



Minutes

(Unconfirmed)

Ordinary Meeting

September 2011

Notice of an Ordinary Council Meeting

The next Ordinary Meeting of the Shire of Coorow will be held on Wednesday 21 September 2011, held at the Leeman Administration Centre from 3pm.

Mark J Hook
Chief Executive Officer



DISCLAIMER

No responsibility whatsoever is implied or accepted by Shire of Coorow for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with Staff. Shire of Coorow disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of Shire of Coorow during the course of any meeting is not intended to be and is not taken as notice of approval from Shire of Coorow. The Shire of Coorow warns that anyone who has an application lodged with Shire of Coorow must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Coorow in respect of the application.

Signed on behalf of Council

A handwritten signature in blue ink, appearing to read "Mark J Hook".

Mark J Hook
Chief Executive Officer

SHIRE OF COOROW
QUESTIONS FROM THE PUBLIC

Any member of the public wishing to participate in Public Question Time during Council or Committee meetings is welcome to do so, however, Council requires your name, address and written questions to be provided to the meeting secretary.

NAME: _____

SIGNATURE: _____

ADDRESS: _____

TELEPHONE: _____

MEETING/DATE: _____

NAME OF ORGANISATION REPRESENTING (if applicable):

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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SHIRE OF COOROW QUESTIONS FROM THE PUBLIC

The Shire of Coorow welcomes community participation during public question time. The following is a summary of procedure and a guide to completion of the required form.

- a. The person asking the question is to give their name and address prior to asking the question.
- b. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
- c. In order to provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating of the issue between the Gallery, Councillors or Officers is permissible.
- d. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
- e. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes.
- f. Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).
- g. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order' and the question will not be recorded in the minutes.
- h. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being totally comprehensive.
- i. Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
- j. Public Question Time is set for a maximum period of 15 minutes, and will terminate earlier should no questions be forthcoming.
- k. To enable all members of the public a fair and equitable opportunity to participate in Public Question Time, each person shall be provided a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor'). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
- l. Questions to be asked at the meeting will be registered, and the priority for asking questions shall be firstly 'questions on which written notice has been given prior to the meeting' (that is, prior to 12 noon on the day immediately preceding the meeting) and secondly, 'questions from the floor'.
- m. Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (in accordance with the register) ask a further two questions (with a two minute time limit) until the initial period for Public Question Time has expired.
- n. Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

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

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 A Williams
Councillor G George
Councillor B J McDonald

President
Deputy President

Mr S D Billingham
Mr D R Hadden
Mr K Bean
Mrs B Johnson

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

Leave of Absence/Apologies

Chief Executive Officer, Mr Mark Hook on Annual Leave
Cr D McTaggart

Declarations of Interest

Councillor/Officer	Item	Interest	Nature
Cr Jack	10.1.4	Proximity Impartial	Exemption to keep more than 2 Dogs

Visitor

Mr Damien Rackemann

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

4. PUBLIC QUESTION TIME:

Mr D Rackemann asked the question about TV reception
The President and acting Chief Executive Officer explained the situation to Mr Damien Rackemann and informed that ML Communications are repairing the problems.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

COUNCILLOR	FROM	TO
Cr Williams	22/09/2011	05/10/2011
Cr Williams	10/10/2011	18/10/2011
Gr George	06/10/2011	06/10/2011
Cr George	15/10/2011	25/10/2011
Cr J Waite	24/09/2011	04/10/2011

The following Councillors requests Leave of Absence from Council meetings and duties:

RESOLUTION:

2011/143A

Moved: Cr Bothe

Seconded: Cr Williams

That Council Grant Leave of Absence to:

Cr Williams granted Leave of Absence from 22 September 2011 to 5 October 2011

Cr Williams granted Leave of Absence from 10 October 2011 to 18 October 2011

Cr George granted Leave of Absence for 06 October 2011

Cr George granted Leave of Absence from 15 October 2011 to 25 October 2011

Cr Waite granted Leave of Absence from 24 September 2011 to 04 October 2011

CARRIED 7/0
Simple Majority

6. PETITIONS/DEPUTATIONS/PRESENTATIONS:

7. CONFIRMATION OF MINUTES:

7.1	ORDINARY MEETING HELD WEDNESDAY 17 AUGUST 2011 AT THE WARRADARGE COMMUNITY HALL
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AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	25 August 2011

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting held on Wednesday 17 August 2011 be confirmed as a true and correct record.

RESOLUTION:

2011/143

Moved: Cr Bothe

Seconded: Cr Jack

That the Minutes of the Ordinary Meeting held on Wednesday 17 August 2011 be confirmed as a true and correct record with the following amendments.

Visitors

Mrs Heather Sewell
Mr John Browne
Mr Geoff Angwin
Mr Graham Grover

Page 7: Add the word “between” to dot point 2

- to approach Main Roads to erect caravan jack-knife signs on the Brand Highway, between Beros Road and Tootbardie Road and;

Page 7: Delete

Mr John Browne – Warradarge Bush Fire Brigade made a short presentation in public question time.

(As there was no presentation given.)

Page 17 Delete

That Council provide \$1,000 from its donation account and provide in-kind support to the Invasive Species Management Plan proposed by the Northern Agricultural Catchment Council.

Resolution to read as follows

RESOLUTION:

2011/111

Moved: Cr Waite

Seconded: Cr George

That the Shire of Coorow informs NACC that the Council supports the initiative of Invasive Species Plans and that the Council will make its decision in relation to providing in-kind support and cash once Council is aware of what will be the full cost of the Shire.

**CARRIED 8/0
Simple Majority**

RESOLUTION:

2011/114

Moved: Cr McTaggart

Seconded: Cr Bothe

OFFICER 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 11 August 2011 as follows.

Chief Bush Fire Control Officer

James Raffan

Deputy Chief Bush Fire Control Officer (West)

Ben Plozza

CARRIED 8/0
Absolute Majority

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	25 August 2011

OFFICER RECOMMENDATION:**RESOLUTION: 2011/144**

Moved: Cr Waite

Seconded: Cr Williams

That the Minutes of the Bush Fire Advisory Committee Meeting held on Thursday 11 August 2011 be received.

***CARRIED 7 /
Simple Majority***

Councils Resolution differed from Officers Recommendation as Bush Fire Advisory Committee Meeting be received not confirmed

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.

Last Meeting as 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:

Nil

10. **REPORTS:**

10.1 **CHIEF EXECUTIVE OFFICER:**

10.1.1 JURIEN BAY & MORAWA SUPERTOWNS COMMUNITY REFERENCE GROUP - REPRESENTATIVES

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	31 August 2011
ATTACHMENT	Nil
FILE	ADM0513

SUMMARY:

Council is being asked to nominate representatives for the Jurien Bay & Morawa Super Towns Community Reference Group (CRG).

BACKGROUND:

The Shire President has received the following letter from the Shire of Morawa regarding The Shire of Morawa being a Super Town and requesting the Shire President to be a representative on the Morawa Super Towns Reference Group.

Super Towns Invitation

The Shire of Morawa was recently announced as one of nine Super Towns in Western Australia.

The Super Towns initiative supports regional towns to prepare for the future so they can take advantage of opportunities created by WA's population growth to 2050.

Super Towns will build on the natural population growth and the unique geographical and economic advantages of each town. The initiative also seeks to create the new business opportunities required to attract investment and generate the jobs required to attract more people to live in those towns.

For Morawa to reach its full potential, it is essential that neighbouring communities, such as Coorow, become engaged in a process to determine the needs and wants of these communities into the future. It is only through the provision of services that meets the needs of your community that the success of this initiative will be realised.

The Shire of Morawa would like to invite you to be part of a Morawa Super Towns Reference Group to provide input and advice as plans and activities are developed going forward. Your involvement would include participation at semi regular Reference Group meetings, including voting entitlements as the initiative gains momentum.

It would be greatly appreciated if you could advise the undersigned of your interest or otherwise in participating and being a key representative of the Morawa Super Towns Reference Group.

Thanking you in anticipation.

Yours faithfully,



Karen Chappel
Shire President

The Chief Executive Officer has also received the following letter from the Shire of Dandaragan

Via email to markh@coorow.wa.gov.au

Dear Mark

JURIEN BAY SUPERTOWNS COMMUNITY REFERENCE GROUP

Further to our conversation on the 9 August 2011, I write to confirm that as part of the SuperTowns process, the Shire of Dandaragan will be establishing a Community Reference Group (CRG), which will provide an advisory role to the Local SuperTown Project Team. I have enclosed a copy of the proposed governance structure for your reference.

The Shire is also seeking to involve the neighbouring towns in the CRG as any investment in Jurien Bay will need to consider the needs of the wider community, and the types of services required by the surrounding towns.

The membership of the CRG is predominately community based and we would welcome the input from a representative for the Shire of Coorow.

If you could please advise if the Shire of Coorow have a suitable candidate for representation on the Jurien Bay SuperTowns CRG that would be appreciated.

If you require further information or have any queries, please feel free to contact me on 9652 0800 or via email tnottle@dandaragan.wa.gov.au.

Yours faithfully



Tony Nottle
CHIEF EXECUTIVE OFFICER

Council has also received the following emails from the Dandaragan CEO Mr Tony Nottle

Further to my letter and email I understand you will be presenting this to your forum this week.

At our Council's forum last week it was decided that our Councillors will not be a part of the CRG and will be keeping the membership of the group at a Community level. It was felt this was best to ensure Community input as well as ensuring the discussion does not delve unnecessarily into the "structural reform debate" which has surrounded some other Super Town discussions around the State.

At present the membership of the group is proposed as follows:

*Jurien Bay Chamber of Commerce
Jurien Bay DHS P&C
Indigenous Rep
Jurien Bay Ratepayers Assoc.
Cervantes Chamber of Commerce
Central West Senior Citizens
Department of Environment & Conservation
Greenhead Leeman
Central Coast Health Advisory
Rural Representative*

Staff at both the Shire of Dandaragan and the Wheatbelt Development Commission will be present and provide the necessary information; however we will be ensuring that the group is independently chaired by one of the representatives.

We would welcome any input into any community leaders that would fit the bill for the Greenhead/Leeman rep.

Thanks Mark, there is only space for one on the CRG but Shane and I will be looking at having a catch up with you, your president and deputy in the next week or so to give you all a run-down prior to the launch on the 14th.

The Regional Centres Development Plan (Super Towns) is a Royalties for Regions initiative to encourage regional communities in the southern half of the state to plan and prepare for the future so they can take advantage of opportunities created by Western Australia's population growth to 2050. WA's population is predicted to more than double over the next 40 years to 4.9 million people.

The Super Towns vision is to have balanced communities, with lifestyle options and access to services. They will have affordable, quality housing and a diverse range of job opportunities. The towns will offer more choices for people to live in regional areas and an attractive alternative to living in the metropolitan area.

Selected Towns under the Super Towns Program

- Katanning
- Collie
- Esperance
- Northam
- Jurien Bay
- Morawa
- Boddington
- Manjimup
- Margaret River

COMMENT:

It is of importance for Council to have representatives on the Community Reference Groups due to it being Royalties for Regions initiative to plan and prepare for the future.

If Council agree with the Shire of Dandaragan that a Community member and not a Councillor be appointed to the Jurien Bay Community Reference Group it would be beneficial if the member was chosen from the Green Head Community Association or the Leeman Ratepayers & Progress Association.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

1. That Council nominate the following Councillor as representatives for the Morawa Super Towns Community Reference Groups.
2. That Council nominate the following Councillor as representatives for the Jurien Bay Super Towns Community Reference Groups.

RESOLUTION:

2011/145

Moved: Cr George

Seconded: Cr Bothe

- 1. That Council nominate Councillor Waite as representatives for the Morawa Super Towns Community Reference Groups.*
- 2. That Council nominate the Presidents of Green Head Community Association & Leeman Ratepayers & Progress Association as representatives for the Jurien Bay Super Towns Community Reference Group subject to their acceptance , if either decline Cr Williams will represent the Shire.*

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

Councils Resolution differed from Officers recommendation as Council felt that Green Head Community Association and Leeman Ratepayers & Progress Association be invited to represent the Shire for the Jurien Bay Super Towns Community Reference Group.

10.1.2 COUNCIL POLICY – APPLICATION TO KEEP ADDITIONAL DOGS ON PREMISES

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	31 August 2011
ATTACHMENT	
FILE	Policy Manual 4.2.2

SUMMARY:

Council is to consider adopting Policy 4.2.2 – Application to keep additional dogs on premises.

BACKGROUND:

Council currently does not have a policy for the keeping of more than two (2) dogs on premises. Council has recently received three (3) separate applications requesting an exemption to keep more than two (2) dogs on premises.

COMMENT:

It is Council's policy that unless a specific application is approved, no more than two (2) dogs may be kept on property within the Shire of Coorow.

The draft Policy 4.2.2 will allow Council to advertise and notify all neighbouring properties of the application.

The objective of the Policy is to control the number of dogs permitted to be kept on a property within the Shire of Coorow under Section 26 (3) Limitation as to number of the *Dog Act 1976*. To provide applicants and Council Officers clear procedures to follow in relation to applicants for additional dogs.

The guidelines for the Policy set the following criteria for residents to obtain permission to keep three (3) or more dogs in the Shire of Coorow.

The lot size where dogs reside should be 750sqm or greater (although Council may determine that a larger/smaller area may be approved/required dependant on size/breed/age of dogs and the topography of the property). The area where the dogs are confined must have sufficient area for the dogs to use, play and have adequate shelter.

The fencing must be of sufficient strength, configuration and height to confine the dogs and not allow dogs to dig under or climb/jump over. Gates must meet the same criteria as the fencing when secured and should also be lockable.

Houses built on stumps are to have sufficient materials attached under the house and secured into the ground so as to prevent dogs from getting through openings or digging under the house.

The dog owner must provide a reason for wanting to have more than two dogs on the property. All dogs must be registered with the Shire of Coorow. An application on the prescribed form must be submitted to the Shire of Coorow Offices. Applications are to be checked by the Ranger, or Customer Service Officer, and they are to advise the applicant of the application process.

Once the applicant has submitted the prescribed form, the Ranger is to visit the property to ensure it complies with the conditions set out in the application. Council Officers will then

arrange notification in writing to be served on each occupier of every residence and landowner within a radius of 70 metres of the nominated property within the urban area and within a radius of 200 metres of the nominated property within the rural area, of the applicants intention to seek Council's approval to keep more than two dogs on the nominated property. The aforementioned notification to include the total number and breed of dogs intended to be kept and shall invite submissions to be made to Council in respect of the application within 21 days of the date of notification.

After the expiry period, the Ranger shall prepare a report on the application to the Council and the report shall include:

- A map showing the applicants property and immediate properties visited.
- A summary of the written views of neighbours.
- Details of any previous complaints in respect to barking, dogs causing a nuisance, wandering, aggressive behaviour etc, relevant to the dogs in question.
- Comments from the dog owner as to their responsibilities in looking after the dogs;
- Condition of the dogs (as noted by the Ranger)

As soon as practical the application and neighbours who responded shall be advised of Council's decision in the matter. If the application is rejected the applicant shall be given advice on their right to appeal the decision.

STATUTORY ENVIRONMENT:

Dog Act 1976

Local Government Act 1995

Shire of Coorow Local Law Dogs

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

This is a new Policy so that unless a specific application is approved, no more than two (2) dogs may be kept on property within the Shire of Coorow. The consent of the Council is required before dogs are introduced to the site. This is not granted automatically and a formal application form is necessary, which will be advertised and all neighbours notified of the application. Applications for permanent accommodation of additional dogs shall be approved by Council. Applications for temporary accommodation of additional dogs shall be approved by the Chief Executive Officer.

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt the following Policy 4.2.2 - Application to keep additional dogs on premises.

POLICY – LAW, ORDER AND PUBLIC SAFETY

Sub Section: Animal Control

Policy Number: 4.2.2

Policy Subject: Application to keep additional dogs on premises

Policy Statement: It is Council's policy that unless a specific application is approved, no more than two (2) dogs may be kept on property within the Shire of Coorow.

The consent of the Council is required before dogs are introduced to the site. This is not granted automatically and a formal application form is necessary, which will be advertised and all neighbours notified of the application.

Applications for permanent accommodation of additional dogs shall be approved by Council.

Applications for temporary accommodation of additional dogs shall be approved by the Chief Executive Officer.

Objective: To control the number of dogs permitted to be kept on a property within the Shire of Coorow under Section 26 (3) Limitations as to number of the *Dog Act 1976*.

To provide applicants and Council Officers clear procedures to follow in relation to applications for additional dogs.

Where by a Local Law under this Act, a Local Government has placed a limit on the keeping of dogs in any specified area but the Local Government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the Local Government may grant an exemption in respect of those premises but any such exemption:

- a) May be made subject to conditions, including a condition that it applies only to the dogs specified therein;
- b) Shall not operate to authorise the keeping of more than 6 dogs on those premises; and
- c) May be revoked or varied at any time.

3.2 Limitations on the number of dogs

- (1) this clause does not apply to premises which have been-
 - a) Licenced under Part 4 as an approved kennel establishment; or
 - b) Grant an exemption under section 26 (3) of the Act
- (2) the limit on the number of dogs which may be kept on any premises is, for the purpose of section 26 (4) on the Act.
 - a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within the residential area of a town site; or
 - b) 3 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within the industrial area of a town site; or
 - c) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside of town site.

Penalty Where the dog is a dangerous dog, \$250 per dog exceeding approved number to be kept; other wise \$100 per dog exceeding approved number to be kept.

Guidelines:

The following is the criteria for residents obtaining permission to keep 3 or more dogs in the Shire of Coorow.

The lot size where dogs reside should be 750sqm or greater (although Council may determine that a large/smaller area may be approved/required dependant on size/breed/age of dogs and the topography of the property.

The area where the dogs are confined must have sufficient area for the dogs to use, play and have adequate shelter.

