



MINUTES

of the

Ordinary Council Meeting

held

Tuesday 27 September, 2022

in the

Council Chambers
11-13 Waldeck Street, Dongara

I certify that this copy of the Minutes is a true and correct record of the meeting held on Tuesday 27 September, 2022

Signed:
Presiding Elected Member

Date:

Disclaimer

The Shire of Irwin advises that the purpose of an Ordinary Council Meeting is to discuss and, where possible, make resolutions about items appearing in the agenda. No person should rely or act on the basis of any decision, advice or information provided by a Member or Officer, or on the content of any discussion occurring during the course of the meeting. No person should rely on the decisions made by Council until formal written advice of the Council is received by that person.

The Shire of Irwin expressly disclaims any liability for any loss or damage 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 or Committee Meetings.

A handwritten signature in black ink, appearing to read 'Shane Ivers', is positioned above the printed name and title.

Shane Ivers
CHIEF EXECUTIVE OFFICER

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ORDINARY COUNCIL MEETING

held

Tuesday 27 September, 2022

at 6.00pm

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors, Staff, Guests, and members in the Gallery and opened the meeting at 6.04pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

COUNCIL DECISION 010922:

MOVED: Cr Leonard

SECONDED: Cr Tunbridge

That Council, by Absolute Majority approve Councillor Scott to attend the 27 September 2022 Ordinary Council Meeting by teleconference.

VOTING DETAILS:

Carried by Absolute Majority 7/0

COUNCIL DECISION 020922:

MOVED: Cr Eva

SECONDED: Cr Palmer

That Council, by Absolute Majority approve Councillor Gillam to attend the 27 September 2022 Ordinary Council Meeting by teleconference.

VOTING DETAILS:

Carried by Absolute Majority 7/0

Members

Councillor M T Smith

Shire President

Councillor I M Scott (*via Teams video link*)

Deputy Shire President

Councillor G S Eva

Councillor M Leonard

Councillor H M Palmer

Councillor E Tunbridge

Councillor A J Gillam (*via mobile phone*)

Staff

Mr S D Ivers

Chief Executive Officer

Mr P Bracegirdle

Manager Community Services

Mr B Jeans

Manager Development

Mr P Traylen

Supervisor Technical Services

Mrs N A M'Leane

Development and Executive Officer

Ms S J Clarkson

Acting Senior Finance Officer

Ms C C Finlay

Acting/Executive Assistant

Mr L Mannion

Project Technical Officer

Mr G Nadajara

ICT Supervisor

Guests

Nil.

Approved Leave of Absence

Nil.

Apologies

Councillor B Wyse

Gallery

J Arden, Premier Circle

J Koric, Point Leander Drive

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question: R Wolczyk, Irwin Crescent, Dongara:

Is there an inclusion in this year's Budget for soak wells to be installed on Irwin Crescent to resolve the current drainage issue. The catchment of water after a large downfall is quite deep and Roy is concerned about community safety as there has been children playing in the water recently.

Response: Whilst there is pooling of water onto Shire infrastructure during a heavy rainfall event, the source is from private property. It would be inappropriate to use public funds to resolve a private property issue.

Question: R Murray, Ocean Drive, Port Denison:

Can there be consideration for the overgrown shrubs in the Point Leander Drive roundabout (Grannies Beach) to be maintained as they are currently obstructing the view for traffic. There are also trees within the Grannies Beach carpark that block the view of traffic for motorists turning onto Point Leander Drive from the Ocean Drive intersection.

Response: This request has been noted and currently being investigated to improve the vegetation and appearance of the Point Leander Drive roundabout near Grannies Beach. In terms of Point Leander Drive and Ocean Drive intersection, the vegetation is not considered to be a hazard provided the motorist complies with the intersection hold line (Give Way).

4. PUBLIC QUESTION TIME

Question: John Koric

Why is the Shire taking no action to adjust down the UV Rural Rate in the Dollar, like other Shire Councils, in order to mitigate dramatic council rate increases brought about by Landgate valuations?

Response: For most Midwest regional Shires, the actual UV rate revenue collected has increased significantly, and some inland Shires it is over 20%. The UV rate in the dollar does not necessarily reflect the actual UV rate revenue collected. The rate in the dollar varies from Shire to Shire and factors such as the ratio of GRV to UV rate revenue can influence the calculation. For example, a Shire dominated by UV rate revenue would significantly reduce the UV rate in the dollar should there be a significant increase in UV Landgate valuations. Similarly, a City with almost entirely GRV rate revenue would also significantly reduce the UV rate in the dollar should there be a significant increase in UV Landgate valuations.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS AND DEPUTATIONS

Nil.

