricultural	600	7	90,800	4,200
UV - Mining	600	26	47,691	15,600
Total		153		
Total Rates Levied		1334	119,009,863	2,231,171

Recommendation 2:

That a specified area rate be levied on rateable properties as follows:

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2010/11 Budgeted Rate
Specified Area Rate				
GRV – Leeman	0.11114	314	\$3,925,560	\$4,363
GRV – Green Head	0.11114	496	\$2,721,813	\$3,025
GRV – Coorow	0.28700	95	\$533,170	\$1,588
UV – Coorow	0.02075	215	\$111,038,300	\$23,037
Total		1,120	\$118,238,843	\$32,013

Recommendation 3:

That Council:

1. apply to the Minister for Local Government for approval to impose differential rates which are more than twice the lowest differential general rate;
2. apply to the Minister for Local Government for approval to impose a UV Mining minimum payment where the number of separately rated UV Mining properties in the district on which a minimum payment is imposed is greater than 50%.

Recommendation 4:

ADOPTION OF DISCOUNT FOR EARLY PAYMENT OF RATES

That a discount of 5% be offered on current rates 2010/2011 for early payment of rates, subject to the payment of all rates, rubbish charges and arrears within 35 days of the date of issue of Council's 2010/11 rate notice.

Recommendation 5:

INSTALMENT PLAN INTEREST RATE

- That a charge be levied at 5.5% per annum calculated by simple interest method and applied to rates and rubbish removal charges to be paid by instalments, after the first payment is made, Deferred Pensioners Rates' excluded;

LATE PAYMENT INTEREST RATE

- That a charge be levied at 11% per annum calculated by simple interest method and be applied where the instalment option is not in place, (35 days after the date of issue of the rate notice), to all overdue rates, service and rubbish charges, Deferred Pensioners Rates' excluded;

INSTALMENT PLAN ADMINISTRATION CHARGE

- That an administration charge of \$5.00 per instalment be levied , excluding the first instalment payment (required within 35 days from the date of issue of the rates notice) and applied to rates and rubbish removal charges;

INSTALMENT PLAN DATES

- the due date for instalments of rates payments be set as follows;

Two Instalment Option

1 st Instalment due	16 September 2010
2 nd Instalment due	16 January 2011

Four Instalment Option

1 st Instalment due	16 September 2010
2 nd Instalment due	16 November 2010
3 rd Instalment due	16 January 2011
4 th Instalment due	16 March 2011

Recommendation 6:

That the Radio and Television Rebroadcasting Service Charge be set at \$30 per property and applied to properties within the town sites of Leeman, Green Head & Coorow, including vacant property, with Pensioner eligible for a discount 50% discount on the full charge.

Recommendation 7:

ADOPTION OF 2010/11 FEES AND CHARGES

- That Council adopt the 2010/11 Budget Schedule of Fees and Charges including Rents, Leases etc.
- Rubbish Removal Service Charges

Rubbish service charges of:

Domestic Rubbish Removal

\$200.00* first weekly service 240 Litre MGB

\$220.00 extra weekly service 240 Litre MGB

Eligible Pensioners domestic Rubbish removal charge;

\$120.00* first weekly service 240 Litre MGB

\$132.00 extra weekly service 240 Litre MGB

Commercial/Industrial Rubbish Removal

\$200.00 Commercial/Industrial Rubbish (First service 240 Litre MGB)

\$1,470.00 Commercial/Industrial Rubbish (First Service - 1.5m³ Bulk Bin)

\$2,150.00 Commercial/Industrial Rubbish (First Service - 3m³ Bulk Bin)

be applied to each property serviced by the compulsory rubbish disposal contract, in accordance with the provisions of the Health Act 1911.

*indicates GST free

VARIOUS FEES AND CHARGES

Recommendation 8:

That the following items be adopted:

- i) Councillors' Meeting attendance fees

Attendance at Council meetings	\$60
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- ii) Shire President's Attendance Fee and Allowances as per s5.98

Attendance at Council meetings	\$120
--------------------------------	-------

iii) Allowance for Information Technology expenses

That an amount of \$250 per elected member for the 2010/2011 Budget.

Recommendation 9:

That Council adopt the Revenue and Expenditure as detailed in the 2010/2011 Budget.