The fencing must be of sufficient strength, configuration and height to confine the dogs and not allow dogs to dig under or climb/jump over.

Gates must meet the same criteria as the fencing when secured and should also be lockable.

Houses built on stumps are to have sufficient materials attached under the house and secured into the ground so as to prevent dogs from getting through openings or digging under the house.

The dog owner must provide a reason for wanting to have more than two (2) dogs on the property.

All dogs must be registered with the Shire Coorow

An application on the prescribed form must be submitted to the Shire of Coorow Offices.

Applications are to be checked by the Ranger, or Customer Service Officer, and they are to advise the applicant of the application process.

Once the applicant has submitted the prescribed form, the Ranger is to visit the property to ensure it complies with the conditions set out in the application.

Council Officers will then arrange notification in writing to be served on each occupier of every residence and landowner within a radius of 70 metres of the nominated property within the urban area and within a radius of 200 metres of the nominated property within the rural area, of the applicant's intention to seek Council's approval to keep more than two dogs on the nominated property.

The aforementioned notifications to include the total number and breed of dogs intended to be kept and shall invite submissions to be made to Council in respect to the application within 21 days of the date of notification.

After the expired period, the Ranger shall prepare a report on the application to the Council and the report shall include;

- A map showing the applicants property and immediate properties visited.
- A summary of the written views of neighbours.
- Details of any previous complaints in respect to barking, dogs causing a nuisance, wandering, aggressive behaviour etc, relevant to the dogs in question.
- Comments from the dog owner as to their responsibilities in looking after the dogs;
- Condition of the dogs (as noted by the Ranger).

As soon as practical the applicant and neighbours who responded shall be advised of Council's decision in the matter. If the application is rejected the applicant shall be given advice on their right of appeal to the decision

Types of Applicants:

There shall be two types of applicants:

1. Temporary approval of up to 3 months, or
2. Permanent approval.

Cancellation of Approval:

The applicant will be notified that, if proven justified complaints are received, the approval can be cancelled by the Chief Executive Officer.



SHIRE OF COOROW

**ADJOINING LANDOWNERS
CONSULTATION FORM**

Adjoining Property Owner Details

Name:

Lot No.: _____ Street No.: _____ Street Name:

Suburb: _____ Postcode:

Details of matters on which Council discretion is required and comment sought –

To allow the keeping of three (x) dogs at

Adjoining Property Owners Comments

I/we make comment as follows: ☐ Support ☐ Object ☐ Indifferent

(Attach additional information if necessary)

Signed: _____ Date: _____ Phone:

Print Name:

Please return to: Chief Executive Officer
Shire of Coorow
PO Box 42
COOROW WA 6515

Submissions Close: 21 Days from date of this notice.

Date _____



APPLICATION TO KEEP MORE THAN THE PERMISSIBLE NUMBER OF DOGS

NAME: _____

ADDRESS: _____

PHONE: (H) _____ (W) _____ (Mb.) _____

EMAIL: _____

The description and particulars of the premises on which the dogs/cats are to be kept:

Total Property Area: _____ (sqm2) Rear outdoor area of: _____ (sqm2)

Method of confining animals to the premises (eg. fence, gates, enclosure, etc.): _____

Interest in premises (ie. owner or occupier): _____

Details of Animals:

Number	Name	Breed	Colour	Sex M/F	DE sexed	Registration Number
1						
2						
3						
4						
5						
6						

The provisions made for housing and keeping the premises clean and free from offensiveness are:

If the permit application is for dogs, are any of the animals either a declared "dangerous Dog", "menacing dog", or a "restricted breed" dog? (Y/N) _____

If yes*, please provide particulars: _____

*Certain restrictions apply when housing any of the declared types of dogs. Please contact Council for further information.

In accordance with Shire of Coorow Policy 4.2.2 Application to Keep Additional Dogs on Premises I hereby apply to the Shire of Coorow for a permit to keep more than two dogs on the premises situated at:

I certify that the information described above is true and correct.

Name of Applicant: _____ Date: _____
PLEASE PRINT

Signature: _____

Name of Witness: _____ Date: _____
PLEASE PRINT

Signature: _____

IMPORTANT INFORMATION FOR APPLICANT (PLEASE KEEP THIS PAGE)
Application to keep more than the permissible number of dogs.

1. Granting of the permit is subject to inspection by an authorised Council officer.
2. Permit duration: three (3) years.

Council will consider the following when assessing applications:

- Condition of the premises — clean, inoffensive and sanitary condition, level of maintenance to minimise any nuisance.
- State of the ground where the animal is kept — free of weeds, refuse, rubbish and other material harbouring, or which may harbour, rats and vermin.
- Method and frequency of disposing of animal faeces.
- Current registration of animals.
- Ensure that the presence of pets does not cause detriment to the amenity of the area.
- The welfare of the animals is not compromised.
- All requirements of the Dog Act 1976 and associated Regulations and Shire of Coorow Dog Local Law 2003 must be adhered to.

Resolution No: 2011-
Resolution Date: 21 September 2011
Source: Request from Council
Date of Review: June Annually
Review Responsibility: Chief Executive Officer

RESOLUTION:

2011/146

Moved: Cr Waite

Seconded: Cr Williams

POLICY – LAW, ORDER AND PUBLIC SAFETY

Sub Section: *Animal Control*

Policy Number: 4.2.2

Policy Subject: *Application to keep additional dogs on premises in Town Sites and Rural Residential properties*

Policy Statement: *It is Council's policy that unless a specific application is approved, no more than two (2) dogs may be kept on property within the Shire of Coorow.*

The consent of the Council is required before dogs are introduced to the site. This is not granted automatically and a formal application form is necessary, which will be advertised and all neighbours notified of the application.

Applications for permanent accommodation of additional dogs shall be approved by Council.

Applications for temporary accommodation of additional dogs shall be approved by the Chief Executive Officer.

Objective: *To control the number of dogs permitted to be kept on a property within the Shire of Coorow under Section 26 (3) Limitations as to number of the Dog Act 1976.*

To provide applicants and Council Officers clear procedures to follow in relation to applications for additional dogs.

Where by a Local Law under this Act, a Local Government has placed a limit on the keeping of dogs in any specified area but the Local Government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the Local Government may grant an exemption in respect of those premises but any such exemption:

- a) May be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
- b) Shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
- c) May be revoked or varied at any time.*

3.2 *Limitations on the number of dogs*

- (1) *this clause does not apply to premises which have been-*
- a) Licenced under Part 4 as an approved kennel establishment;*
or
 - b) Grant an exemption under section 26 (3) of the Act*
- (2) *the limit on the number of dogs which may be kept on any premises is, for the purpose of section 26 (4) on the Act.*
- a) dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within the residential area of a town site; or*
 - b) dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within the industrial area of a town site; or*
 - c) dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside of town site.*

Penalty Where the dog is a dangerous dog, \$250 per dog exceeding approved number to be kept; other wise \$100 per dog exceeding approved number to be kept.

Guidelines:

The following is the criteria for residents obtaining permission to keep 3 or more dogs in the Shire of Coorow.

The lot size where dogs reside should be 750sqm or greater (although Council may determine that a large/smaller area may be approved/required dependant on size/breed/age of dogs and the topography of the property.

The area where the dogs are confined must have sufficient area for the dogs to use, play and have adequate shelter.

The fencing must be of sufficient strength, configuration and height to confine the dogs and not allow dogs to dig under or climb/jump over.

Gates must meet the same criteria as the fencing when secured and should also be lockable.

Houses built on stumps are to have sufficient materials attached under the house and secured into the ground so as to prevent dogs from getting through openings or digging under the house.

The dog owner must provide a reason for wanting to have more than two (2) dogs on the property.

All dogs must be registered with the Shire Coorow

An application on the prescribed form must be submitted to the Shire of Coorow Offices.

Applications are to be checked by the Ranger, or Customer Service Officer, and they are to advise the applicant of the application process.

Once the applicant has submitted the prescribed form, the Ranger is to visit the property to ensure it complies with the conditions set out in the application.

Council Officers will then arrange notification in writing to be served on each occupier of every residence and landowner within a radius of 70 metres of the nominated property within the urban area and within a radius of 200 metres of the nominated property within the rural area, of the applicant's intention to seek Council's approval to keep more than two dogs on the nominated property.

The aforementioned notifications to include the total number and breed of dogs intended to be kept and shall invite submissions to be made to Council in respect to the application within 21 days of the date of notification.

After the expired period, the Ranger shall prepare a report on the application to the Council and the report shall include;

- A map showing the applicants property and immediate properties visited.*
- A summary of the written views of neighbours.*
- Details of any previous complaints in respect to barking, dogs causing a nuisance, wandering, aggressive behaviour etc, relevant to the dogs in question.*
- Comments from the dog owner as to their responsibilities in looking after the dogs;*
- Condition of the dogs (as noted by the Ranger).*

As soon as practical the applicant and neighbours who responded shall be advised of Council's decision in the matter. If the application is rejected the applicant shall be given advice on their right of appeal to the decision

Types of Applicants:

There shall be two types of applicants:

- 1. Temporary approval of up to 3 months, or*
- 2. Permanent approval.*

Cancellation of Approval:

The applicant will be notified that, if proven justified complaints are received, the approval can be cancelled by the Chief Executive Officer.



SHIRE OF COOROW

**ADJOINING LANDOWNERS
CONSULTATION FORM**

Adjoining Property Owner Details

Name: _____

Lot No.: _____ Street No.: _____ Street Name: _____

Townsite: _____ Postcode: _____

Details of matters on which Council discretion is required and comment sought –

To allow the keeping of three (x) dogs at

Adjoining Property Owners Comments

I/we make comment as follows: ☐ Support ☐ Object ☐ Indifferent

(Attach additional information if necessary)

Signed: _____ Date: _____ Phone: _____

Print Name: _____

Please return to: Chief Executive Officer
Shire of Coorow
PO Box 42
COOROW WA 6515

Submissions Close: 21 Days from date of this notice.

Date _____



APPLICATION TO KEEP MORE THAN THE PERMISSIBLE NUMBER OF DOGS

NAME: _____

ADDRESS: _____

PHONE: (H) _____ (W) _____ (Mb.) _____

EMAIL: _____

The description and particulars of the premises on which the dogs/cats are to be kept:

Total Property Area: _____ (sqm2) *Rear outdoor area of:* _____ (sqm2)

Method of confining animals to the premises (eg. fence, gates, enclosure, etc.):

Interest in premises (ie. owner or occupier): _____

Details of Animals:

Number	Name	Breed	Colour	Sex M/F	DE sexed	Registration Number
1						
2						
3						
4						
5						
6						

The provisions made for housing and keeping the premises clean and free from offensiveness are:

If the permit application is for dogs, are any of the animals either a declared "dangerous Dog", "menacing dog", or a "restricted breed" dog? (Y/N) _____

If yes, please provide particulars:*

**Certain restrictions apply when housing any of the declared types of dogs. Please contact Council for further information.*

In accordance with Shire of Coorow Policy 4.2.2 Application to Keep Additional Dogs on Premises I hereby apply to the Shire of Coorow for a permit to keep more than two dogs on the premises situated at:

I certify that the information described above is true and correct.

Name of Applicant: _____ Date: _____
PLEASE PRINT

Signature: _____

Name of Witness: _____ Date: _____
PLEASE PRINT

Signature: _____

IMPORTANT INFORMATION FOR APPLICANT (PLEASE KEEP THIS PAGE)

Application to keep more than the permissible number of dogs.

1. Granting of the permit is subject to inspection by an authorised Council officer.
2. Permit duration: three (3) years.

Council will consider the following when assessing applications:

- *Condition of the premises — clean, inoffensive and sanitary condition, level of maintenance to minimise any nuisance.*
- *State of the ground where the animal is kept — free of weeds, refuse, rubbish and other material harbouring, or which may harbour, rats and vermin.*
- *Method and frequency of disposing of animal faeces.*
- *Current registration of animals.*
- *Ensure that the presence of pets does not cause detriment to the amenity of the area.*
- *The welfare of the animals is not compromised.*
- *All requirements of the Dog Act 1976 and associated Regulations and Shire of Coorow Dog Local Law 2003 must be adhered to.*

Resolution No: 2011-
Resolution Date: 21 September 2011
Source: Request from Council
Date of Review: June Annually
Review Responsibility: Chief Executive Officer

***CARRIED 7/
Simple Majority***

Councils Resolution differed from Officers Recommendation as Council wanted to clarify the Subject Policy to town site and rural residential properties.

10.1.3	AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – ROADS TO RECOVERY CAMPAIGN 2011
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AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	31 August 2011
ATTACHMENT	Nil
FILE	ADM0493

SUMMARY:

Council is being requested to support the Roads to Recovery Campaign.

BACKGROUND:

The Shire President has received the following letter from the Australian Local Government Association.

Dear President Girando

Roads to Recovery Program

We achieved the Roads to Recovery Program because of strong and united local government campaigning in 2000. Further campaigns by local government have been very successful with two extensions to the Program and a funding increase to \$350m per annum in 2009. By the time the current Program ends in 2014 more than \$4.5 billion in additional funding will have been provided for local roads.

It is now time for local government to again mount a campaign for increased and ongoing Roads to Recovery Program funding. There is no question that local government needs the funding. The Australian Local Government Association (ALGA) commissioned research, released at the 2010 National Local Roads and Transport Congress in Bunbury, which shows that the national shortfall in the level of funding for local roads amounts to about \$1.2 billion annually.

ALGA will be launching local government's Roads to Recovery campaign at the 2011 National Local Roads and Transport Congress being held in Mount Gambier from 16-18 November.

Our campaign needs the support of every council and in advance of the launch I am asking your council to pass a resolution of support. A suggested text for your council's motion is attached.

The motion calls for the Roads to Recovery Program to be made permanent at a rate that recognises the backlog of needs on local roads and a continuation of the current popular and successful arrangements. These arrangements provide all councils with certainty of funding and give them the control over the works to be funded.

You will notice that the motion does not link the ongoing Roads to Recovery Program to any source of funding such as fuel excise. I have discussed the suggested wording for the motion with all state associations and we have agreed not to link the campaign to a funding source at this time because of uncertainty arising from the announcements to review fuel excise by the Productivity Commission, the review of the Financial Assistance Grants and the Henry Taxation Review recommendations on road user charging. You may be assured that ALGA will be making the strongest possible representations to these reviews to protect and improve local government's financial position.

As part of our campaign, it is important to ensure that national political leaders are left in no doubt about local government views. I am therefore asking that you write to the Prime Minister, the Leader of the Opposition, Minister for Infrastructure and Transport, Opposition spokesperson for Transport and your local Federal Member of Parliament to advise them of councils' support for a new Roads to Recovery Program. I have enclosed some possible text for such letters which you might find useful. To help coordinate the campaign, I would appreciate your advice when council has passed this motion.

Our advocacy on this vital issue will be strengthened by a show of unity and it is important that as many councils as possible attend the Congress in Mount Gambier for the launch of the Roads to Recovery campaign to show local government's strong support for its extension. I will be writing separately with a brochure on the arrangements for the Congress. In the meantime you can register for the Congress using the ALGA website and take advantage of cheap "early bird" registrations rates.

I have no doubt that by working together we can successfully take the argument to the Federal Government on Federal local road funding and achieve a new Roads to Recovery program.

Yours sincerely

A handwritten signature in black ink, reading "Genia McCaffery". The signature is written in a cursive, flowing style.

Mayor Genia McCaffery
President

TEXT OF POSSIBLE COUNCIL RESOLUTION ON THE ROADS TO RECOVERY PROGRAM

[insert name of council] calls on the Federal Government to:

- **recognise the successful delivery of the Roads to Recovery Program by local government since 2000;**
- **continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities of providing access for its communities;**
- **continue the Roads to Recovery Program with the current administrative arrangements; and**
- **provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.**

DRAFT LETTER TO YOUR LOCAL MP
Mr/Ms X, MP
Member for
Parliament House
CANBERRA ACT 2600

[Insert date]

Dear Mr/Ms X

Roads to Recovery Program

I am writing to advise you of a resolution recently passed by Council concerning the Roads to Recovery Program which ceases in June 2014. This is an important and popular Federal program that provides funding directly to local government to address the road infrastructure backlog on local roads and has been very gratefully received by local government and local communities..

Local government's analysis shows that the backlog of needs on local roads remains high and is now about \$1.2 billion annually. The size of this backlog means that there is no possibility of local government being able to address the roads needs with their limited funding base.

Councils throughout Australia play a vital role in the provision of essential services and infrastructure at the local and regional level including at times of natural disasters. Without out the Roads to Recovery funding access to the basic services such as health, education and economic and social needs will begin to decline for communities.

Council considered and passed the following resolution on [insert date]:

[insert name of council] calls on the Federal Government to:

- **recognise the successful delivery of the Roads to Recovery Program by local government since 2000;**
- **continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities of providing access for its communities;**
- **continue the Roads to Recovery Program with the current administrative arrangements; and**
- **provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.**

Council urges you to bring this resolution to the attention of government ministers and shadow ministers whenever the opportunity arises.

DRAFT LETTER TO PRIME MINISTER, MINISTER FOR INFRASTRUCTURE AND TRANSPORT, LEADER
OF THE OPPOSITION AND OPPOSITION TRANSPORT SPOKESMAN
XXXXXXX
XXXXXXXXX
Parliament House
CANBERRA ACT 2600

[Insert date]

Dear XXXXXX

Roads to Recovery Program

I am writing to advise you of a resolution recently passed by Council concerning the Roads to Recovery Program which ceases in June 2014. This is an important and popular Federal program that provides funding directly to local government to address the road infrastructure backlog on local roads and has been very gratefully received by local government and local communities..

Local government's analysis shows that the backlog of needs on local roads remains high and is now about \$1.2 billion annually. The size of this backlog means that there is no possibility of local government being able to address the roads needs with their limited funding base.