7. CONFIRMATION OF MINUTES

7.1. Minutes of the Ordinary Council Meeting held 23 August 2022

A copy of the minutes of the 23 August 2022 Ordinary Council Meeting have been provided to all Councillors under separate cover.

COUNCIL DECISION 030922:

MOVED: Cr Leonard

SECONDED: Cr Eva

That the Minutes of the Ordinary Council Meeting, held 23 August 2022, as previously circulated, be adopted as a true and accurate recording of that meeting.

VOTING DETAILS:

Carried 7/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Functions, Meetings & Events

29 August 2022	Cr Scott and the CEO attended the Northern Country Zone of WALGA Meeting in Mingenew.
31 August 2022	The CEO met with representatives from Minister Carey's Office.
5 September 2022	The CEO attended the Midwest Regional Road (Technical Working) Group meeting in Geraldton.
6 September 2022	The CEO attended the LGIS CEO Emergency Response Breakfast in Perth.
8 September 2022	The Shire President and CEO met with representatives of Mitsui E&P.
9 September 2022	The CEO met with representatives of Ernest and Young.
12 September 2022	The CEO attended the Midwest Regional Road (Coastal Sub) Group meeting in Geraldton.
13 September 2022	Councillors and Staff attended a Waste Contract Workshop.
15 September 2022	The CEO met with the CEO of the Shire of Three Springs.
15 September 2022	The CEO met with Damien Tully – Midwest Ports.
20 September 2022	CEO met with the CEO of Midwest Chamber of Commerce and Industry regarding the upcoming Industry Leaders Forum.
25 September 2022	The Shire President was interviewed at the Denison Foreshore Sprint and Midwest Show and Shine.

9. REPORTS

9.1. Officer Reports

CORPORATE AND COMMUNITY		CC01-09/22
Subject:	CC01-09/22 Accounts for Payment	
Author:	S Clarkson, A/Senior Finance Officer	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	Minute Book	
Voting Requirements:	Simple Majority	

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g., performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws and local planning schemes.
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- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To receive the list of accounts paid under delegated authority during August 2022.

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of August 2022.

Officer's Comment:

Nil.

Consultation:

Nil.

Statutory Environment:

The Local Government (Financial Management) Regulations 1996 provides as follows:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
- (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.*
- (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.

Policy Implications:

Under Delegation CEO101 Council has delegated authority to the Chief Executive Officer to authorise payments from the municipal or trust fund.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031
 Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles
 Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – September 2022
 CC01-09/22 Attachment 1: Accounts for Payment – August 2022

Officer Recommendation:

COUNCIL DECISION 040922:

MOVED: Cr Eva

SECONDED: Cr Leonard

That Council receives the Accounts paid during August 2022 as presented in Attachment Booklet – September 2022, represented by:

Payment Type/Numbers	Total Amount
EFT 29131 – 29210	\$391,061.74
Muni Cheques – 32118 – 32119	\$1,276.15
Direct Debit – Telstra	\$4,595.53
Direct Debit – WA Treasury Corporation	\$20,727.35
Direct Debit – Solar Panel Repayments	\$1,947.66
Direct Debit – Credit Card	\$7,722.51
Direct Debit – Land Use Agreement	\$1,041.66
Direct Debit – Rental Charges	\$3,900.00
Direct Debit – Insurance Premium Repayments	\$73,675.92
Direct Debit – N-Able Pty Ltd	\$893.77
Grand Total	\$506,842.29

VOTING DETAILS:

Carried 7 /0

CORPORATE AND COMMUNITY		CC02-09/22
Subject:	CC02-09/22 Monthly Financial Statements for the Period Ended 31 July 2022	
Author:	S Clarkson, A/Senior Finance Officer	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	Minute Book	
Voting Requirements:	Simple Majority	

Council Role:

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Report Purpose:

To consider and receive the Monthly Financial Statements for the period 1 July 2022 to 31 July 2022.

Background:

The Monthly Financial Statements to 30 June 2023 are prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* and includes the following statutory reports:

- Statement of Financial Activity by Nature & Type
- Explanation of Material Variances
- Net Current Funding Position

The Statements also include various other financial information not required by legislation, but for Council information.