Recommendation 10:

That Council sets its levels of material variances that need to be reported on at 10% and/or greater than \$10,000.

RESOLUTION: **2010/133**

Moved: Cr Waite

Seconded: Cr Williams

That Recommendations 1-8 and Recommendation 10 be moved EN BLOC with Recommendation 6 amended to read as follows:

Recommendation 6:

That the Radio and Television Rebroadcasting Service Charge be set at \$32 per property and applied to properties within the town sites of Leeman, Green Head & Coorow, excluding vacant property, with Pensioner eligible for a discount 50% discount on the full charge.

That Recommendation 7 (commercial/Industrial Rubbish Removal be amended as follows):

Commercial/Industrial Rubbish Removal

\$200.00 Commercial/Industrial Rubbish (First service 240 Litre MGB)

\$1,470.00 Commercial/Industrial Rubbish (First Service - 1.5m³ Bulk Bin)

\$2,300.00 Commercial/Industrial Rubbish (First Service - 3m³ Bulk Bin)

be applied to each property serviced by the compulsory rubbish disposal contract, in accordance with the provisions of the Health Act 1911.

**indicates GST free*

CARRIED 8/0
By Absolute Majority

RESOLUTION:

2010/133

Moved: Cr Waite

Seconded: Cr Williams

That Recommendations 1-8 and Recommendation 10 be moved EN BLOC with Recommendation 6 amended to read as follows:

Recommendation 6:

That the Radio and Television Rebroadcasting Service Charge be set at \$32 per property and applied to properties within the town sites of Leeman, Green Head & Coorow, including vacant property, with Pensioner eligible for a discount 50% discount on the full charge.

And that Recommendation 7 (commercial/Industrial Rubbish Removal be amended as follows):

Commercial/Industrial Rubbish Removal

\$200.00 Commercial/Industrial Rubbish (First service 240 Litre MGB)

\$1,470.00 Commercial/Industrial Rubbish (First Service - 1.5m3 Bulk Bin)

\$2,300.00 Commercial/Industrial Rubbish (First Service - 3m3 Bulk Bin)

be applied to each property serviced by the compulsory rubbish disposal contract, in accordance with the provisions of the Health Act 1911.

****indicates GST free***

Resolution amended refer to 18 August 2010 Council Minutes

RESOLUTION:

2010/134

Moved: Cr Bothe

Seconded: Cr Williams

Recommendation 9:

That Council adopt Recommendation 9 the Revenue and Expenditure as detailed in the 2010/2011 Budget.

***CARRIED 8 /0
By Absolute Majority***

10.4.4 ESTABLISHMENT OF A 24HR / 7 DAY WEEK EMERGENCY INFORMATION SERVICE

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	20 July 2010
ATTACHMENTS	
FILE	ADM 0091

BACKGROUND:

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

RECOMMENDATION

That the Shire of Coorow:

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

RESOLUTION: **2010/98**

Moved: Cr Girando

Seconded: Cr Williams

That the Shire of Coorow:

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

CARRIED 8 /0

The Shire of Coorow has received a quotation from ML Communications with 3 options for the establishment of a 24 hr / 7 day a week Emergency Service.

The cost of the Messagebank Away

- Installation \$44.00
- Monthly Rental \$16.50

Calling access to the Messagebank

1. Call Messagebank (089487xxxx) direct-Caller pays cost of call
2. Call via 1800 number-Caller does not pay Shire pays 16.5cents/minute regional 24.2 cents/minute state wide Minimum call 1 minute
3. Call via 1300 number-Caller pays 30 cents per call Shire pays 16.5cents/minute regional 24.2 cents/minute state wide No minimum call charge.

Set up fee for per 1300 or 1800	\$99.00 inc GST
Monthly Rental	\$27.50 per month

COMMENT:

The Shire of Coorow is awaiting conformation from FESA that this is not an eligible ESL expense.

The officer investigation of the Emergency Service Levy Local Government Manual for capital and operational Grants 2010/11, has revealed this is not a eligible expense that may be recouped

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

\$500 allowance made in Draft Budget 2010/11

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATIONS:

That the Shire of Coorow proceed with option ---- for the 24hr/7day a week Emergency Service.