Councils throughout Australia play a vital role in the provision of essential services and infrastructure at the local and regional level including at times of natural disasters. Without out the Roads to Recovery funding access to the basic services such as health, education and economic and social needs will begin to decline for communities.

Council considered and passed the following resolution on [insert date]:

[insert name of council] calls on the Federal Government to:

- **recognise the successful delivery of the Roads to Recovery Program by local government since 2000;**
- **continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities of providing access for its communities;**
- **continue the Roads to Recovery Program with the current administrative arrangements; and**
- **provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.**

Council urges you to consider this resolution as the (*government/opposition*) develops its future transport infrastructure funding programs.

COMMENT:

If the Roads to Recovery Program is not to continue in its current format then the Shire of Coorow roads network will be severely impacted upon.

The motion being requested calls for the support of every Council and calls for the Roads to Recovery Program to be made permanent at a rate that recognises the back log need on local roads.

This if achieved will give Council a certainty with its current Federal Road Funding and allow for projects to continue that otherwise would not be achievable with the current rate revenue.

STRATEGIC ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Council current Roads to Recovery Program is as follows

AUSLINK ROAD TO RECOVERY FUNDING PROGRAM FOR PERIOD 2010/11 to 2014/15																		
Project	Year 1 - 2010/11			Year 2 - 2011/12			Year 3 - 2012/13			Year 4 - 2013/14			Year 5 - 2014/15			Total		
	DOTARS	Shire	Total	DOTARS	Shire	Total	DOTARS	Shire	Total	DOTARS	Shire	Total	DOTARS	Shire	Total	DOTARS	Shire	Total
	Funding	Funding	Project	Funding	Funding	Project	Funding	Funding	Project	Funding	Funding	Project	Funding	Funding	Project	Funding	Funding	Project
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Willis Rd	69,529	0	69,529			0			0			0			0	153,215	0	153,215
Wubin/Gunyidi Rd	0	0	0			0			0			0			0	0	0	0
Launer Rd	58,177		58,177	0		0			0			0			0	131,407	0	131,407
Nairn St Kerb/Drainage	70,772		70,772		0	0	70,800	0	70,800			0			0	141,572	0	141,572
McGilp St Kerb/Drainage			0	70,772	34,421	105,193		0				0			0	70,772	34421	105,193
Clarke Rd Resheeting slk 0.0 to 19.51			0			0	95,000	0	95,000	95,000		95,000	95,000	0	95,000	285,000	0	420,000
Rose Rd	65,222	30,062	95,284	75,000	20,284	95,284	30,000		30,000			0			0	190,126	52755	242,881
Hughes Rd Resheeting slk 0.0 to 10.64			0	75,000	0	75,000	22,511	52,489	75,000	45,000		45,000			0	142,511	52489	425,000
Thomas Street Leeman Kerbing/Drainage			0			0			0			0			0	86,880	0	316,880
Billerow rd resheeting slk 1.7 to 9.7			0	42,928	32,072	75,000	45,389	29,611	75000			0			0	88,317	61683	#REF!
Green Head Rd Drainage and Kerbing			0			0			0	75,000	30,000	105,000	75,000	30,000	105,000	150,000	60000	105,000
White Rd Resheeting slk 0.0 to 5.5			0			0			0	48,700		48,700	55,000		55,000	103,700	0	738,700
Rail Way Rd Resheeting 0.0 to 3.09			0			0			0			0	38,700	40,000	78,700	38,700	40000	0
Coorow Green Head rd Brigde 4150	350,000		0			0			0			0			0	350,000	0	0
			0			0			0			0			0	0	0	0
Total Allocation	613,700	30,062	293,762	263,700	86,777	350,477	263,700	82,100	345,800	263,700	30,000	293,700	263,700	70,000	333,700	1,932,200	301348	1,549,848

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:**Recommendation 1**

The Shire of Coorow calls on the Federal Government to:

- Recognise the successful delivery of the Roads to Recovery Program by Local Government since 2000;
- Continue the Roads to Recovery Program on a permanent basis to assist Local Government meet its responsibilities of providing access for its Communities;
- Continue the current Roads to Recovery Program with the current administrative arrangements and,
- Provide an increased level of funding a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.

Council urges you to consider this resolution as the Government and Opposition develops its future transport infrastructure funding programs.

RESOLUTION:**2011/147*****Moved: Cr Williams******Seconded: Cr Bothe******Recommendation 1***

The Shire of Coorow calls on the Federal Government to:

- *Recognise the successful delivery of the Roads to Recovery Program by Local Government since 2000;*
- *Continue the Roads to Recovery Program on a permanent basis to assist Local Government meet its responsibilities of providing access for its Communities;*
- *Continue the current Roads to Recovery Program with the current administrative arrangements and,*
- *Provide an increased level of funding a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.*

Council urges you to consider this resolution as the Government and Opposition develops its future transport infrastructure funding programs.

CARRIED 7/0
Simple Majority

Recommendation 2

That the Shire President forward the following letter to the Local Federal Members and also to the Prime Minister, Minister for Infrastructure and Transport, Leader of the Opposition and the Opposition Transport spokesman.

I am writing to advise you of a Resolution recently passed by the Shire of Coorow concerning the Roads to Recovery Program which ceases in June 2014. This is an important and popular Federal program that provides funding directly to Local Government to address the road infrastructure back log on local roads and has been very gratefully received by Local Government and Local Communities.

Local Government's analysis shows that the back log of needs on local roads remain high and is now about \$1.2 billion annually. The size of this back log means that there is no possibility of Local Governments being able to address the roads needs with their limited funding base. Councils, throughout Australia, play a vital role in the provision of essential services and infrastructure at the local and regional level including at times of natural disasters. Without the Roads to Recovery funding access to the basic services such as health, education and economic and social needs will begin to decline for Communities.

RESOLUTION:

2011/148

Moved: Cr Williams

Seconded: Cr Bothe

Recommendation 2

That the Shire President forward the following letter to the Local Federal Members and also to the Prime Minister, Minister for Infrastructure and Transport, Leader of the Opposition and the Opposition Transport spokesman.

I am writing to advise you of a Resolution recently passed by the Shire of Coorow concerning the Roads to Recovery Program which ceases in June 2014. This is an important and popular Federal program that provides funding directly to Local Government to address the road infrastructure back log on local roads and has been very gratefully received by Local Government and Local Communities.

Local Government's analysis shows that the back log of needs on local roads remain high and is now about \$1.2 billion annually. The size of this back log means that there is no possibility of Local Governments being able to address the roads needs with their limited funding base. Councils, throughout Australia, play a vital role in the provision of essential services and infrastructure at the local and regional level including at times of natural disasters. Without the Roads to Recovery funding access to the basic services such as health, education and economic and social needs will begin to decline for Communities.

CARRIED 7/0
Simple Majority

Cr Jack declared an Impartial and Proximity Interest being a neighbour and left the meeting at 3.28.

10.1.4 EXEMPTION TO KEEP MORE THAN TWO (2) DOGS AT LOT 110, 34 COMMERCIAL STREET, COOROW

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	31 August 2011
ATTACHMENT	Nil
FILE	A86

SUMMARY:

Council is being requested to consider granting an exemption to allow the keeping of three (3) dogs at Lot 110, 34 Commercial Street, Coorow.

BACKGROUND:

The following Agenda item 10.1.1 was presented to the 27 July 2011 Council Meeting for consideration and the following resolution was passed by Council.

Moved: Cr Girando

Seconded: Cr Waite

That the exemption be granted to Mr Trevor Blight to allow the keeping of three (3) dogs at 34 Commercial Street Coorow subject to neighbouring property occupiers being contacted in writing and no adverse comment/objections being received within 14 days of correspondence.

And if exemption is granted it be subject to the following conditions:

- 1. it applies only to the dogs specified in the application, and*
- 2. the dogs do not cause a nuisance to occupiers of adjoining properties.*

Should an objection or adverse comment be received the matter is to be brought back to Council for determination.

***CARRIED 6/0
Simple Majority***

10.1.1 EXEMPTION TO KEEP MORE THAN TWO (2) DOGS AT LOT 110, 34 COMMERCIAL STREET COOROW

AUTHOR	Brenda Johnson
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	17 June 2011
ATTACHMENT	10.1.1.1
FILE	A86

SUMMARY:

Council is being requested to consider granting an exemption to allow the keeping of three (3) dogs at Lot 110, 34 Commercial Street Coorow.

BACKGROUND:

Council has received an application from Mr Trevor Blight requesting an exemption to keep three (3) dogs on their property at 34 Commercial Street Coorow. In support of this application the following information has been provided by the applicant.

- *The sterilised bitch is a nine (9) year old Staffy*
- *The other 2 are 6 & 8 year old male Staffy X.*

Please see attached letter for further information.

COMMENT:

There is no history of any complaints relating to this property and the yard is well fenced and the dogs have not wandered.

STATUTORY ENVIRONMENT:***Dog Act 1976******Section 26 (3) Limitation as to number:***

Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption

- a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
- b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
- c) May be revoked or varied at any time.*

Shire of Coorow Local Law 2003 Section, 3.2 limitations on the number of dogs:

- (1) This clause does not apply to premises which have been –*
 - (a) licensed under Part 4 as an approved kennel establishment; or*
 - (b) granted an exemption under section 26(3) of the Act.*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That the exemption be granted to Mr Trevor Blight to allow the keeping of three (3) dogs at 34 Commercial Street Coorow subject to the following conditions:

- 1. it applies only to the dogs specified in the application, and*
- 2. the dogs do not cause a nuisance to occupiers of adjoining properties.*

COMMENT:

The Chief Executive Officer as requested by Council notified all the adjoining neighbours and requested them to provide Council with the relevant information as to whether they support or object to the keeping of three (3) dogs at Lot 110, 34 Commercial Street Coorow.

Council received one consultation form commenting on the keeping of three (3) dogs at Lot 110, 34 Commercial Street Coorow. Comment received is as follows.

Adjoining property address	S = Support O = Object I = Indifferent	Comments
Lot 109 36 Commercial Street	O	There has been two or more dogs at this address for the eighteen years we have lived at 36 Commercial Street. In the past these dogs have been used for breeding purposes and have puppies as well contributing to the noise.

STATUTORY ENVIRONMENT:***Dog Act 1976******Section 26 (3) Limitation as to number:***

Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption

- a. may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
- b. shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
- c. May be revoked or varied at any time.*

Shire of Coorow Local Law 2003 Section, 3.2 limitations on the number of dogs:

- (2) This clause does not apply to premises which have been –*
 - (a) licensed under Part 4 as an approved kennel establishment; or*
 - (b) granted an exemption under section 26(3) of the Act.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That after receiving the consultation forms within the fourteen days from adjoining land holders the exemption be granted to Mr Trevor Blight to allow the keeping of three (3) dogs at 34 Commercial Street Coorow subject to the following conditions:

- That the exemption only be applied to the dogs specified in the application.
- That all dogs be registered with the Shire of Coorow.
- That the applicant be notified that, if proven justified complaints are received, the approval is to be cancelled by the Chief Executive Officer.

RESOLUTION:

2011/149

Moved: Cr Bothe

Seconded: Cr George

That the exemption to keep more than (2) dogs not be granted to Mr Trevor Blight at Lot 110 34 Commercial Street Coorow.

***CARRIED 6 /
Simple Majority***

Councils Resolution differed from Officers Recommendation as an objection has been received and this exemption would not be in the Community interest.

Cr Jack re-entered the room at 3.42

The President read aloud the Resolution

10.1.5 EXEMPTION TO KEEP MORE THAN TWO (2) DOGS AT LOT 11, 3 SPAIN STREET COOROW

AUTHOR Mark Hook
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 31 August 2011
ATTACHMENT Nil
FILE A66

SUMMARY:

Council is being requested to consider granting an exemption to allow the keeping of four (4) dogs at Lot 11, 3 Spain Street Coorow.

BACKGROUND:

The following Agenda item 10.1.2 was presented to the 27 July 2011 Council Meeting for consideration and the following resolution was passed by Council.

RESOLUTION: 2011/087

Moved: Cr Girando

Seconded: Cr Williams

That the exemption be granted to Tony and Cathy Waldron to allow the keeping of four (4) dogs at 3 Spain Street Coorow subject to neighbouring property occupiers being contacted in writing and no adverse comment/objections being received within 14 days of correspondence. And if exemption is granted it be subject to the following conditions:

- 1. it applies only to the dogs specified in the application, and*
- 2. the dogs do not cause a nuisance to occupiers of adjoining properties;*

Should an objection or adverse comment be received the matter is to be brought back to Council for Determination.

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

10.1.4 EXEMPTION TO KEEP MORE THAN TWO (2) DOGS AT LOT 11, 3 SPAIN STREET COOROW

AUTHOR Brenda Johnson
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 14 July 2011
ATTACHMENT 10.1.4.1
FILE A66

SUMMARY:

Council is being requested to consider granting an exemption to allow the keeping of four (4) dogs at Lot 11, 3 Spain Street Coorow.

BACKGROUND:

Council has received an application from Tony and Cathy Waldron requesting an exemption to keep four (4) dogs on their property at 3 Spain Street Coorow. In support of this application the following information has been provided by the applicant.

Please see attached letter for further information.

COMMENT:

There is no history of any complaints relating to this property, the yard is well fenced and the dogs have never wandered.

It is recommended supporting the request from Tony and Cathy Waldron taking into account the policy implications as outlined.

STATUTORY ENVIRONMENT:

Dog Act 1976

Section 26 (3) Limitation as to number:

Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption

- a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
- b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
- c) May be revoked or varied at any time.*

Shire of Coorow Local Law 2003 Section, 3.2 Limitation on the number of dogs:

- (1) This clause does not apply to premises which have been –*
 - (a) licensed under Part 4 as an approved kennel establishment; or*
 - (b) granted an exemption under section 26(3) of the Act.*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That the exemption be granted to Tony and Cathy Waldron to allow the keeping of four (4) dogs at 3 Spain Street Coorow subject to the following conditions:

- 1. it applies only to the dogs specified in the application, and*
- 2. the dogs do not cause a nuisance to occupiers of adjoining properties;*

COMMENT:

The Chief Executive Officer as requested by Council notified all the adjoining neighbours and requested them to provide Council with the relevant information as to whether they support or object to the keeping of four (4) dogs at Lot 11, 3 Spain Street Coorow.

Council received three consultation forms commenting on the keeping of four (4) dogs at Lot 11, 3 Spain Street Coorow. Comments received are as follows.

Adjoining property address	S = Support O = Object I = Indifferent	Comments
16 Bristol Street	O	The amount of noise up Bristol Street is almost unbearable at night. Some dogs bark continually. All other dog owners should be responsible for their barking dogs not just those who have four.
Coorow Primary School	O	Due to the closeness of the property to the School, thus causing concerns to the safety of students and staff.
Lot 28 Spain Street	O	Nil

STATUTORY ENVIRONMENT:***Dog Act 1976******Section 26 (3) Limitation as to number:***

Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption

- a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
- b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
- c) May be revoked or varied at any time.*

Shire of Coorow Local Law 2003 Section, 3.2 Limitation on the number of dogs:

- (1) *This clause does not apply to premises which have been –*
(a) *licensed under Part 4 as an approved kennel establishment; or*
(b) *granted an exemption under section 26(3) of the Act.*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That after receiving the consultation forms within the fourteen days from adjoining land holders the exemption be granted to Tony and Cathy Waldron to allow the keeping of four (4) dogs at, Lot 11, 3 Spain Street Coorow subject to the following conditions:

- That the exemption only be applied to the dogs specified in the application.
- That all dogs be registered with the Shire of Coorow.
- That the applicant be notified that, if proven justified complaints are received, the approval is to be cancelled by the Chief Executive Officer.

RESOLUTION:

2011/150

Moved: Cr George

Seconded: Cr Jack

That the exemption to keep more than (2) dogs not be granted to Mr & Mrs Tony and Kathy Waldron at Lot 11 3 Spain Street Coorow.

CARRIED 6/1
Simple Majority

Councils Resolution differed from Officers Recommendation as an objection has been received and this exemption would not be in the Community interest.

10.1.6	REVISED- POLICY 7.3.6 MEMORIALS ON LOCAL GOVERNMENT PROPERTY
--------	--

AUTHOR	Mark j Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	1 September 2011
ATTACHMENT	Nil
FILE	Policy Manual

SUMMARY:

Council is to consider adopting the revised Policy 7.3.6 Memorials on Local Government Property.

BACKGROUND:

At the 27 July 2011 Ordinary Meeting of Council the following was resolved

RESOLUTION: **2011/096**

Moved: Cr George

Seconded: Cr Waite

OFFICER RECOMMENDATION:

That:

- 1. Council approval is given to Sally Congdon to place a Memorial Park bench in the hidden garden area of Cliff Park.*
- 2. The Memorial Park Bench is to be of a fixed galvanised steel frame with a painted wood table 1800mm x 120 mm with fixed wooden seating 1200 mm x 500 mm, with 316 SS fixings and sited on a suitable concrete base with the inscription plaque being no greater than 100mm x 100mm and made of brass, bronze or stainless steel.*
- 3. That the wording of the plaque be authorised by the Chief Executive Officer prior to the park bench being installed.*

CARRIED 7/0
Simple Majority

COMMENT:

Council is being asked to adopt the revised Policy 7.3.6 to include stainless steel as an alternative material.

STATUTORY ENVIRONMENT:

Council Policy Manual

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

The revised Policy if adopted will be replaced in Council's Policy Manual.

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That council adopt the revised Policy 7.3.6 Memorials on Local Government Property.