Officer's Comment:

The financial position to the end of July 2022 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

31/07/2022	YTD Budget	YTD Actual
Operating Revenue	0	124,202
Operating Expenditure	0	(297,153)
Net Operating	0	(172,951)
Non-Operating Revenue	0	0
Non-Operating Expenditure	0	(60,308)
Net Non-Operating	0	(60,308)
Cash at Bank		2,341,339
Cash at Bank Restricted		373,935
Reserve Bank		1,394,542
Total Cash Funds		4,109,816

The attached statements provide explanatory notes for items greater than 10% or \$10,000. This commentary provides Council with an overall understanding of how the financial position is situated in relation to the adopted budget.

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995

- *Section 6.4 Financial report*

Local Government (Financial Management) Regulations

- *Section 34 Financial activity statement report provides as follows:*

- (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.

Policy Implications:

Nil.

Financial/Resource Implications:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – September 2022

CC02-09/22 Attachment 1: Financial Statements for the Period Ended 31 July 2022.

Officer Recommendation:

COUNCIL DECISION 050922:

MOVED: Cr Tunbridge

SECONDED: Cr Leonard

That Council receives the Monthly Financial Statements for the period 1 July 2022 to 31 July 2022 as provided in Attachment Booklet – September 2022.

VOTING DETAILS:

Carried 7/0

CORPORATE AND COMMUNITY		CC03-09/22
Subject:	CC03-09/22 Monthly Financial Statements for the Period Ended 31 August 2022	
Author:	S Clarkson, A/Senior Finance Officer	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	Minute Book	
Voting Requirements:	Simple Majority	

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g., local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To consider and receive the Monthly Financial Statements for the period 1 July 2022 to 31 August 2022.

Background:

The Monthly Financial Statements to 30 June 2023 are prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* and includes the following statutory reports:

- Statement of Financial Activity by Nature & Type
- Explanation of Material Variances
- Net Current Funding Position

The Statements also include various other financial information not required by legislation, but for Council information.

Officer's Comment:

The financial position to the end of August 2022 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

31/08/2022	YTD Budget	YTD Actual	Variance YTD to Budget
Operating Revenue	6,469,332	7,208,842	11%
Operating Expenditure	2,045,441	(997,788)	-149%
Net Operating	8,514,773	6,211,054	
Non-Operating Revenue	5,151,249	6,211,737	21%
Non-Operating Expenditure	(1,132,532)	(193,390)	-83%
Net Non-Operating	4,018,717	6,018,347	
Cash at Bank		2,316,086	
Cash at Bank Restricted		373,935	
Reserve Bank		1,397,158	
Total Cash Funds		4,087,179	

The attached statements provide explanatory notes for items greater than 10% or \$10,000. This commentary provides Council with an overall understanding of how the financial position is situated in relation to the adopted budget.

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995

- *Section 6.4 Financial report*

Local Government (Financial Management) Regulations

- *Section 34 Financial activity statement report provides as follows:*

- (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*
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- (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.

Policy Implications:

Nil.

Financial/Resource Implications:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – September 2022

CC03-09/22 Attachment 1: Financial Statements for the Period Ended 31 August 2022.

Officer Recommendation:

COUNCIL DECISION 060922:

MOVED: Cr Leonard

SECONDED: Cr Eva

That Council receives the Monthly Financial Statements for the period 1 July 2022 to 31 August 2022 as provided in Attachment Booklet – September 2022.

VOTING DETAILS:

Carried 7/0

CORPORATE AND COMMUNITY		CC04-09/22
Subject:	CC04-09/22 Corporate Credit Card Limit Authorisation	
Author:	S Clarkson, A/Senior Finance Officer	
Responsible Officer:	S Ivers. Chief Executive Officer	
File Reference:	1.0012	
Voting Requirements:	Absolute Majority	

Council Role:

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Report Purpose:

To update the facility, limit for Shire of Irwin Corporate Credit Card from \$20,000 per month to \$50,000 per month and monthly transaction limit for Chief Executive Officer from \$10,000 per month to \$20,000 per month.

Background:

Currently the Shire of Irwin has a facility limit of \$20,000 per month and within that Shane Ivers, Chief Executive Officer (CEO) has a limit of \$10,000 per month and Mark Teale, Community Emergency Services Manager (CESM) has limit of \$5,000 per month.