RESOLUTION: **2010/135**

Moved: Cr Girando

Seconded: Cr Williams

That the Shire of Coorow proceed with option 1 for the 24hr/7day a week Emergency Service and;

That this service be widely advertised and;

That the Chief Executive Officer be responsible for ensuring the operation of the service and Delegation of a Responsible Person

CARRIED 8/0
By Absolute Majority

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

I Councillor Allan Williams give notice that I intend to move the following notice of motion:

That the Shire of Coorow:

- In conjunction with the Shire of Carnamah form a group of four Councillors with the aim of forming a regional planning group and invite the Shires named in our original submission to join the group.

I Councillor Allan Williams give notice that I intend to move the following notice of motion:

That the Shire of Coorow:

- Request the CEO produce a dedicated plan to move the Coorow Administration to the coast complete with a time schedule, building plan and housing agenda
- Money be placed in this upcoming budget for the plan.
- That the plan be submitted to the Amalgamation Committee as the Coastal offices for the new amalgamated Shire.

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

12.1 LATE ITEMS – APPROVAL TO CONSIDER

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	27 July 2010
FILE:	ADM0306

SUMMARY:

Council is being requested to consider a Late Agenda Item to appoint the Bush Fire Control Officer for the Shire of Coorow and to adopt the Fire Break Notice for the 2010/2011 Bush Fire Season.

COMMENT:

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

STATUTORY ENVIRONMENT:

Shire of Coorow – Standing Orders Local Law 1999

Section 2.10:

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

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

(1) Subject to any deferral under clause 3.7 or other decision of the Council or committee, this motion, if carried, causes the general public and any officer or employee the Council or committee determines to leave the room.

(2) While a decision made under this clause is in force the operation of clause 9.5 limiting the number of speeches a member of the Council may make, is suspended unless the Council decides otherwise.

(3) Upon the public again being admitted to the meeting the person presiding, unless the Council or committee decides otherwise, is to cause the motions passed by the Council or committee whilst it was proceeding behind closed doors to be read out including the vote of a member or members to be recorded in the minutes under section 5.21 of the Act.

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

FINANCIAL, POLICY AND STRATEGIC IMPLICATIONS:

There appear to be no implications in this regard.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION:

That the Late Agenda Item to appoint the Bush Fire Control Officer for the Shire of Coorow and to adopt the Fire Break Notice for the 2010/2011 Bush Fire Season.

RESOLUTION:

2010/136

Moved: Cr Bothe

Seconded: Cr Williams

That the Late Agenda Item to appoint the Bush Fire Control Officer for the Shire of Coorow and to adopt the Fire Break Notice for the 2010/2011 Bush Fire Season be accepted

CARRIED 8/0
Simple Majority

Moved: Cr Bothe

Seconded: Cr George

That the Late Agenda Item to appoint the Bush Fire Control Officer for the Shire of Coorow and to adopt the Fire Break Notice for the 2010/2011 Bush Fire Season be accepted

Resolution amended refer to 18 August 2010 Council Minutes

12.1.1 APPOINTMENT OF BUSH FIRE CONTROL OFFICERS

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	26 July 2010
FILE	ADM0306

SUMMARY:

Council is being requested to appoint the Bush Fire Control Officer for the Shire of Coorow.

BACKGROUND:

In August each year, Council's Bushfire Advisory Committee (BFAC) meets to appoint Bush Fire Control Officers and set prohibited and restricted burning times. Council then resolves on the recommendations from the Bush Fire Advisory Committee.

COMMENT:

Since the last Bush Fire Advisory Committee meeting, there has been some restructuring of Volunteer Bush Fire Brigades within the Shire of Coorow.

This has led to some of the Bush Fire Control Officers no longer being current.

Following is a list of the Fire Control Officers upon recommendation from the BFAC:

Chief Bush Fire Control Officer	John Browne
Deputy Chief Bush Fire Control Officer (West)	Ben Plozza
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, Dave Morton, Geoff Angwin, Stuart Billingham, Ben Plozza, Ian Falconer, Graeme Maley, Kelvin Bean.

All other appointments are to be cancelled.

If Council accepts the above list as Fire Control Officers, Council will need to advertise these appointments.