POLICY – MEMORIAL ON LOCAL GOVERNMENT PROPERTY

Sub Section: Parks and Garden Areas

Policy Number: 7.3.6

Policy Subject: Memorials on Local Government Property

Policy Statement: POLICY APPLICATION

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

MEMORIAL PLAQUES

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

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

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

PERMISSION FOR MEMORIAL PLAQUES

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

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

MAINTENANCE OF MEMORIALS

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

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

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

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

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

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

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

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

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

Resolution No: 2007-125,
Resolution Date: 18 July 2007,
Source: Council
Date of Review: May annually
Review Responsibility: Chief Executive Officer

RESOLUTION: 2011/151

Moved: Cr Williams

Seconded: Cr Waite

That council adopt the revised Policy 7.3.6 Memorials on Local Government Property.

POLICY – MEMORIAL ON LOCAL GOVERNMENT PROPERTY

Sub Section: Parks and Garden Areas

Policy Number: 7.3.6

Policy Subject: Memorials on Local Government Property

Policy Statement: POLICY APPLICATION

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

MEMORIAL PLAQUES

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

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

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

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

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

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

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

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

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

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

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

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

Resolution No: 2007-125,
Resolution Date: 18 July 2007,
Source: Council
Date of Review: May annually
Review Responsibility: Chief Executive Officer

CARRIED 7/0
Simple Majority

COMMENT:

The list of names that have been approved for use by the Shire of Coorow for the naming of roads and reserves is as follows.

FULL NAME	ORIGIN TEXT
Maxwell	Gordon Maxwell came to Green Head in the mid 70's and was one of the first residents in the town.
Folland	Mr Stanley Lorraine (Stan) & Mrs Susannah Kate (Susie) Folland, their son Gilbert Ridgway and daughter Annie Morcombe (Nance) arrived at "Enfield Park" a virgin block in Waddy Forest on the 6th April 1925, from Ceduna South Aust. Stan was a keen rifle shooter and instrumental in forming & becoming President of the Coorow Rifle Club. Susie was a founder of CWA in Coorow & Nance was Foundation secretary. Gilbert's wife Fay (m.1934) was also a CWA member. The family were very involved in the Agric. shows - exhibiting horses (owned a Clydesdale Stud), sheep, poultry, produce & cooking. Gilbert was a member of Toc H & in WW2 took part in Voluntary Defence Co. operations in Coorow Observation Post. Gilbert & Nance involved in formation Waddy Forest Tennis Club, Gilbert was Captain for many years, and He was also a keen Cricket & football player and later became patron of the Coorow Football Club. Later took up golf & both he and his wife Fay were foundation members of the Coorow Bowling Club. Gilbert was also a member of the Masonic Lodge, firstly in Carnamah & then in the newly formed Coorow Lodge. Gilbert & Fay had 3 daughters - Kath, Ruth and Maxine. Gilbert continued farming at "Enfield Park" for 60yrs until his death in January 1985. His daughter Kathleen, her husband Jim Ovens and their son Bruce are continuing on the family farming business of "Enfield Park".
Carruthers	Stirling Carruthers was one of a family group who visited Green Head in 1966 to spend the Easter weekend and returned for the first auction of land in 1968 Passed away in 1990.
Doney	James Horace Doney 17.2.10 - 26.2.00. He settled in Coorow in 1939 as manager of the local co-op. He bought a garage business in 1941 and ran 2 school buses. He started a machinery business in 1943. He was actively involved in the community in a wide number of areas.
O'Callaghan	Michael William (Bill) O'Callaghan (1905 - 1985) came to Coorow in 1928. He worked as a Head Ganger for the Midland Railway Company and then a grader operator for the Carnamah Roads Board. After studying surveying Bill became the Roads Board Surveyor and was instrumental in forming the Parks and Gardens Union for his fellow workers. As well as a competent sportsman, he was an active and caring member of the community and was a regular financial contributor to sporting, charity and church groups throughout his life.
Halden	Named after Leslie Charles (Les) Halden, born 15th August 1923, died 4th June 2000. Les served as a Councillor for the Green Head Ward for the Shire of Coorow from 1975 to 1978. Retiring to Green Head in 1983 he ran his own charter bus service catering for the locals with a monthly shopping service to Geraldton and twice weekly trips to Perth. He was actively involved in the Green Bowling and Sporting Clubs and the Green Head Ratepayers and Progress Association.
Thomson	In 1956 the late Mr Gordon Thompson was granted a conditional purchase of a block 18 miles from Midlands Road. The family owned the land until 1976. Mr Thompson was the first President of the Shire of Coorow.

As Maxwell is the next name for a road in Green Head on the list this should be the name provided for the proposed road as per the diagram supplied by GDH PTY LTD for the Water Corporation proposed new waste water treatment ponds.

STATUTORY ENVIRONMENT:

Geographical Names Committee

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

The name Maxwell has already been authorized for use by the Geographical Names Committee.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That the Chief Executive Officer provide the name Maxwell Road to GHD PTY LTD for the proposed new road to the Waste Water Treatment ponds in Green Head.

RESOLUTION:

2011/152

Moved: Cr George

Seconded: Cr Williams

That the Chief Executive Officer provide the name Maxwell Road to GHD PTY LTD for the proposed new road to the Waste Water Treatment ponds in Green Head.

*CARRIED 7/0
Simple Majority*

10.1.8 EXEMPTION TO KEEP MORE THAN TWO (2) DOGS AT LOT 116, 43 COMMERCIAL STREET COOROW

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	5 September 2011
ATTACHMENT	10.1.8
FILE	A67

SUMMARY:

Council is being requested to consider granting an exemption to allow the keeping of three (3) dogs at Lot 116, Commercial Street Coorow.

BACKGROUND:

Council has received an application from Mr & Mrs Peter and Ann Dagleish requesting an exemption to keep three (3) dogs on their property at Lot 116, 43 Commercial Street Coorow.

The following information has been provided by the applicant.

- Jay Jay- Chihuahua Terrier, de-sexed 13years
- Tootsie – Chihuahua Papillion, de-sexed 11 years
- Annie – Maltese Shitzu de-sexed 1 ½ years

Please see attached letter for further information.

COMMENT:

It is Council's policy that unless a specific application is approved, no more than two (2) dogs may be kept on property within the Shire of Coorow.

The Chief Executive Officer notify all the adjoining neighbours and request them to provide Council with the relevant information as to whether they support or object to the keeping of three (3) dogs at Lot 116, 43 Commercial Street Coorow.

STATUTORY ENVIRONMENT:

Dog Act 1976

Section 26 (3) Limitation as to number:

Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption

- a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
- b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
- c) May be revoked or varied at any time.*

Shire of Coorow Local Law 2003 Section, 3.2 limitations on the number of dogs:

- (1) *This clause does not apply to premises which have been –*
- (a) *licensed under Part 4 as an approved kennel establishment; or*
 - (b) *granted an exemption under section 26(3) of the Act.*

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That the exemption be granted to allow the keeping of three (3) dogs at Lot 116, 43 Commercial Street, Coorow subject to neighbouring property occupiers being contacted in writing and no adverse comment/objections being received within 21 days of correspondence. And if exemption is granted it be subject to the following conditions:

1. it applies only to the dogs specified in the application, and
2. the dogs do not cause a nuisance to occupiers of adjoining properties.

Should an objection or adverse comment be received the matter is to be brought back to Council for determination.

RESOLUTION:

2011/153

Moved: Cr George

Seconded: Cr Williams

That the exemption be granted to allow the keeping of three (3) dogs at Lot 116, 43 Commercial Street, Coorow subject to neighbouring property occupiers being contacted in writing and no adverse comment/objections being received within 21 days of correspondence. And if exemption is granted it be subject to the following conditions:

- 1. it applies only to the dogs specified in the application, and*
- 2. the dogs do not cause a nuisance to occupiers of adjoining properties.*

Should an objection or adverse comment be received the matter is to be brought back to Council for determination.

CARRIED 7/0
Simple Majority

ADM0437

ICR113241

P & A. Dalgleish

Lot 116 Commercial St

COOROW

W.A. 6515.

10-7-2011.

To C.E.O.

MR MARK HOOK,

I've been the owner of two toy dogs for the past 12/13 years, one of these dogs is of ill health, prompting me to take a new puppy so as to train her as a replacement pet.

Our yard is completely enclosed, so that there are never a problem to my neighbours or the Shire. I wish to keep this new puppy as my ill husband loves their company.

Our Family

Jay Jay - Chihuahua - Terrier. Desexd. 13 yrs.

Tootsie - Chihuahua - Papillon. Desexd. 11 yrs.

Annie - Maltese - Shitzu. Desexd. 1½ yrs.

Yours Sincerely
Peter & Ann Dalgleish

SHIRE OF COOROW			
RECEIVED			
11 JUL 2011			
FILE	MLS	DATE	
CEO			
MFA			
MWS			
MCD			

10.1.9 LOCAL GOVERNMENT CLIMATE CHANGE DECLARATION

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	1 March 2011
ATTACHMENT	10.1.9.1 under separate cover & 10.1.9.2
FILE	ADM0173

SUMMARY:

Council is being requested to consider the Western Australian Local Government Association Climate Change Declaration.

BACKGROUND:

In May 2008 the Association endorsed the resourcing of a climate change specific position to assist the Local Government sector to respond to the impacts and opportunities inherent in climate change management. In 2009 the State Council endorsed a Policy Statement for the Association on Climate Change, see Attachment 10.1.9.1 (under separate cover).

In order to consolidate this work, and create a strong advocacy position for the sector, the Association has developed for the sector a 'Local Government Climate Change Declaration'. The Declaration is voluntary, and states the high level 'political' commitment of Local Governments to acknowledging the impact of Climate Change on Local Governments, and to developing locally appropriate climate change management strategies. It does not, however, specifically articulate specific actions that Local Governments will take in order to respond to climate change at a local level. The Declaration is consistent with the intent of the Associations endorsed Climate Change Policy Statement, and was endorsed at the August 2011 meeting of State Council.

COMMENT:

At the present time significant political action is underway on climate change (see WALGA policy statement on Climate Change submitted as a separate cover) at both a national and state-wide level, and Local Governments will need a strong, consolidated position from which to continue their leadership position of climate change and advocate for appropriate funding mechanisms to be developed to support Local Government climate change management in particular, new Commonwealth legislation on the Carbon Farming Initiative, Carbon Tax and transition to an Emissions Trading Scheme, and the current development and consultation on the State Climate Change Adaption and Mitigation Strategy will present both risks and opportunities, which will be better met with a sector wide consistent approach. This Declaration will stand as a voluntary opportunity for Councils to demonstrate their political commitment to locally appropriate climate change management, and to participate in a sector wide leadership approach.

WALGA encourages all Local Governments to become signatories to the Climate Change Declaration, which will also support the Associations policy and advocacy work on this issue, including the development of a funded sector-wide program to assist Local Governments to respond to climate change risks and impacts.

STATUTORY IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION

That the Shire of Coorow advise WALGA it does not support the Climate Change Declaration.

RESOLUTION:

2011/154

Moved: Cr Bothe

Seconded: Cr Waite

That the Shire of Coorow advise WALGA it does not support the Climate Change Declaration

***CARRIED 5/2
Simple Majority***



The Western Australian Local Government Declaration on Climate Change

Shire/City/Town of [insert] acknowledges that:

- Evidence shows that climate change is occurring.
- Climate change will continue to have significant effects on the Western Australian environment, society and economy, and the Local Government sector.
- Human behaviours, pollution and consumption patterns have both immediate and future impacts on the climate and environment.

Shire/City/Town of [insert] supports the:

- Environmental, social and economic benefits of addressing climate change immediately.
- Opportunity for Local Government to demonstrate leadership in climate change management at a community level.
- Development of equitable and implementable State and Commonwealth strategies for climate change management.

Shire/City/Town of [insert] commits from date of signing to:

- Set an appropriate, individual Local Government emissions reduction target and work toward its achievement.
- Work with State and Federal Government to ensure achievement of greenhouse gas emissions reduction targets as set out in key National and International agreements.
- Work with State and Federal Government to implement key actions and activities for climate change management at a local level.

- Assess the regionally specific risks associated with climate change and implications for Local Government services, and identify areas where appropriate mitigation and/or adaptation strategies should be applied.
- Develop an internal Climate Change Action Plan (CCAP) for climate change actions across all Local Government functions, with a focus on the two, five and ten year future.
- Ensure that, at appropriate review intervals, the strategic plan and policies for the Local Government are reviewed and amended to reflect climate change management priorities and emissions reduction targets.
- Encourage and empower the local community and local businesses to adapt to the impacts of climate change and to reduce their greenhouse gas emissions.
- Monitor the progress of climate change initiatives and ensure full communication of achievements for Council and Community.

Signed:

Mayor/President - **Shire/City/Town**

Date:

Signed:

President - Western Australian Local Government Association

Date:

10.2 MANAGER REGULATORY SERVICES:

10.2.1 PROPOSED SUBDIVISION – LOCATION 9924 LAUNER ROAD, EGANU

AUTHOR	Kathryn Jackson
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	31 August 2011
ATTACHMENT	10.2.1.1
FILE	A1425

SUMMARY:

Council is in receipt of correspondence from the Western Australian Planning Commission seeking the Shire's comment upon an application to relocate the property boundary between Locations 9923 & 9924 Launer Road, Eganu. This report recommends support for the application.

BACKGROUND:

Locn 9923 & 9924 Launer Road, Eganu are located on the east of Winchester South Road and approximately 17km west of the Coorow townsite. The applicant (Jurien Surveys) on behalf of the landowners (Staughton Farm Pty Ltd & Carbon Fund Pty Ltd) has applied to relocate the property boundary westward between Locn 9923 and the portion of Locn 9924 located to the north of Launer Road.

The relocation of the property boundary between the two lots is considered a 'boundary rationalisation' under the Department of Planning's subdivision process as no additional lots are to be created through this process.

COMMENT:

In their present configuration Locn 9923 is 302.1518ha in area and Locn 9924 is 1762.0721ha. With the relocation of the boundary between the properties this will cause Locn 9923 to increase in size to 597.3958ha and will decrease the size of Locn 9924 to 1466.8281ha.

In summary the proposed boundary rationalisation will transfer 295.244ha from Locn 9924 to Locn 9923.

A copy of the subdivision application received from the Western Australian Planning Commissions has been included as Attachment 10.2.1.1 to this report.

The transfer of 295.244ha in area is considered a minor alteration given the existing lot sizes and 'rural' zoning of the land parcels. The application meets the objectives of the Town Planning Scheme and Local Planning Strategy and is not considered to effect the use of the land for rural purposes.

Locn 9924 Launer Road, Eganu was one of 12 lots approved by the Shire of Coorow on 18 August 2008 for the purposes of Agroforestry (Mallee Plantation). The approval was renewed on 18 August 2010 and the layout for proposed Lot 1 accords with the planting area given development approval.

Figure 1 –Location Plan illustrating Loen 9923 & 9924 Launer Road, Eganu

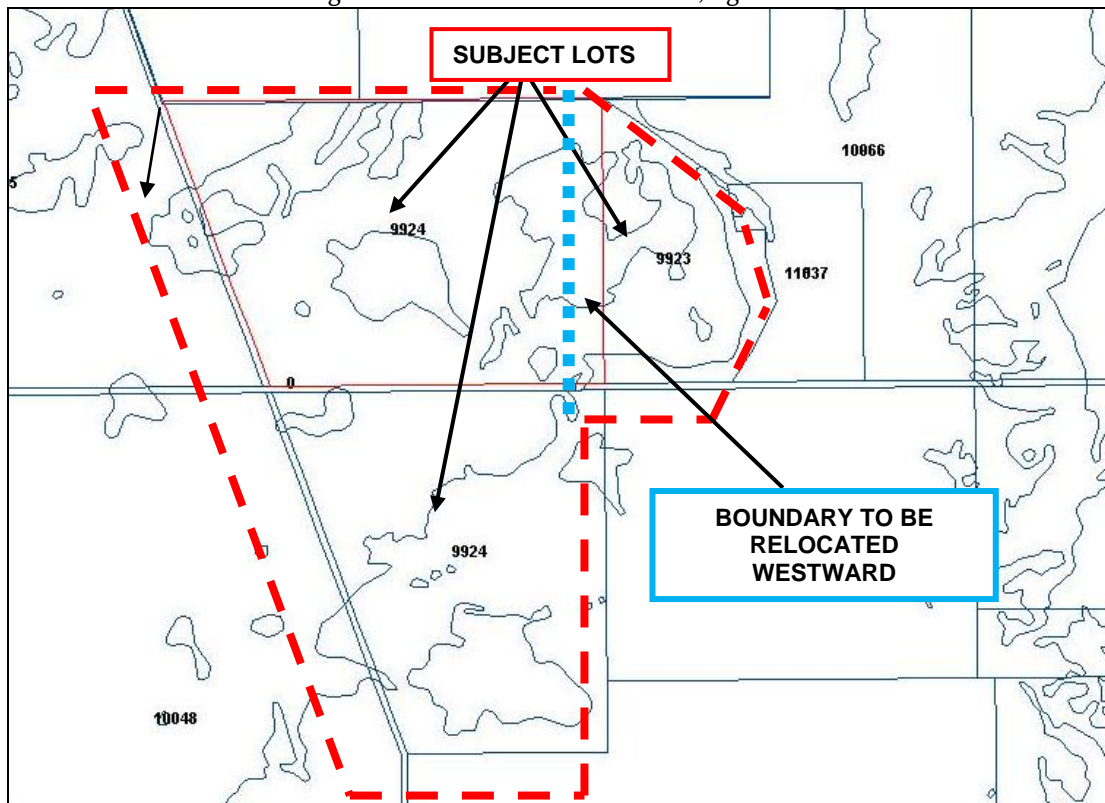
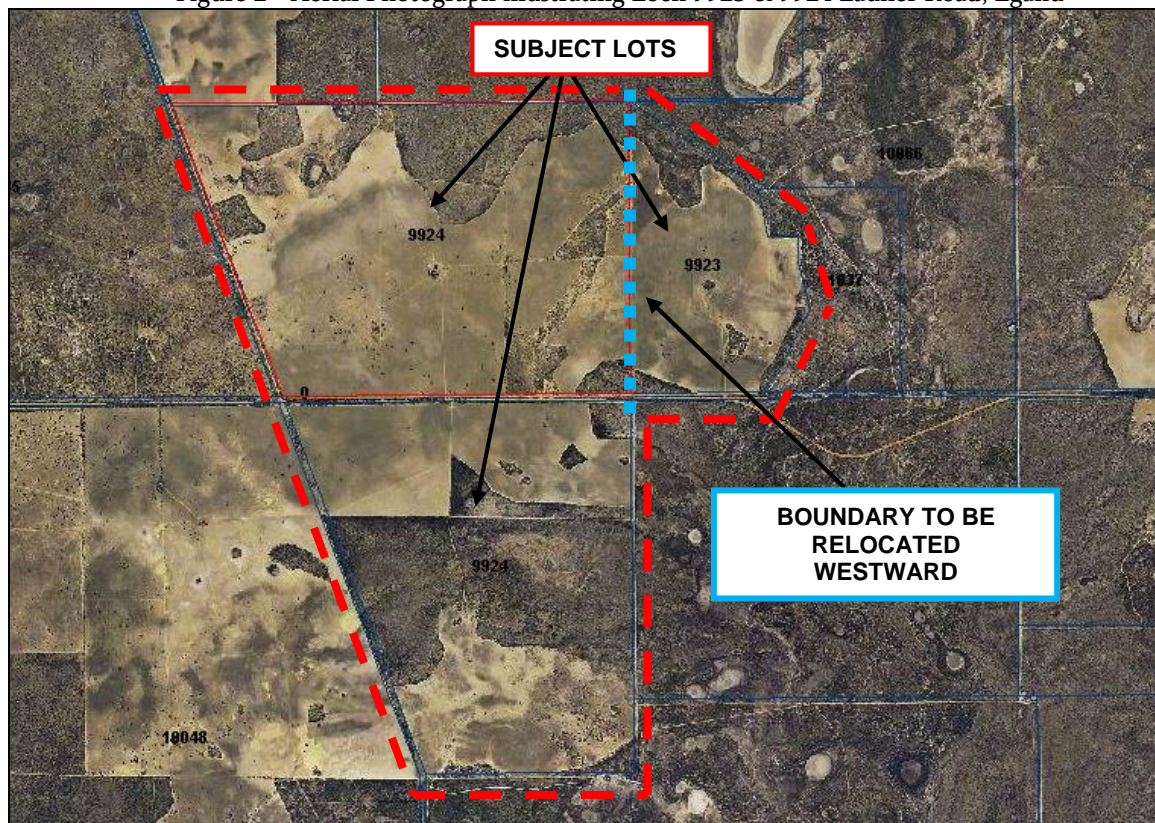