Officer's Comment:

To reduce the administration burden, it has been considered better practice within local government to use a credit card for low value purchases. Currently, low value purchases are executed using purchase orders. However, using a credit card for this purpose will impact on the monthly credit available to the Shire. Additionally, there has been an increase of suppliers allowing credit card transactions only as opposed to purchase orders, particularly for one-off transactions.

The increase will improve efficiencies and streamline processes within the organisation when making smaller value purchases. This will see an increase in the number and value of credit card transactions each year. It is recommended to increase the current organisation credit card limit from \$20,000 to \$50,000. Given the bulk of the larger credit card purchases are done on the CEO's credit card facility, it is also recommended to increase the monthly limit for the CEO from \$10,000 to \$20,000.

A monthly reconciliation of credit card purchases is completed as per the Corporate Credit Cardholder Agreements conditions of use.

The National Australian Bank (NAB) require approval from Council for the increases to be actioned.

Consultation:

National Australian Bank

Statutory Environment:

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Policy Implications:

CP20 – Purchasing

MP01 – Corporate Credit Card

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Nil.

Officer Recommendation:

COUNCIL DECISION 070922:

MOVED: Cr Leonard

SECONDED: Cr Eva

That Council by Absolute Majority, approve the increase of the Shire of Irwin's Corporate Credit Card Facility Limit to \$50,000 per month and increase Chief Executive Officer's monthly limit to \$20,000.

VOTING DETAILS:

Carried by Absolute Majority 7/0

OFFICE OF CEO	CEO01-09/22
Subject:	CEO01-09/22 Ordinary Council Meeting Dates 2023
Author:	N M'Leane, Development & Executive Officer
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	2.0073
Voting Requirements:	Simple Majority

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Report Purpose:

For Council to consider and set Ordinary Council Meeting dates for 2023.

Background:

As per Regulation 12 of the *Local Government (Administration) Regulations 1996*, Council is required to set the meeting dates for the next 12 months and make them available to the local public.

In the past, Council has held Ordinary Council Meetings on the fourth Tuesday of each month except for January and December. In 2022, there was no Ordinary Council Meeting scheduled for January.

Officer's Comment:

It is recommended to hold Ordinary Council Meetings for 2023 on the fourth Tuesday of each month, except in January and December.

As per last year's schedule, it is recommended that there be no Ordinary Council Meeting in January 2023.

The Anzac Day Public Holiday, 25 April 2023 falls on the fourth Tuesday, therefore it is proposed the April Ordinary Council Meeting be scheduled for Wednesday, 26 April 2023.

The December 2023 Ordinary Meeting is recommended to be held on the second Monday in December to allow staff sufficient time to take appropriate action in regard to any Council decisions and prepare the minutes before the Christmas New Year closure period. The reason for the December meeting being proposed for the Monday rather than the Tuesday is due to the Dongara District High School's end of year presentation night generally being scheduled on the second Tuesday of December each year. This is a conflict as many Councillors have children that attend the school or they attend the presentations as a representative of Council.

The approval of accounts for payment and financial statements normally provided in January would be scheduled for consideration at the February 2023 meeting. With regards to the presentation of

statements of financial activity to Council, Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, provides the following:

- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*

To improve community engagement whilst maximising knowledge and information sharing, it is proposed to continue with the existing format for monthly meetings of Council – Agenda Briefing, Councillor Information Session (open to the public), Ordinary Council Meeting and Councillor Discussion Session (closed to the public).

Consultation:

Staff were consulted internally with regards to any events or potential risks that may affect any of the proposed dates.

Statutory Environment:

Local Government Act 1995

Local Government (Administration) Regulations 1996

- Regulation 12

Local Government (Financial Management) Regulations 1996

- Regulation 34

Policy Implications:

Nil.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021-2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles.

Attachments:

Nil.

Officer Recommendation:

COUNCIL DECISION 080922:

MOVED: Cr Tunbridge

SECONDED: Cr Palmer

That Council hold the 2023 Ordinary Council Meetings in accordance with the following schedule:

MONTH	ORDINARY COUNCIL MEETING DATE
February	28
March	28
April	26
May	23
June	27
July	25
August	22
September	26
October	24
November	28
December	11

With meetings to be held in the Council Chambers at 13 Waldeck Street, Dongara, commencing at 6.00pm.