STATUTORY ENVIRONMENT:

Bush Fires Act (1954)

Various sections including:

17. Prohibited burning times may be declared by Minister

18. Restricted burning times may be declared by Authority

33. *Local government may require occupier of land to plough or clear firebreak*
38. *Local government may appoint bush fire control officer*

STRATEGIC IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Council Policies:

- 4.1.3 Duties of a Bush Fire Control Officer
- 4.1.26 Profiles of a Bush Fire Control Officer

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION:

That Council:

Adopt and advertise the Bush Fire Control Officers as recommended by the Shire of Coorow Bush Fire Advisory Committee from their meeting held on the 24 July 2010 as follows.

Chief Bush Fire Control Officer	John Browne
Deputy Chief Bush Fire Control Officer (West)	Ben Plozza
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, Dave Morton, Geoff Angwin, Stuart Billingham, Ben Plozza, Ian Falconer, Graeme Maley, Kelvin Bean.

RESOLUTION:

2010/137

Moved: Cr Mc Donald

Seconded: Cr McTaggart

That Council:

Adopt and advertise the Bush Fire Control Officers as recommended by the Shire of Coorow Bush Fire Advisory Committee from their meeting held on the 24 July 2010 as follows.

Chief Bush Fire Control Officer

John Browne

Deputy Chief Bush Fire Control Officer (West)

Ben Plozza

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, Dave Morton, Geoff Angwin, Stuart Billingham, Ben Plozza, Ian Falconer, Graeme Maley, Kelvin Bean

***CARRIED 8/0
Simple Majority***

12.1.2 ADOPTION OF 2010/11 FIREBREAK NOTICE

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	26 July 2010
ATTACHMENT	2010/11 Fire Break Notice 12.1.2
FILE	ADM0306

SUMMARY:

Council is being requested to adopt the Fire Break Notice for the 2010/2011 Bush Fire Season.

BACKGROUND:

In August each year, Council's Bushfire Advisory Committee meets to appoint Bush Fire Control Officers and set prohibited and restricted burning times. Council then resolves on the recommendations from the Bush Fire Advisory Committee.

COMMENT:

The Shire of Coorow Annual Bush Fire Advisory Committee (BFAC) meeting was held Friday July 24 2010. The minutes of this meeting will be presented to Council at the August 2010 Ordinary Meeting for adoption.

It is requested that Council adopt the 2010/11 Fire Break Notice upon recommendation from the BFAC to allow for thorough advertising prior to the commencement of the 2010/11 Fire Season.

The area that has been changed IN THE Firebreak Order is the following section.

2010/11 Fire Break Notice

2 TOWNSITES

Coorow, Leeman and Green Head, all town site lots must be cleared or slashed to a maximum height of 10 cm (not ploughed or rotary hoed) by 31 October. (For the purpose of this notice, trees, shrubs and plants in established gardens do not constitute inflammable material).

The 2009/10 Fire Break Order Section 2 is as follows:

2009/10 Fire Break notice

2 TOWNSITES

Coorow, Leeman and Green Head, all townsite lots must be cleared and kept clear of all accumulation of inflammable materials. (For the purpose of this notice, trees, shrubs and plants in established gardens do not constitute inflammable material).

The Fire Break Notice is included at **Attachment 12.1.2**

STATUTORY ENVIRONMENT:

Bush Fires Act (1954)

Various sections including:

17. Prohibited burning times may be declared by Minister

18. Restricted burning times may be declared by Authority

33. Local government may require occupier of land to plough or clear firebreak

38. Local government may appoint bush fire control officer

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Council Policies:

4.1.2 Bush Fire Advisory Committee

4.1.11 Bush Fire Control

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

Advertising will commence once adopted. The 2010/11 Fire Break Notice is sent out with the annual rates notices.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt the 2010/11 Fire Break Notice as included at Attachment 12.1.2

RESOLUTION:

2010/138

Moved: Cr McTaggart

Seconded: Cr Jack

That Council adopt the 2010/11 Fire Break Notice as included at Attachment 12.1.2

***CARRIED 8/0
Simple Majority***

BUSH FIRES ACT 1954
SHIRE OF COOROW

NOTICE TO ALL OWNERS AND OCCUPIERS OF LAND WITHIN THE SHIRE
OF COOROW

FIREBREAKS:

Pursuant to the powers in Section 33 of the Bush Fires Act, you are hereby required on or before 31 OCTOBER 2009 to plough, scarify, slashed, cultivate or otherwise clear and thereafter keep clear of all inflammable material until 29 MARCH 2010 firebreaks (of not less than two (2) metres in width) in the following dimensions on the land owned or occupied by you:

1. RURAL LAND

Firebreaks of not less than two (2) metres in width immediately inside and along the whole of the external boundaries of the property or properties owned or occupied by you. In addition, where buildings or haystacks are situated on the property, additional firebreaks not less than 3.5 metres in width must be provided within 100 metres of the perimeter of such buildings or haystacks, in such manner as to completely encircle the buildings, haystacks or fuel pumps.