Figure 2 - Aerial Photograph illustrating Loen 9923 & 9924 Launer Road, Eganu



STATUTORY IMPLICATIONS:

The subject land is zoned 'Rural' under the Shire of Coorow Town Planning Scheme No.2 ('the Scheme').

Section 4.2 of the Scheme lists the objective for 'Rural' zones as being:

"To provide for a range of rural pursuits such as broadacre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality."

Section 1.6 of the Scheme sets out a number of aims, some of which are listed below, that Council may consider relevant in its assessment of this subdivision application:

- *To promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities.*
- *To protect and enhance the environmental values and natural resources of the Scheme area and to promote ecologically sustainable land use and development.*
- *To safeguard and enhance the character and amenity of the built and natural environment of the Scheme area."*

Section 2.1 of the Scheme states that:

2.1 Scheme Determinations to Conform with Local Planning Strategy

Except to the extent that the Local Planning Strategy is inconsistent with the Scheme, determinations of the Local Government under the Scheme are to be consistent with the Local Planning Strategy."

STRATEGIC IMPLICATIONS:

Section 6.2.5 of the Shire of Coorow Local Planning Strategy lists the following objectives for the 'Rural' zone:

- *To ensure the continuation of the basic rural use within the zone, encouraging where appropriate, the retention and expansion of present agricultural activities.*
- *To consider granting Planning Consent to non-rural uses where these can be demonstrated to be of benefit to the district and not detrimental to the area's natural resources and environment generally."*

Section 7.2 of the Local Planning Strategy recommends that:

"The Shire should avoid subdividing productive agricultural land for small rural lots (hobby farms). This form of 'lifestyle' rural residential should be investigated in the existing townsites to help build up the town population."

Given the proposed large lot sizes that are in keeping with those in the surrounding area it is considered that the boundary rationalisation will have no detrimental impact on current rural activity. In addition the proposal is considered to meet the objectives of the Shire of Coorow Local Planning Strategy as no additional lots are to be created through this process. Should Council support the application it is not considered that this will set an undesirable precedent for the area.

POLICY IMPLICATIONS:

The Shire's Local Planning Policy '6.6.4 – Conditions of Subdivision', that specifies road construction and servicing requirements, is not relevant to this application as the subject land is zoned rural, and not residential, commercial or industrial.

PUBLIC CONSULTATION:

The Western Australian Planning Commission is not obliged to undertake any public consultation in its assessment of subdivision applications, but has referred the application out to the Shire of Coorow, and would likely also be seeking comment from the Department of Agriculture and Food, Department of Environment and Conservation, Department of Water, Fire and Emergency Services Authority, Water Corporation and Western Power.

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION

That Council, having taken into consideration the provisions of the Shire of Coorow Town Planning Scheme No.2 and the Shire of Coorow Local Planning Strategy, advise the Western Australian Planning Commission that it supports the proposed subdivision (boundary rationalisation) of Locn 9923 & 9924 Launer Road, Eganu as shown on drawing number: 1107-23 (WAPC date stamped: 28 July 2011) subject to the following:

- New boundary between proposed Locn 1 & 2 to be fenced to a minimum rural standard at the cost of the developer to the satisfaction of the Local Government.

RESOLUTION:

2011/155

Moved: Cr George

Seconded: Cr Bothe

That Council, having taken into consideration the provisions of the Shire of Coorow Town Planning Scheme No.2 and the Shire of Coorow Local Planning Strategy, advise the Western Australian Planning Commission that it supports the proposed subdivision (boundary rationalisation) of Locn 9923 & 9924 Launer Road, Eganu as shown on drawing number: 1107-23 (WAPC date stamped: 28 July 2011) subject to the following:

- *New boundary between proposed Locn 1 & 2 to be fenced to a minimum rural standard at the cost of the developer to the satisfaction of the Local Government.*

CARRIED 7/ 0
Simple Majority

A1426 ICR113543



Our Ref : 144659
 Previous Ref :
 Your Ref :
 Enquiries : Robin Mcalinden (9956 0122)

1 August 2011

Chief Executive Officer
 Shire Of Coorow
 P O Box 42
 COOROW WA 6515

Application No : 144659 - Lot 9924 Launer Road, Eganu

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by the 12th September 2011 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies. If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made.

Send responses either to the address below or alternatively via email to referrals@planning.wa.gov.au. **Always quote reference number "144659" when responding.**

No response to this request may be taken as an indication that there is no comment to offer.

This proposal has also been referred to the following organisations for their comments:
Dept Of Environment & Conservation, Department Of Mines And Petroleum, Fire & Emergency Services Authority, Water Corporation, Western Power and LG As Above.

Yours faithfully

Tony Evans
 Secretary
 Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Subdivision	Application No	144659
Applicant(s)	Jurien Surveys		
Owner(s)	Staughton Farm Pty Ltd, Carbon Fund Australia Pty Ltd		
Locality	Lot 9924 Launer Road, Eganu		
Lot No(s).	9923,9924	Purpose	Rural

Central Regions, Regional Planning and Strategy
 65 Chapman Road, Geraldton, Western Australia 6530
 PO Box 68, Geraldton, Western Australia 6531
 Tel: (08) 9956 0122; Fax: (08) 9964 2912; TTY: (08) 9264 7535; Infoline: 1800 626 477
 e-mail: corporate@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au> ABN 35 482 341 493



Location		Local Gov. Zoning	Rural
Volume/Folio No.	1962/498, 2135/824	Local Government	As Above
Plan/Diagram No.	Dp206123,P206123/992 4	Tax Sheet	
Centroid Coordinates	mE mN		
Other Factors			



Form 1A Application for Approval of Freehold or Survey Strata Subdivision



Notice to applicants - Consent to the disclosure of information

In the interests of transparency, the agenda and minutes of meetings of the Western Australian Planning Commission may appear on the PlanningWA Website, which is a website that is available to the public. Accordingly, in signing this form, you acknowledge that except for information about your business, professional, personal or commercial and financial affairs, the information you have provided in support of your application may be placed on the website.

Important information for applicants

- 1 Please read all of this form carefully and consult the application guide and schedule of fees for further information. The application may not be accepted and will be returned to the applicant with the submitted fee if these requirements are incorrect or incomplete.
- 2 The WAPC is responsible for determining applications for freehold and survey strata subdivision under the *Planning and Development Act 2005* and *Strata Titles Act 1985*. The information required for an application is authorised by regulation 4 of the Planning and Development Regulations 2009. There are penalties for providing false information.
- 3 Applications for a freehold and survey strata subdivision require a fully completed form 1A with any additional information attached, the correct application fee and multiple copies of a subdivision plan and any supporting documentation (see part 7 of form 1A).
- 4 Subdivision plans must be based on an accurate and up-to-date feature survey (survey of existing physical features and improvements such as driveways, buildings as required by part 7). The additional information requirements, under part 7 item 17, are not required for amalgamation approval.
- 5 The applicant must sign part 1. All landowners or an agent with written authority must sign part 3. Agents must provide written authority from the landowner.
- 6 The application fee must accord with the current schedule of fees.
- 7 Applicants must check that there are no restrictive covenants applying to the land or if there are, attend to the resulting liabilities and obligations. The WAPC is only bound by the terms of restrictive covenants created under statute in favour of a public authority.
- 8 Applicants must state the application type, freehold or survey strata subdivision, on part 5 of form 1A. A separate application is required for each application type, freehold or survey strata subdivision. Application fees for cancelled applications will not be refunded if the application has been referred to external agencies.

JURIEN REF 19529

1 Applicant

The applicant is the person with whom the WAPC will correspond and, if the application is approved, the person to whom the approval will be sent.

Name / company: Jurien Surveys
Contact person: Ben Millar
Postal address: PO Box 637
Town / suburb: Jurien Bay Phone number/s: 9652 2424
Postcode: 6516 Fax: 9652 2426 Email: ben@juriensurveys.com.au
Current email address required for communicating decisions or other relevant matters

The form 1A has been completed in full and all relevant information is attached

Applicant signature

Ben Millar

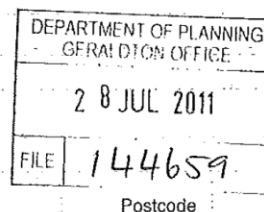
Print name and position: Ben Millar - Operations Manager
(if signing on behalf of a company or agency)

Date: 25-Jul-2011

2 Landowners

All the registered proprietors (landowners) as shown on the record of certificate/s of title for the subject lot/s must be provided. A change of name must be supported by relevant documentation such as a transfer of land document that incorporates a lodgement receipt, a company search from the Australian Securities and Investment Commission, a marriage certificate or a change of name certificate. If there are more than two landowners please provide the additional information on a separate page.

Full name: Staughton Farm Pty Ltd
Company / agency (if applicable):
ACN/ABN (if applicable): 57 008 720 465
Postal address: C/- of Jurien Surveys
Town / suburb:



Full name: Carbon Fund Australia Pty Ltd
Company / agency (if applicable):
ACN/ABN (if applicable): 82 120 072 433
Postal address: C/- of Jurien Surveys
Town / suburb:

Postcode

4 Certificate/s of title

Current copies (issued within the last 6 months) of a record of certificate/s of title for all subject lot/s must be attached to the form. If there are more than two records of title please provide the additional information on a separate page. Duplicate certificate/s of title will not be accepted.

Certificate of title	Volume	1962	Folio	498	Diagram/plan/deposit plan no	dp 206123
Lot number and location of subject lot	Lot no (whole/part)	9924	Location			
Reserve no (if applicable)						
Street number and name	1080 Launer Road					
Town / suburb	Eganu				Postcode	6515
Nearest road intersection	Winchester South Road					

Certificate of title	Volume	2135	Folio	824	Diagram/plan/deposit plan no	dp 206123
Lot number and location of subject lot	Lot no (whole/part)	9923	Location			
Reserve no (if applicable)						
Street number and name	No Street Address information available					
Town / suburb	Eganu				Postcode	6515
Nearest road intersection	Winchester South Road					

Current copies of all records of title are attached. ☒ yes

Total number of current lot/s subject of this application 2

5 Summary of the proposal

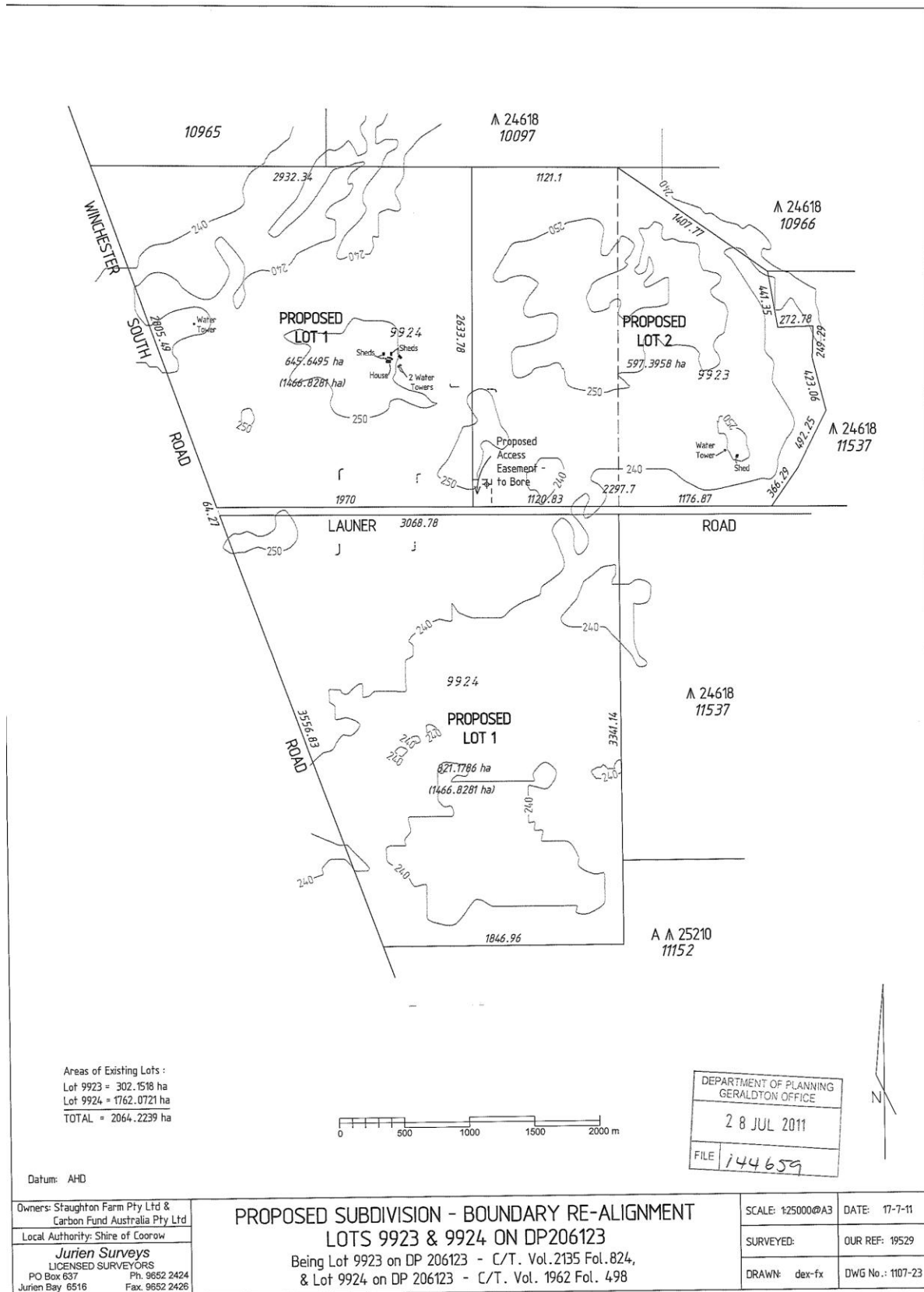
Please print clearly and tick the appropriate boxes.

1 Application type	<input checked="" type="checkbox"/> subdivision	or	<input type="checkbox"/> amalgamation
2 Tenure of proposed lot/s	<input checked="" type="checkbox"/> freehold (go to 4)	or	<input type="checkbox"/> survey strata (go to 3)
3 Is common property proposed?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	
4 Does the subject lot/s contain existing dwellings (ie buildings for residential purposes), outbuildings and/or structures?	<input checked="" type="checkbox"/> yes (go to 5)	<input type="checkbox"/> no (go to 6)	
5 Please provide details of dwellings, outbuildings and/or structures	<input checked="" type="checkbox"/> dwellings	number of dwellings	<u>2</u>
	<input checked="" type="checkbox"/> all to be retained	<input type="checkbox"/> all to be removed	<input type="checkbox"/> partially retained/removed (please specify) ...
		
and/or	<input checked="" type="checkbox"/> outbuilding/s and/or structures	number of outbuildings and/or structures	<u>5</u>
	<input checked="" type="checkbox"/> all to be retained	<input type="checkbox"/> all to be removed	<input type="checkbox"/> partially retained/removed (please specify) ...
		
and/or	others (please specify)		
		
6 Number of proposed lot/s	<u>2</u>		
7 Current land use	Rural		
8 Proposed land use / development	Rural		
(please state the purpose of the subdivision and specify the proposed use of each of the proposed lots)			
.....			
9 Local government where the subject land is located City/Town/Shire of	Shire of Coorow		

6 Application fee

The application fees are listed in the schedule of fees which is reviewed annually. Please ensure the fees submitted accord with the current fee schedule. Cheques should be made out to the Western Australian Planning Commission.

The correct application fee determined in accordance with the current schedule of fees is attached. ☒ yes \$ 1603



10.2.2 BUILDING ACT 2011

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	7 September 2011
ATTACHMENT	10.2.2.1 , 10.2.2.2
FILE	ADM0338

SUMMARY:

A new building act was passed on 23 June 2011 and will come into operation from 31 October 2011 with a proposed phased implementation over a period of 12 months.

The new *Building Act 2011* has been developed to replace the *Building Regulations 1989* and parts of the *Local Government (Miscellaneous Provisions) Act 1960*. The *Building Act 2011* covers all building and the whole State of Western Australia, it introduces permit issuing authorities, enables private certification of design compliance and is designed to streamline and clarify the building process.

This report has been prepared to provide Councillors with an overview of the changes that are proposed in the new Building Act and also to seek its approval for a number of actions that the Shire need to implement in order to ensure that the Building Section can continue to operate under the provisions of the new Act to as close to the same extent as it currently does under the existing Act.

BACK GROUND:

The Government has undertaken a Building Regulation reform package that is planned to deliver the most significant transformation to Western Australia building legislation in over 50 years. The existing building approvals process was established by the *Local Government Act 1960*, and reflects the way buildings were designed in the 1950s, relying on builders registered under the *Builders' Registration Act 1939*. Building policy and legislation has been fragmented between Local and State Government departments since then, with practitioner registration managed by individual boards. Reviews of building regulations undertaken by the former Housing and Works and Consumer Protection portfolios recommended that the legislation be updated to reflect modern building practises in Western Australia. Reviews also suggested that the legislation be managed in one place, by a single entity, and as a result the Building Commission was established.

The Building Commission was established as a division of the Department of Commerce in July 2009 and brings together building practitioner registration, building standards, complaints processes and building policy and is leading the implementation of the Government's Building Regulation Reform package which comprises the following Bills:

- The Building Services (Complaint Resolution and Administration) Act
- The Building Services (Registration) Act
- The Building Services Levy Act, and
- The Building Act

This new legislation abolishes the Builders' Registration Board, the Painters' Registration Board, the Building Surveyors Qualifications Committee and the Building Disputes Tribunal and replaces them with a more streamlined and integrated system.

The *Building Act 2011*, which has the most significant impact for Local Government, was passed on 23 June 2011 and is planned to come into operation from 31 October 2011 with a proposed phased implementation over 12 months.

The new Building Act has been developed to replace the *Building Regulations 1989* and parts of the *Local Government (Miscellaneous Provisions) Act 1960*. The *Building Act 2011* covers all building and the whole State of Western Australia, it introduces permit issuing authorities, enables private certification of design compliance and is designed to streamline and clarify the building process, including:

- Whole of state coverage;
- All buildings to be covered, including those owned by the Crown;
- Giving a clearer definition of what constitutes a building and clear exemptions from the building permit process;
- Nominating Permit Authorities - confirms local government's role issuing building permits, also enables State Government or special permit authorities are able to issue building and occupancy permits and to enforce building control;
- Enables private registered building surveyors to certify design compliance;
- Introducing separate and streamlined processes for approving domestic and commercial buildings;
- Retaining the option for owners to use the current local government combined certification and permit issuing function for residential construction houses and minor building work (class 1 and 10);
- Taking a risk-based approach to inspection requirements so that registered building professionals require less independent checking than lay designers and owner-builders;
- Providing a clear end-point to the construction process, and certification that the building complies with the building permit issued;
- Registering a wider range of industry practitioners to certify compliance;
- Implementing a nationally agreed accreditation framework for building surveyors; and
- Implementing a process for the assessment and approval of building works carried out without a building permit.

The desired outcome of these reforms is intended to be a more responsive and modern building regulatory system that meets the changing needs and aspirations of all building industry participants and consumers.

These reforms are likely to have a significant impact on the operation of Building Control at the Shire of Coorow.

COMMENT:

The Building approval process in Western Australia is about to undergo significant change. The changes have been talked about for many years however the Building Act has now been passed by the Government on 23 June 2011 and is set to commence operation on 31 October 2011. The Regulations supporting this Act (at the point of preparing this report) have not been released and are expected to be introduced at the beginning of October 2011 which has made it difficult to determine the full impact on Local Government. While this Act has been on the

table for the last 20 years or so, the introduction of the current version of the Act and supplementary guidance information has been very quick. The speed with which it has been implemented and the lack of supporting information such as the Regulations, has made it difficult to prepare this report in a timely fashion as we are still endeavouring to understand the full implications of the Building Act for Local Government.

One of the key factors of the new Building Act for Local Governments is that it enables privatisation of the Building Surveying function that was previously provided by Local Government. It is now open to competition from private approval providers which is a relatively new industry in WA, though has been established in other states for some time. It is expected however, that in a short period of time this industry will grow rapidly and will have a greater impact on Local Government's ability to attract and retain suitably qualified personnel to undertake its statutory responsibilities, as well as have some expected impact in respect to income previously generated by Building applications as a greater percentage of these will be picked up by private certifiers.

It has also been difficult to establish whether or not local governments will be able to legally *compete* in the open market place or whether their role would be confined to simply Building Permit issuance and Compliance. Section 3.59 of the Local Government Act indicates that there may be scope to set up a business unit, however in order to do so, the Shire would need to prepare a business plan and also need to advertise such a plan. Creation of a business unit would take some time to set up and could be done at any time. There would also be other challenges in setting up such a business unit, such as how you would staff the unit, possible conflict of interest between the business unit and permit approval unit and perhaps some political issues in respect to its operation.

STATUTORY ENVIRONMENT:

The Building Act sets up a different framework to the approvals process for building work than what was previously provided in the *Local Government (Miscellaneous Provisions) Act*. The Building Commission has produced a "Guide for Local Government Permit Authorities in Western Australia" which outlines the changes to the approvals process as well as the many other changes. Copies of this document can be obtained from the Building Commissions website. If you have had the opportunity to read the Guide, you will appreciate the extent of the changes provided by the new *Building Act 2011*. Given the extent of the changes and the availability of more detailed information, this overview will only touch on some of the more specific changes that Staff believe will have the most significant impact on this Local Government.

The minimum functions that Local Governments are required to perform under the *Building Act 2011* include;

- Issue prescribed permits (Permit Authority)
- Ensure building works within its district achieve statutory compliance,
- Undertake assessment and issue Certificate of Design Compliance for class 1 (single houses) and 10 (sheds & patios etc)

The key change to the building approvals system is the introduction of the ability to have the building design certified by a building surveyor who no longer needs to be an employee of the local government within which district the building is proposed to be built.

Currently if someone undertakes building work within the Shire of Coorow, they have only one way to obtain a building permit and that is by submitting an application for a building licence to the Shire of Coorow. An appropriately qualified Building Surveyor employed by the Shire would then assess the application and once satisfied that the application satisfies the relevant legislation, a building licence can then be issued.

Under the proposed system, a person who is planning to build can seek the services of any qualified Building Surveyor who may be employed by the Shire of Coorow, or a Private Building Surveyor or who may be employed by another local government or other agency. The Building Surveyor would then issue what is now to be called a “Certificate of Design Compliance”, (CDC). Once the owner or builder has obtained the CDC, they may then submit an application for a Building Permit that must include the CDC together with the necessary plans and specifications to the Local Government who then have 14 days in which to issue the “Building Permit”.

While Local Governments only have to provide the minimum services specified above, they may also be able to consider providing other services and be able to charge a fee to recover the cost of those services. Before doing so, local governments will need to ensure they do not breach the provisions of the *Local Government Act* and other legislation such as the National Competition Policy. These other services might include:

- Provide Certificate of Design Compliance, (Certification Services for all classes of buildings)
- Provide Certificate of Construction Compliance, (Inspection and Certification of various portions of a building during construction work that is within the scope of skills and qualifications available)
- Provide Certificate of Building Compliance, (coordinate, inspect and certify that a completed building is compliant)

Staff believe that to begin with Council should endeavour to maintain the services to at least an equivalent level to that currently provided but, at the same time position itself to be able to either extend or contract that business over time as the building industry come to understand the systems provided by the Building Act 2011.

There seems to be a view that little will change in the first 12-24 months as the building industry gains an understanding of the new system. At some point beyond 12 months we believe that competition will become quite aggressive as new businesses (private certifiers) claim their place. Building Surveyors in Local Government will likely be lured from those organisations via significant salary increases that local governments may not be able to compete with.

It is likely that initially large projects will be sought after by the private certification industry in order to be profitable, and with time, residential buildings will be picked up by the private sector. Residential buildings are currently the Shires primary business, with income currently derived from this source, so if this portion of the work was to be picked up by private certifiers, it would have a significant impact on the income of the Shires Building Section. The model and fee structure proposed by the *Building Act 2011* does not appear to serve the project home market that well, and so it is anticipated that most residential applications will continue to be processed by Local Governments unless regulatory changes are made.

The *Building Act 2011* now covers all work and provides that the Certificate of Design Compliance must be issued by a person who is not associated with the building owner. This means that State Buildings must be certified by a building surveyor who is not employed by the State, and also means that a building development proposed by a local government will no longer be able to be certified by the local government building surveyor. This means that we will now need to seek this certification externally from a private certifier or other permit authority. Local Governments will still need to issue permits.

STRATEGIC IMPLICATIONS:

Due to the short timeframe within which the Act is due to come into force, strategic implications are largely unknown.

POLICY IMPLICATIONS:

Council currently has the following delegations under the provisions of the Local Government (Miscellaneous Provisions) Act 1960:

- DA 9.4.2-Demolition Licenses
- DA 9.4.3-Building Licenses
- DA 9.4.4-Building Licenses-Extension of Time
- DA 9.4.5-Section 401 Notices
- DA 9.4.6-Section 401A Notices
- DA 9.4.7-Issue of Section 403 Notices
- DA 9.4.8- Issue of Section 408 and Section 409 Notices

With the full introduction of the Building Act 2011, the above delegations will become redundant in that the head of power will shift from the *Local Government (Miscellaneous Provisions) Act 1960* to the *Building act 2011*.

New delegations are therefore needed under the *Building Act 2011*. Given the relevant provisions relating to delegations under the *Building Act 2011* have not come into operation, the functions of the new delegations cannot be performed by Officers until such time as the relevant provisions are proclaimed. It is therefore proposed that Officers continue to perform such functions in accordance with existing delegations while, at the same time, adopting the new delegations to be implemented at such future time as these provisions are proclaimed. The ability to do this is referred to under Section 25 of the *Interpretations Act 1984*.

Section 127 of the *Building Act 2011* enables local governments the ability to delegate any powers or duties to an employee.

Council is requested to approve the following new delegations as provided under the following sections of the *Building Act 2011*:

- s20 – Approve or refuse a Building Permit
- s21 – Approve or refuse a Demolition Permit
- s58 - Issue an Occupancy Permit and a Building Approval Certificate
- s65 - Consider Extending the period of duration of an Occupancy permit or a Building approval Certificate.
- s110 - Issue Building Orders
- s117 - Revoke Building Orders

Delegations are to be made to Officers based on their skills and qualifications.

Council currently has no Authorisations listed under the *Local Government (Miscellaneous Provisions) Act 1960*.

With the introduction of the *Building Act 2011*, existing authorisations would not be affected however authorisations are needed for Officers to carry out the relevant provisions under the *Building Act 2011*. Given these relevant provisions have not yet come into operation, the new authorisations cannot be undertaken by Officers until such time as this occurs. It is therefore proposed that Council appoint authorised Officers and adopt the new authorisations in readiness for 31 October 2011.

Under s.96 of the *Building Act 2011*, permit authorities (local governments) may designate employees as authorised persons.

The following new authorisations are therefore proposed under different sections of the Building Act:

- s100 - Entry Powers
- s101 - Powers after entry for compliance
- s102 - Obtaining information and documents
- s103 - Use of force and assistance

FINANCIAL IMPLICATIONS:

Most of the fee changes proposed are statutory changes that will be set by the proposed new Building Regulations to be adopted under the *Building Act 2011*. These proposed statutory fees have been published in draft by the Building Commission to assist the Building Industry prepare for the implementation of the Act.

Because of the implications of s3.18 of the *Local Government Act*, the proposed new fees have to be based on cost recovery only of the services that can be provided and as such are based on the fee's set under the current *Local Government (Miscellaneous Provisions) Act 1960*.

It is expected that over time, the income generated within the Building Section will decrease relative to the level of building work conducted within the Shire. It is difficult to determine the staffing needs at this point given the lack of Regulations and response to the new provisions by the building industry.

CONCLUSION:

Council are advised to consider the implications the *Building Act 2011* will have on the Shire of Coorow and support the directions that staff are proposing in this report.

Council are also requested to approve the new delegations needed to ensure that business can operate in the same manner that it currently does under the current *Local Government (Miscellaneous Provisions) Act 1960*.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council revoke the current delegations as listed in Attachment 10.2.2.1 and adopt the new delegations as shown in Attachment 10.2.2.2, for enforcement at such future time as the relevant provisions of the *Building Act 2011* is proclaimed.

RESOLUTION:

2011/156

Moved: Cr Williams

Seconded: Cr Girando

That Council revoke the current delegations as listed in Attachment 10.2.2.1 and adopt the new delegations as shown in Attachment 10.2.2.2, for enforcement at such future time as the relevant provisions of the Building Act 2011 is proclaimed

CARRIED 7/0
Absolute Majority

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.2
Delegation Subject:	Demolition Licences
Delegation:	The Chief Executive Officer is delegated authority to approve the issue of a demolition licence <i>Local Government (Miscellaneous Provisions) Act 1960 Section 374A</i> to take down a building or part of a building and such licence may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.
Objectives:	To allow the timely handling of applications for Demolition Licences.
Guidelines:	<i>Local Government (Miscellaneous Provisions) Act 1960 Section 374A Demolition Licences</i>
Resolution Number:	2003-171, 2010-144
Resolution Date:	17 December 2003, 15 June 2005, 18 August 2010
On Delegation:	Chief Executive Officer to Manager Regulatory Services
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.3
Delegation Subject:	Building Licences
Delegation:	<p>That pursuant to <i>Section 374(1b) of the Local Government (Miscellaneous Provisions) Act 1960</i>, the Manager Regulatory Services (Building Surveyor) is delegated authority to approve or refuse to approve plans and specifications, but where a plan and specification so submitted conforms to the:</p> <ol style="list-style-type: none">1. All Local Laws and Regulations in force in the district or part of the district in respect of building matters, and the Council's predetermined policy in respect of building matters; and2. All Local Law and schemes in force in the district or part of the district in respect of town and regional planning matters, and the Council's predetermined policy in respect of town and regional planning matters. <p>The Manager Regulatory Services (Building Surveyor) shall not refuse to approve that plan or those specifications without first obtaining the consent of Council.</p> <p>Furthermore the issuing of a building licence under <i>Section 374(1) of the Local Government (Miscellaneous Provisions) Act 1960</i> may be subject to such conditions as the Manager Regulatory Services (Building Surveyor) considers necessary.</p>
Objectives:	To allow the timely handling of applications for Building Licences.
Guidelines:	<i>Local Government (Miscellaneous Provisions) Act 1960 Section 374 Plans of Buildings to be Approved by Local Government</i>
Resolution Number:	2003-171, 2010-144
Resolution Date:	17 December 2003, 18 August 2010
Source:	Manager Regulatory Services (Building Surveyor)
Date of Review:	Annually
Review Responsibility:	Manager Regulatory Services (Building Surveyor)

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.4
Delegation Subject:	Building Licences – Extension of time to complete
Delegation:	That in accordance with <i>Section 374(1a) of the Local Government (Miscellaneous Provisions) Act 1960</i> Council's Manager Regulatory Services (Building Surveyor) is delegated authority to approve of an extension of time where it was not possible to complete the building within the period specified in the building licence, subject to the payment of any additional building licence fee.
Objectives:	To allow the timely handling of applications for and extension of time to complete works under an already issued Building Licences.
Guidelines:	<i>Local Government (Miscellaneous Provisions) Act 1960 Section 374 Plans of Buildings to be Approved by Local Government</i>
Resolution Number:	2003-171, 2010-144
Resolution Date:	17 December 2003, 18 August 2010
On Delegation:	
Source:	Manager Regulatory Services (Building Surveyor)
Date of Review:	Annually
Review Responsibility:	Manager Regulatory Services (Building Surveyor)