2. TOWNSITES

Coorow, Leeman and Green Head, all town site lots must be cleared or slashed to a maximum height of 10 cm (not ploughed or rotary hoed) by 31 October. (For the purpose of this notice, trees, shrubs and plants in established gardens do not constitute inflammable material).

3. FUEL DUMPS AND/OR DEPOTS

All grass and inflammable material is to be cleared from areas where fuel is stored and such areas are to be maintained free of grass and similar inflammable material until **29 MARCH 2011**

HARVESTING AND STRAW RAKING, BALING AND CHAINING OPERATIONS

A person shall not operate any harvesting machine or header or undertake straw raking, baling or chaining activities in any crop or paddock during the restricted and prohibited period unless a readily mobile firefighting unit containing a minimum of 400 liters of water capacity powered by an engine driven pump is in attendance in or adjacent to the entrance of the paddock being harvested, raked, baled or chained.

GENERAL PROVISIONS

The term "*Inflammable Material*" for the purpose of this notice includes bush (as defined in the Bush Fires Act 1954), timber, boxes, cartons, paper, and the like inflammable materials, rubbish and any combustible matter, but does not include buildings, green standing trees and bushes or growing bushes or plants in gardens or lawns.

If it is considered to be impractical for any reason to provide firebreaks in the position or adhere to the provisions required by this notice, the written approval of a Bush Fire Control Officer must be obtained to prepare such firebreaks in an alternative position.

If permission is not granted by a duly authorized officer you shall comply with the requirements of this order.

A “*Total Movement Ban*” includes the movement of vehicles in paddocks, except vehicles carrying water to stock and inspecting water supplies to stock.

Harvesting is not permitted on Christmas Day and New Years Day. Harvesting is permitted on all Sundays and other Public Holidays except where a harvesting or movement of vehicles ban has been imposed due to extreme weather conditions.

The penalty for failing to comply with this order is a fine of not more than one thousand dollars (\$1,000) and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed by this notice, if it is not carried out by the owner or occupier by the date required by this notice.

Council may, in default of compliance with this Order, enter upon the land and perform the requisite works and the owner or occupier shall be responsible for the costs of performing such works.

RESTRICTED BURNING PERIODS:

COASTAL PORTION: *(From Coast East to Mudge-Willcocks Road)*
29 September 2010 to 31 October 2010
15 February 2011 to 29 March 2011

DISTRICT GENERALLY: *(Remainder)*
16 September 2010 to 14 October 2010
15 February 2011 to 29 March 2011

PROHIBITED BURNING PERIOD:

COASTAL PORTION: *(From Coast East to Mudge-Willcocks Road)*
1 November 2010 to 14 February 2011

DISTRICT GENERALLY: *(Remainder)*
15 October 2010 to 14 February 2011

Chief Bush Fire Control Officer	John Browne
Deputy Chief Bush Fire Control Officer (West)	Ben Plozza
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, Dave Morton, Geoff Angwin, Stuart Billingham, Ben Plozza, Ian Falconer, Graeme Maley, Kelvin Bean
All other appointments are cancelled.

Mark J Hook
Chief Executive Officer

13. MATTERS BEHIND CLOSED DOORS:

10.1.8 ALCOHOL AND DRUG POLICY

Council resolved to discuss this item behind closed doors as they felt it was of a sensitive nature. The item for ease of recording has been left in its original chronological order.

14. DATE OF NEXT MEETING:

14.1 ORDINARY MEETING OF COUNCIL

Wednesday 18 August 2010 at Leeman Administration Centre from 3pm

15. CLOSURE:

There being no further business the President, Cr Girando closed the Meeting at 5.25pm.