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.5
Delegation Subject:	Section 401 Notices
Delegation:	The Chief Executive Officer is delegated authority to issue notices pursuant to <i>Section 401 of the Local Government (Miscellaneous Provisions) Act 1960</i> where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.
Objectives:	<p>To allow the timely handling of issuing of notices to where the Local Government should require alterations to a building under construction to:</p> <ul style="list-style-type: none">• render the building safe; and• comply with plans and specifications approved by the local government.
Guidelines:	<i>Local Government (Miscellaneous Provisions) Act 1960 Section 401 Notice of Required Alterations.</i>
Resolution Number:	2003-171, 2010-144
Resolution Date:	17 December 2003, 15 June 2005, 18 August 2010
On Delegation:	Chief Executive Officer to Manager Regulatory Services
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.6
Delegation Subject:	Section 401A Notices
Delegation:	<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none">1. issue stop work notices pursuant to <i>Section 401A of the Local Government (Miscellaneous Provisions) Act 1960</i> where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice2. withdraw stop work notices pursuant to <i>Section 401A of the Local Government (Miscellaneous Provisions) Act 1960</i> where the breach for the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.
Objectives:	To allow the timely handling of issuing of notices to where illegal building work is be conducted.
Guidelines:	<i>Local Government (Miscellaneous Provisions) Act 1960 Section 401A Stopping Unlawful Work.</i>
Resolution Number:	2003-171, 2010-144
Resolution Date:	17 December 2003, 15 June 2005, 18 August 2010
On Delegation:	Chief Executive Officer to Manager Regulatory Services
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.7
Delegation Subject:	Issue of Section 403 Notices
Delegation:	<p>The Chief Executive Officer is delegated the authority to carry out the following functions as provided in <i>Section 403 of the Local Government (Miscellaneous Provisions) Act 1960</i>:</p> <ol style="list-style-type: none">1. Issue a certificate which states that the subject building is in a dangerous state.2. Shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger;3. Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.
Objectives:	To allow the timely handling of issuing of notices where the Local Government should require the owner or occupier to take action to a building to render the building safe in the interests of the safety of the public.
Guidelines:	<i>Local Government (Miscellaneous Provisions) Act 1960 Section 403 Survey to be made of Dangerous Buildings.</i>
Resolution Number:	2003-171, 2010-144
Resolution Date:	17 December 2003, 15 June 2005, 18 August 2010
On Delegation:	Chief Executive Officer to Manager Regulatory Services
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.8
Delegation Subject:	Issue of Section 408 and Section 409 Notices
Delegation:	The Chief Executive Officer is delegated authority to serve upon the owners and occupiers of neglected and dilapidated buildings the written notices required by <i>Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960</i> .
Objectives:	To allow the timely handling of issuing of notices where the Local Government should require the owner or of a neglected building to remove that building or renovate that building.
Guidelines:	<i>Local Government (Miscellaneous Provisions) Act 1960 Section 408 removal of neglected buildings; and Local Government (Miscellaneous Provisions) Act 1960 Section 409 Power to compel renovation of Dilapidated Buildings.</i>
Resolution Number:	2003-171, 2010-144
Resolution Date:	17 December 2003, 15 June 2005, 18 August 2010
On Delegation:	Chief Executive Officer to Manager Regulatory Services
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.10
Delegation Subject	Demolition Permits
Delegation Subject:	The Chief Executive Officer and Manager, Regulatory Services are the Delegated Authority to approve plans and specifications submitted under Section 21 of the <i>Building Act 2011</i> .
Objectives:	To allow the timely handling of applications for Demolition Permits.
Guidelines:	Section 21- <i>Building Act 2011</i> .
Resolution Number:	
Resolution Date:	
On Delegation	Nil
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer and Manager, Regulatory Services

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.11
Delegation Subject:	Building Permits
Delegation	The Chief Executive Officer and Manager, Regulatory Services are the Delegated Authority to approve or refuse plans and specifications submitted under Section 20 of the <i>Building Act 2011</i>
Objectives:	To allow the timely handling of applications for Building permits.
Guidelines:	<i>Building Act 2011.</i>
Resolution Number:	
Resolution Date	
On Delegation	Nil
Source:	Manager, Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer and Manager, Regulatory Services

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.12
Delegation Subject:	Extension of Period of Duration of Occupancy Permit or Building Approval Certificate
Delegation:	That the Chief Executive Officer and Manager, Regulatory Services be the Delegated Authority to approve, or refuse, applications submitted under Section 65 of the <i>Building Act 2011</i> .
Objectives:	To allow the timely handling of applications for extensions of time for a Building Approval Certificate and Period of Duration of Occupancy Certificate
Guidelines:	<i>Building Act 2011</i>
Resolution Number:	
Resolution Date:	
On Delegation	Nil
Source:	Manager, Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer and Manager, Regulatory Services

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.13
Delegation Subject:	Grant of Occupancy Permit, Building Approval Certificate
Delegation:	The Chief Executive Officer and Manager, Regulatory Services are the Delegated Authority to approve, modify or refuse to approve applications submitted under Section 58 of the <i>Building Act 2011</i> .
Objectives:	to allow the timely handling of applications for an Occupancy Certificate and Building Approval Certificate.
Guidelines:	<i>Building Act 2011</i> .
Resolution Number:	
Resolution Date:	
On Delegation:	Nil
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer and Manager, Regulatory Services

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.14
Delegation Subject:	Building Orders
Delegation:	<p>1) The Chief Executive Officer and Manager, Regulatory Services are the Delegated Authority to make building orders pursuant to Section 110 of the <i>Building Act 2011</i> in relation to:</p> <ol style="list-style-type: none">1. Building work2. Demolition work3. An existing building or incidental structure <p>2) To revoke building orders pursuant to Section 117 of the <i>Building Act 2011</i></p>
Objectives:	To allow the timely handling of enforcement and compliance actions undertaken by the Chief Executive Officer and Manager Regulatory Services.
Guidelines:	<i>Building Act 2011.</i>
Resolution Number:	
Resolution Date:	
On Delegation:	Nil
Source:	Manager Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer and Manager, Regulatory Services.

DELEGATED AUTHORITY - ECONOMIC SERVICES

Sub Section:	Building Administration and Inspections
Delegation Number:	9.4.15
Delegation Subject:	Authorised Persons – <i>Building Act 2011</i>
Delegation:	That the Chief Executive Officer and Manager, Regulatory Services be appointed by Council as "Authorised Persons" under the provisions of Section 100, 102, 103 and 106 of the <i>Building Act 2011</i> .
Objectives:	To allow the timely handling of enforcement and compliance actions undertaken by the Chief Executive Officer and Manager, Regulatory Services.
Resolution Number:	
Resolution Date:	
Source:	Manager, Regulatory Services
Date of Review:	Annually
Review Responsibility:	Chief Executive Officer and Manager, Regulatory Services.

10.3 PRINCIPAL WORKS SUPERVISOR:

10.3.1 BLACK SPOT FUNDING – BRISTOL STREET AND STATION STREET/SOUTH STREET, COOROW.

AUTHOR	Kelvin Bean
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	9 September
FILE	ADM0142
ATTACHMENT	10.3.1.1 & 10.3.1.2

SUMMARY:

That Council endorse the actions of the Chief Executive Officer and Principle Works Supervisor submitting Black Spot Funding for Bristol Street and Station Street/ South Street Coorow for the 2012/13 Financial year.

BACKGROUND:

After completion of a safety audit on the intersections of Main St / Bristol St and Station St / CBH yards it was decided to apply for funding through the Black Spot Programme. Staff received the following from the Shire's Consulting Engineer (Greenfield Technical Services).

BRISTOL ST

The proposed Black Spot submission is based on the attached layout which basically involves widening the slip lane. We have also allowed for construction of 2 mountable concrete islands to regulate parking in Main St to the east of the intersection and relocation of two Watercorp valves/meters in the verge.

Our estimate for these works is approximately \$70,000.

STATION ST / CBH

The proposed Black Spot submission is for a study that will identify possible improvements to the current road layout and access in front of CBH. Attached is a possible alternative layout which basically involves installation of a private access gate and fencing just south of the Station St (Sth) / South St to control access in and out of CBH. The new alternative road access over the rail line will be constructed between Midlands Rd and Station St (Nth). We have not yet received any feedback from WestNet Rail about this preliminary proposal.

Our estimate for the design and investigation works is approximately \$30,000.

It is too early to say what the proposed layout is likely to cost. However we expect that the new road construction might be in the order of \$160,000 including the rail crossing. Any crossing controls such as flashing lights or boom gates would be additional. We have assumed that any costs for fencing and gates for the CBH access would be covered by CBH.

COMMENT:

The Main St / Bristol St intersection will be a one stage project which will involve the widening of the slip lane past the Shire offices, and white lining of holding lines for the give way signs.

The Station St / CBH yards will be programmed to be done in a two stage project; the first stage being the planning and the second stage being the construction. This will involve a new access road to Maley Park and the Caravan Park and sealing of the intersection of Station St / CBH yards. At the second train crossing there would be the installation of a cul-de-sac.

STATUTORY ENVIRONMENT:

Nil

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Possible funding in the 2012/13 Budget, figures to be determined.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council endorse the actions of the Chief Executive Officer and Principle Works Supervisor on their application for Main St / Bristol St and Station St / CBH yard Black Spot funding submissions.

RESOLUTION:

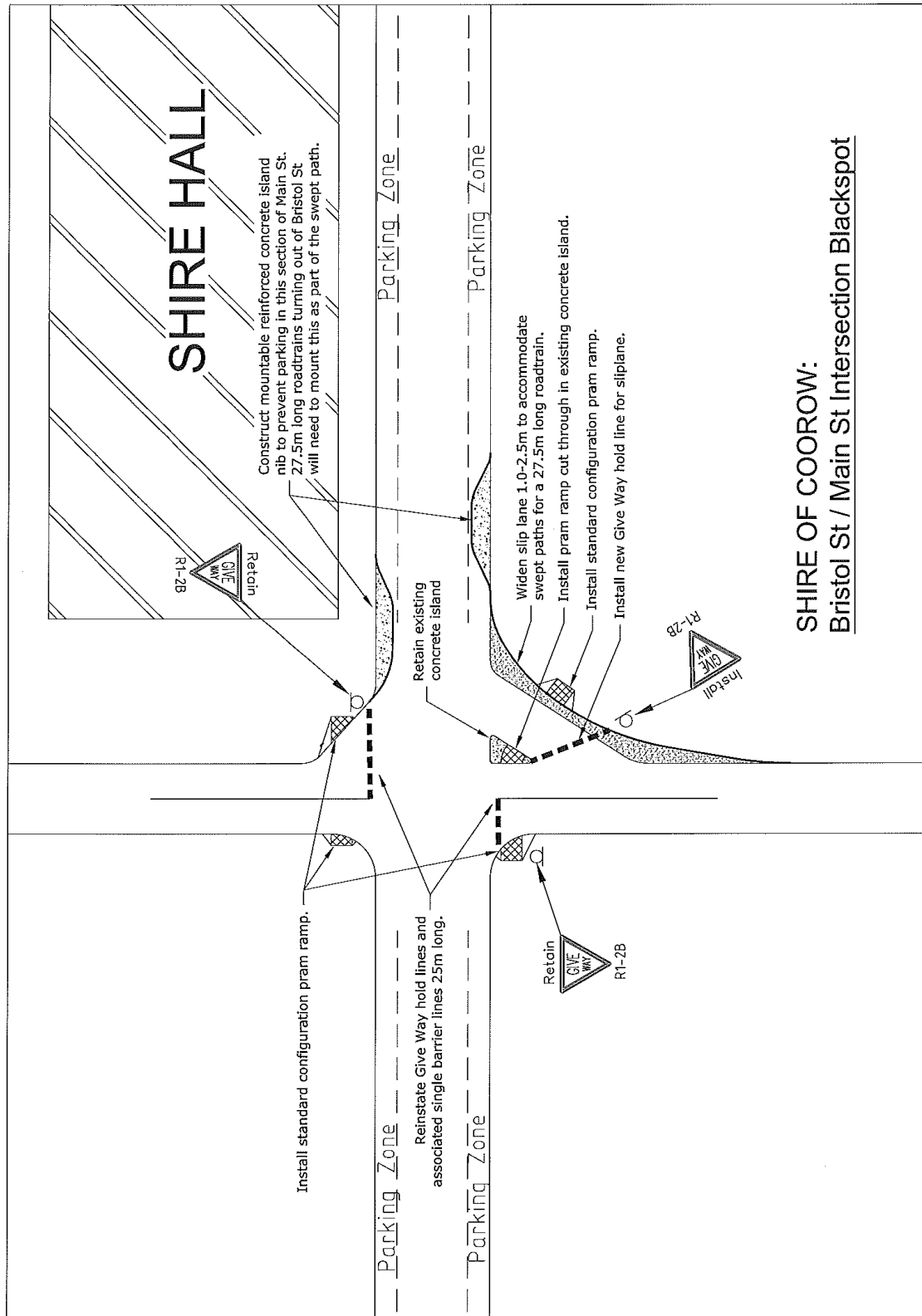
2011/157

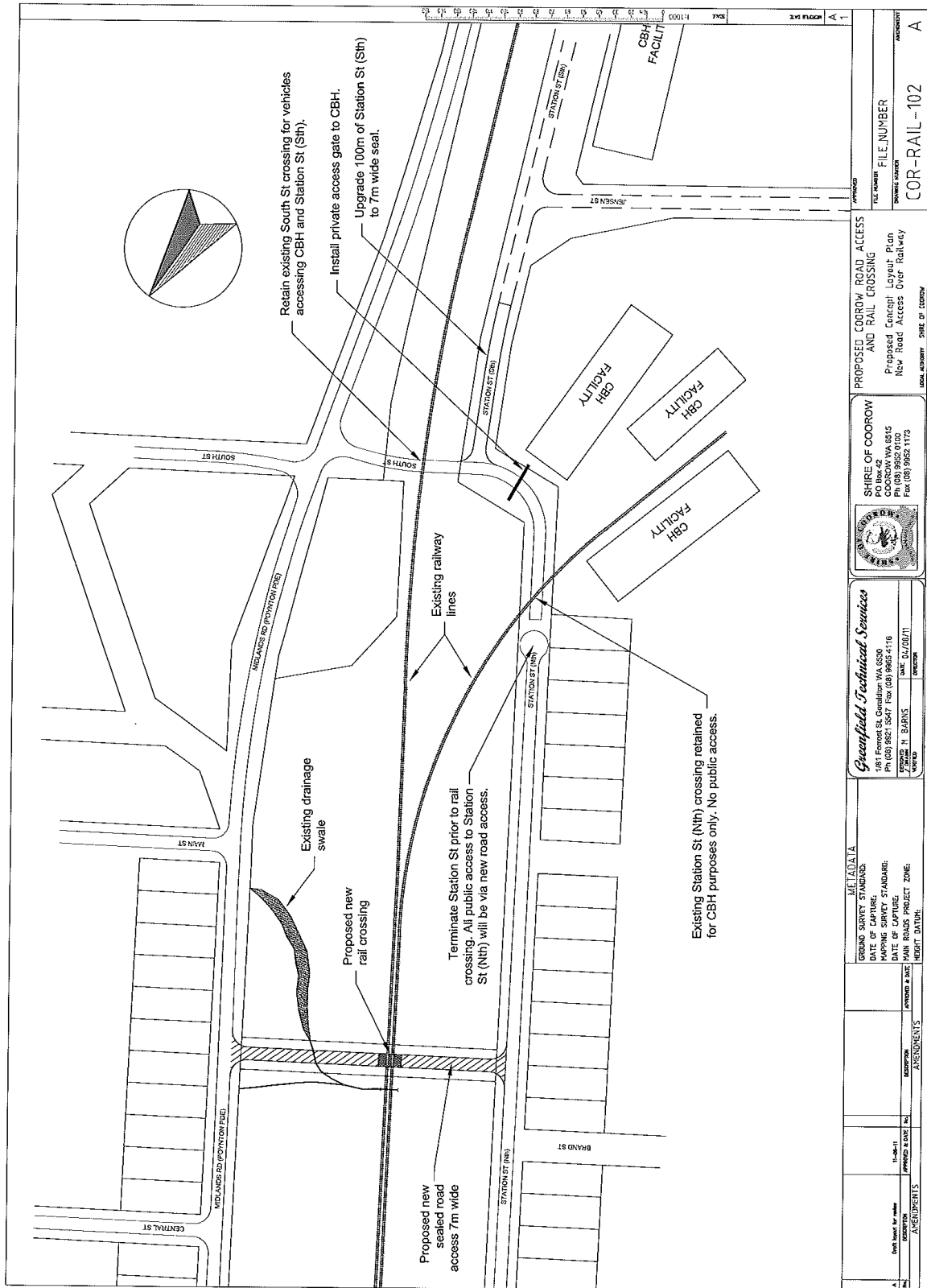
Moved: Cr Williams

Seconded: Cr Waite

That Council endorsed the actions of the Chief Executive Officer and Principle Works Supervisor on their application for Main St / Bristol St and Station St / CBH yard Black Spot funding submissions.

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





10.4 DEPUTY CHIEF EXECUTIVE OFFICER:

10.4.1 ACCOUNTS FOR PAYMENT

AUTHOR	Erika Clement
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	13 September .2011
ATTACHMENT	10.4.1 Accounts Due and Submitted To Council Meeting 13.09.2011
FILE	

SUMMARY:

Council approval is required for payment of accounts made within the months of August 2011 and September 2011 and to approve payments of accounts due in September 2011.

COMMENT:

Approval is sought for the following list of payments of accounts made since Council's last meeting on 17th August 2011 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 21st September 2011.

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 21 September 2011 including:

MUNICIPAL FUND

Cheques	18814-18824, 18906-18910
Collection Summaries	PR71010911 to PR72300811,
Payroll DD	17/08/2011 to 31/08/2011,
EFT	3974-4005
Totalling	\$280,450.28

be authorised and passed for payment.

RESOLUTION:

2011/158

Moved: Cr Williams

Seconded: Cr Bothe

<i>Cheques</i>	<i>18814-18824, 18906-18910</i>
<i>Collection Summaries</i>	<i>PR71010911 to PR72300811,</i>
<i>Payroll DD</i>	<i>17/08/2011 to 31/08/2011,</i>
<i>EFT</i>	<i>3974-4005</i>
<i>Totalling</i>	<i>\$280,450.28</i>

be authorised and passed for payment.

CARRIED 7/0
Simple Majority

List of accounts due & submitted to Council 13.09.2011

Chq/EFT	Date	Name	Description	Amount
EFT3974	02/09/2011	LEADING EDGE COMPUTERS	COMPUTER SUPPORT & HARDWARE	\$ 741.45
EFT3975	02/09/2011	BILLEROO NOMINEES PTY LTD	RELOCATION OF SCOREBOARD LEEMAN	\$ 220.00
EFT3976	02/09/2011	BEAN KJ	ELECTRICITY PWS	\$ 498.80
EFT3977	02/09/2011	BT EQUIPMENT	REAR GLASS CW3316	\$ 1,433.43
EFT3978	02/09/2011	COURIER AUSTRALIA	FREIGHT - LISWA, WESTRAC, WALGA	\$ 199.93
EFT3979	02/09/2011	COVENTRY GROUP LTD	2 PCE COMBO 18 V KIT	\$ 3,087.60
EFT3980	02/09/2011	CUNNINGHAMS AG SERVICES	FILTERS, HYDRAULIC HOSE, CLAMPS, SPRAYER	\$ 743.89
<i>EFT3981</i>	<i>02/09/2011</i>	<i>DAVE GOODBODY MAINTENANCE SERVICES</i>	<i>REPAIRS TO POOL MANAGERS HOUSE</i>	<i>\$ 1,224.00</i>
EFT3982	02/09/2011	FARMWORKS	ZINC IT AEROSOL	\$ 39.98
<i>EFT3983</i>	<i>02/09/2011</i>	<i>GERALDTON CARPET CHOICE</i>	<i>FLOOR COVERING COOROW HALL</i>	<i>\$ 8,316.00</i>
<i>EFT3984</i>	<i>02/09/2011</i>	<i>GREEN HEAD PLUMBING & GAS</i>	<i>CARAVAN PARK DUMP POINTS</i>	<i>\$ 22,497.42</i>
EFT3985	02/09/2011	GPR TRUCK SALES & SERVICE	WHEEL ALIGNMENT	\$ 199.65
EFT3986	02/09/2011	HITACHI CONST MACHINERY (AUST) P/L	SIGNAL LIGHT	\$ 155.91
EFT3987	02/09/2011	IT VISION	MIGRATION OF SYNERGYSOFT DATA	\$ 742.50
EFT3988	02/09/2011	JURIEN BAY DHS P & C ASSOCIATION	DONATION SCIENCE YOUTH PROGRAM	\$ 500.00
EFT3989	02/09/2011	LANDMARK	ICEBOX - GIFT - POOL MANAGER	\$ 242.00
<i>EFT3990</i>	<i>02/09/2011</i>	<i>LEEMAN HOLIDAY UNITS</i>	<i>ACCOMMODATION ISA JOHN LEA</i>	<i>\$ 1,100.00</i>
EFT3991	02/09/2011	DARREN LONG CONSULTING	DRAFTING LOCAL LAWS	\$ 3,025.00
EFT3992	02/09/2011	MERCURE INN	LOCAL GOVERNMENT CONFERENCE ACCOMMODATION	\$ 4,665.05
<i>EFT3993</i>	<i>02/09/2011</i>	<i>MARIO'S PAINTING SERVICES</i>	<i>PAINTING - LOT 29 SPAIN ST, LOT 5 BRISTOL ST, TOWN PARK, LOT 131 SPAIN ST</i>	<i>\$ 36,863.20</i>
EFT3994	02/09/2011	NORTH MIDLANDS AGRICULTURAL SOCIETY	DONATION 2011 NORTH MIDLANDS AG SHOW	\$ 150.00
EFT3995	02/09/2011	OPULENCE IN THE OUTBACK	DONATION SAPPHIRE SPONSORSHIP OPULENCE IN THE OUTBACK	\$ 500.00
EFT3996	02/09/2011	PURCHER-INTERNATIONAL PTY LTD	PIPE	\$ 52.02
EFT3997	02/09/2011	RBC-RURAL	TRAVEL CHARGE - LEEMAN	\$ 132.50
EFT3998	02/09/2011	RURAL HEALTH WEST	MEMBERSHIP	\$ 100.00
EFT3999	02/09/2011	SHERIDAN'S FOR BADGES	LEEMAN CENTENARY OF FEDERATION PARK PLAQUE	\$ 407.00
EFT4000	02/09/2011	STAR TRACK EXPRESS	FREIGHT - HITACHI, WESTRAC, COVS	\$ 528.86

EFT4001	02/09/2011	RELIANCE PETROLEUM	OILS	\$ 748.24
EFT4002	02/09/2011	TOLL IPEC PTY LTD	FREIGHT AB NOTE	\$ 7.23
EFT4003	02/09/2011	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	LOCAL GOVERNMENT CONVENTION 2011	\$ 4,500.00
EFT4004	02/09/2011	WILLIAMS AK & P	TRAVEL FEES	\$ 502.68
EFT4005	02/09/2011	WREN OIL	WASTE OIL DISPOSAL	\$ 163.35
18814	22/08/2011	PATRICIA MARIE HOSKINS	RATES REFUND FOR ASSESSMENT A1218 15 GLOVER CRESCENT GREEN HEAD 6514	\$ 89.62
18815	30/08/2011	AUSTRALIAN TAXATION OFFICE	BAS JULY 2011	\$ 10,362.00
18816	05/09/2011	LEEMAN P & C ASSOCIATION	DONATION LEEMAN P & C TRIVIA NIGHT	\$ 100.00
18817	05/09/2011	MCDONALD BJ	SITTING & TRAVEL FEES	\$ 437.38
18818	05/09/2011	MCLEOD'S	KARARA MINING LTD - BUILDING LICENSE REQUIREMENTS AND FEES	\$ 4,699.50
18819	05/09/2011	SHIRE OF COOROW	PETTY CASH LEEMAN	\$ 198.10
18820	05/09/2011	SYNERGY	ELECTRICITY	\$ 6,846.65
18821	05/09/2011	TELSTRA	BROADBAND LEEMAN	\$ 74.95
18822	05/09/2011	TOTALLY WORKWEAR GERALDTON	PROTECTIVE CLOTHING	\$ 151.13
18823	05/09/2011	WATER CORPORATION	WATER ACCOUNTS	\$ 24,386.20
18824	05/09/2011	WESTERN POWER	DESIGN FOR RELOCATION OF POWER POLE OCEAN VIEW DRIVE GREEN HEAD	\$ 1,500.00
18906	17/08/2011	PAYROLL DEDUCTION - CSA	PAYROLL DEDUCTIONS	\$ 157.36
18907	17/08/2011	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS	\$ 180.00
18908	17/08/2011	TWUSUPER	SUPERANNUATION CONTRIBUTIONS	\$ 260.44
18909	17/08/2011	PAYROLL DEDUCTION - SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 19,623.92
18910	17/08/2011	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	\$ 260.44
71010911	01/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 551.30
71020911	02/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 121.35
71050911	05/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 3,955.00
71060911	06/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 686.50
71070911	07/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 1,545.60
71080911	08/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 164.85
71090911	09/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 2,415.95
71120811	12/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 1,019.20
71120911	12/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 386.85
71150811	15/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 739.70

71160811	16/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 571.50
71170811	17/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 548.75
71180811	18/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 281.20
71190811	19/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 830.70
71230811	23/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 110.70
71240811	24/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 781.70
71260811	26/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 87.90
71290811	29/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 1,805.10
72010911	01/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 429.40
72020911	02/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 49.30
72050911	05/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 427.90
72060911	06/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 25.00
72070911	07/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 388.20
72080911	08/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 708.10
72090911	09/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 6.00
72120811	12/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 134.50
72120911	12/09/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 99.25
72150811	15/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 420.45
72160811	16/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 645.55
72180811	18/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 541.85
72220811	22/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 468.25
72230811	23/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 380.15
72240811	24/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 429.30
72260811	26/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 116.00
72300811	30/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 74.30
72310811	30/08/2011	TRANSPORT DEPT OF	TRANS LICENSING	\$ 215.55
DDEBIT	17/08/2011	PAYROLL	PAYROLL	\$ 44,946.00
DDEBIT	31/08/2011	PAYROLL	PAYROLL	\$ 49,726.00
				\$ 280,450.28

10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – JULY 2011

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	8 September 2011
ATTACHMENT	10.4.2 Statement of Financial Activity for July 2011
	Under separate cover
FILE	ADM 0426 – Finance – 2011/12

SUMMARY:

In accordance with the Local Government (Financial Management) Regulations 1996, regulation 34 stipulates that a Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month.

BACKGROUND:

The form of the Monthly Financial Statements presented to Council is a Statement of Financial Activity, which also includes supplementary information including an Operating Statement Function and Activity, Balance Sheet, Cash Flow Graph and Plant Cost Recovery Report. A copy of the Statement of Financial Activity for the month ended 31 July 2011 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 periods ended 31 July 2011 as prepared and presented by the Deputy Chief Executive Officer.

RESOLUTION:

2011/159

Moved: Cr Waite

Seconded: Cr Bothe

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the periods ended 31 July 2011 as prepared and presented by the Deputy Chief Executive Officer.

**CARRIED 7/
Simple Majority**

10.4.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – AUGUST 2011

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	8 September 2011
ATTACHMENT	10.4.3. Statement of Financial Activity for August 2011 Under separate cover
FILE	ADM 0426 – Finance – 2011/12

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 months ended 31 August 2011 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 periods ended 31 August 2011 as prepared and presented by the Deputy Chief Executive Officer.

RESOLUTION:

2011/160

Moved: Cr McDonald

Seconded: Cr Bothe

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the periods ended 31 August 2011 as prepared and presented by the Deputy Chief Executive Officer

CARRIED 7/0
Simple Majority

10.4.4	POLICY MANUAL- REVISED POLICY 2.1.16 ACCRUAL OF LONG SERVICE AND ANNUAL LEAVE
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AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	10 September 2011
ATTACHMENT	10.4.4.1
FILE	A971

SUMMARY/ BACKGROUND:

Council to consider the amendment Policy 2.1.16 Accrual of Long Service Leave and Annual Leave.

BACKGROUND:

Council's leave liability has increased significantly in recent years. This has mainly occurred due to Council having a stable workforce. Council's Long Service Leave liability is high due to this, as once an employee reaches seven (7) years continuous employment the probability of the liability to Council reaches 100%.

COMMENT:

The Shire of Coorow's Policy 2.1.16 Accrual of Long Service Leave and Annual Leave, Attachment 10.4.4.1, is to provide clear parameters in relation to taking of Long Service and Annual Leave, with the aim of ensuring that employees do take leave as it falls due, at a time in which the taking of leave does not unreasonably affect Council's operations.

To ensure that Staff entitlements are taken within a reasonable time span and that the leave liability owed by Council is reduced.

Council wishes to maintain cash backed reserves equal to the value of Council's current leave liability.

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Update Policy 2.1.16

FINANCIAL IMPLICATIONS:

Increase leave reserve fund

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council adopt the amended Policy 2.1.16, Attachment10.4.4.1 to include the addition of:

8. Staff are being requested that the Shire of Coorow maintain a leave reserve fund, to cash back 100% of Accrued Annual Leave provision and to cash back 100% of Accrued Long Service Leave provisions.

RESOLUTION:

2011/161

Moved: Cr Girando

Seconded: Cr Waite

That Council adopt the amended Policy 2.1.16, Attachment10.4.4.1

That the Shire of Coorow maintain a leave reserve fund, to cash back 100% of Accrued Annual Leave provision and to cash back 100% of Accrued Long Service Leave provisions and that a policy be developed to facilitate this.

***CARRIED 7/
Absolute Majority***

Councils Resolution differed from the Officers Recommendation as Council felt a Policy should be developed.

POLICY - GENERAL STAFF

Sub Section: Staff General

Policy Number: 2.1.16

Policy Subject: Accrual of Long Service Leave and Annual Leave

Policy Statement: To provide clear parameters in relation to taking Long Service and Annual Leave, with the aim of ensuring that employees do take leave as it falls due, at a time in which the taking of leave does not unreasonably affect Council's operations.

Objectives: To ensure that staff leave entitlements are taken within a reasonable time span and that the leave liability owed by Council is reduced.

Guidelines:

- 1 Leave shall be taken in full within the twelve (12) month period immediately following the anniversary date upon which the leave becomes due. Such leave shall be taken by mutual agreement having regard to Council's operational requirements. Failing agreement as to the taking of leave the Chief Executive Officer shall have the right to direct the officer to take leave.
- 2 Leave shall be taken in accordance with award and legislative provisions and staff are encouraged to take leave in not more than two (2) periods.
- 3 The Chief Executive Officer may upon written application allow Leave to be deferred for a period not exceeding three (3) years.
- 4 Leave shall be taken at a time convenient to both Council and the employee and shall be subject to prior written approval by their Supervisor.
- 5 Annual Leave may be taken in advance without leave loading being applied at the discretion of the Chief Executive Officer or his authorised representative. Leave loading will be paid to the employee on the annual leave anniversary date.
- 6 Where Long Service Leave has been deferred to meet the convenience of Council, the rate of pay shall be the rate

applicable at the time the leave is taken or at termination of employment.

- 7 Where Long Service Leave has been deferred to meet the convenience of the employee, the rate of pay shall be the rate applicable six (6) months after the leave became due, unless otherwise agreed in writing.

Resolution No:	2004-152, 2009-176
Resolution Date:	15 September 2004, 21 October 2009
Source:	Council
Date of Review:	May annually
Review Responsibility:	Council

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

I Allan Williams wish to move the following motion:

Local Government Elections

For future Local Government elections the polling locations should be alternated between the inland and coastal offices similar to the way the council meetings are.

Suggested Amendment:

Local Government Elections for the Shire of Coorow

For future Local Government elections the chief polling locations where the count is held, should be alternated between the inland and coastal offices similar to the way the Council Meetings are held, every electoral cycle (ie: every two years).

Cr Williams moved to accept the suggested Amendment.

A further report to be presented to the next Ordinary Meeting.

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

12.1 LATE AGENDA ITEM – LATE AGENDA ITEM TO CONSIDER

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	20 September 2011
ATTACHMENT	Nil
FILE	ADM0306

SUMMARY:

Council is requested to accept a Late Agenda Item requesting Council to readopt the Fire Break Notice for the 2011/2012 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:

Local Government Act 1995

Shire Of Coorow

Standing Orders Local Law 2011

5.5 New business of an urgent nature

- (1) *In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.*
- (2) *In subclause (1), “cases of extreme urgency or other special circumstances” means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Shire and must be considered and dealt with by the Council before the next meeting.*

STRATEGIC IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

VOTING REQUIREMENT:

Absolute Majority

OFFICER RECOMMENDATION:

That Council accept the Late Agenda item requesting Council readopt the Fire Break Notice for the 2011/12 Bush Fire Season.

RESOLUTION:

2011/162

Moved: Cr Girando

Seconded: Cr Waite

That Council accept the Late Agenda item requesting Council readopt the fire Break Notice for the 2011/12 Bush Fire Season.

***CARRIED 7/0
Absolute Majority***

12.2. FIREBREAK NOTICE 2010/11

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	20 September 2010
ATTACHMENT	12.2.1.1
FILE	ADM0306

SUMMARY:

Council is being requested to readopt the Fire Break Notice for the 2011/2012 Bush Fire Season.

BACKGROUND:

At the Ordinary Meeting of Council 17 August 2011 Council adopted the Fire Break Notice

RESOLUTION:

2011/115

Moved: Cr Bothe

Seconded: Cr Williams

That Council adopt the 2011/12 Fire Break Notice as included at Attachment 10.1.6.1

CARRIED 8/0
Simple Majority

COMMENT:

It has been noted that there is an error in the date of the Restricted Burning Periods (Coastal Portion). It is requested that Council adopt the amended 2011/12 Fire Break Notice upon recommendation from the BFAC to allow for thorough advertising prior to the commencement of the 2011/12 Fire Season.

The amended Fire Break Notice is included at Attachment 12.2.1

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

Nil

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

Recommendation 1

That Council rescind 2011/12 Fire Break Notice- Resolution- 2011/115

RESOLUTION: *2011/163*

Moved: Cr Williams

Seconded: Cr Jack

Recommendation 1

That Council rescind 2011/12 Fire Break Notice- Resolution- 2011/115

CARRIED 7/0
Absolute Majority

Recommendation 2

That Council adopt the amended 2011/12 Fire Break Notice as included at Attachment 12.2.1

RESOLUTION: *2011/164*

Moved: Cr Williams

Seconded: Cr Waite

Recommendation 2

That Council adopt the amended 2011/12 Fire Break Notice as included at Attachment 12.2.1

CARRIED 7/0
Absolute Majority

Recommendation 3

That the Shire of Coorow advertise the corrected Bush Fire Notice in both Coastal Towns.

RESOLUTION: *2011/165*

Moved: Cr Waite

Seconded: Cr Jack

Recommendation 3

That the Shire of Coorow advertise the corrected Bush Fire Notice across the Shire.

CARRIED 7/0
Absolute 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 2011 to plough, scarify, slashed, cultivate or otherwise clear and thereafter keep clear of all inflammable material until 29 MARCH 2012 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 2011. (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 2012**

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)*
19 September 2011 to 31 October 2011
15 February 2012 to 29 March 2012

DISTRICT GENERALLY: *(Remainder)*
16 September 2011 to 14 October 2011
15 February 2012 to 29 March 2012

PROHIBITED BURNING PERIOD:

COASTAL PORTION: *(From Coast East to Mudge-Willcocks Road)*
1 November 2011 to 14 February 2012

DISTRICT GENERALLY: *(Remainder)*
15 October 2011 to 14 February 2012

Chief Bush Fire Control Officer	James Raffan
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
Fire Weather Officer	James Raffan
Deputy Fire Weather Officer	Kelvin Bean
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, John Browne.

All other appointments are cancelled.

Mark J Hook

13. MATTERS BEHIND CLOSED DOORS:

14. DATE OF NEXT MEETING:

14.1 ORDINARY MEETING OF COUNCIL

Special Meeting Thursday 6 October 2011 at the Coorow District Hall from 10.00am

Ordinary Meeting Wednesday 19 October 2011 at the Coorow District Hall from 3.00pm

Annual Electors Wednesday 19 October 2011 at the Coorow District Hall from 7.30pm

15. CLOSURE:

There being no further business the President Cr Moira Girando closed the meeting at 4.43pm.