VOTING DETAILS:

Carried 7/0

INFRASTRUCTURE & DEVELOPMENT		ID01-09/22
Subject:	ID01-09/22 Delegated and Authorised Actions for August 2022 – Development	
Author:	B Jeans, Development & Executive Officer	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	3.00125	
Voting Requirements:	Simple Majority	

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g., performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws and local planning schemes.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g., local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To inform Council of officer actions made under delegated authority and authorisation in the Development department.

Background:

To increase transparency this report has been prepared for Council and includes actions performed under delegated authority and authorisation for:

- Development Approvals issued;
- Subdivision Clearances issued;
- Building Permits issued; and
- Health Approvals issued.

Officer's Comment:

The table in Attachment 1 outlines the actions performed within the Development department under delegated authority or authorisation for the period 1 August 2022 – 31 August 2022.

The table in Attachment 2 provides further details in relation to actions performed under delegated authority and has been provided to Councillors under separate confidential cover.

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995

Planning and Development Act 2005

- Part 10 Div. 2

Shire of Irwin Local Planning Scheme No.5

- Clause 11.3

Public Health Act 2016

Building Act 2011

Policy Implications:

Nil.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 - 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – September 2022

ID01-09/22 Attachment 1: Table of Delegated Actions for August 2022, Development

Officer Recommendation:

COUNCIL DECISION 090922:

MOVED: Cr Leonard

SECONDED: Cr Palmer

That Council receives the Delegated and Authorised Actions for August 2022 as set out in Attachment 1 in Attachment Booklet – September 2022.

VOTING DETAILS:

Carried 7/0

INFRASTRUCTURE & DEVELOPMENT		ID02-09/22
Subject:	ID02-09/22 Review of RV Overnight Stay Town Oval	
Author:	B Jeans, Manager Development	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	3.0428	
Voting Requirements:	Simple Majority	

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g., performance of the Local Government’s function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws and local planning schemes.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person’s rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g., local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

For Council to consider the provision of RV overnight camping at Dongara Town Oval following a 12-month trial period.

Background:

The RV Overnight Stay at the Dongara Town Oval has been in operation for several years with its introduction leading to Dongara-Denison’s status as an RV Friendly Town. The site for RV parking was predominantly located on the eastern side of the Oval access road adjacent to Brand Highway and visitors were permitted for overnight stay with no charge. With the site restricted to self-contained RVs only, a dump point connected to deep sewerage exists on the northern side of the Oval.

Council resolved at its 23 June 2020 Ordinary Council Meeting to temporarily close the free RV Overnight Stay at the Dongara Town Oval for a 12-month period in response to COVID and to enable a review for the future provision of overnight RV stay.

During this temporary closure period, the Shire engaged with local stakeholders such as local businesses and caravan park operators to understand their perceived and actual economic impacts associated with the RV Overnight Stay. The results of the survey and details of the cost impact on the Shire for maintaining the RV Overnight Stay at the Dongara Town Oval were presented to Council at its 22 June 2021 Ordinary Council Meeting.

Council resolved at its 22 June 2021 Ordinary Council Meeting to open the RV Overnight Stay at the Dongara Town Oval for a 12-month trial period which included the introduction of a fee and designation of bays to the northern boundary to prevent RV parking viewed along Brand Highway.



With the reopening of the RV Overnight Stay at the Dongara Town Oval, the Shire's Patrol Officers and Community Rangers have patrolled the RV Overnight Stay site twice (am and pm) on a daily basis to collect fees, enter visitors' details into a database, assist visitors with local information, welcome any feedback and monitor any issues for action.

Council's further consideration is now sought with respect to the 12-month review of the 22 June 2021 Council Resolution being:

That Council, by Absolute Majority, endorses reopening the RV Overnight Stay at the Dongara Town Oval for a 12-month trial period effective from 31 August 2021 subject to the following:

- a) Restricted to self-contained caravans/campervans/RVs only;*
- b) Maximum one night stay permitted;*
- c) Introduce a fee of \$10 per night per vehicle in the 2021-22 Fees and Charges;*
- d) That Council relocates the existing RV Overnight Stay to the northern boundary of the Town Oval, adjacent to the fence of the Old Mill Caravan Park; and*
- e) Reviews the above, including location, no later than 31 August 2022, as part of the trial period.*

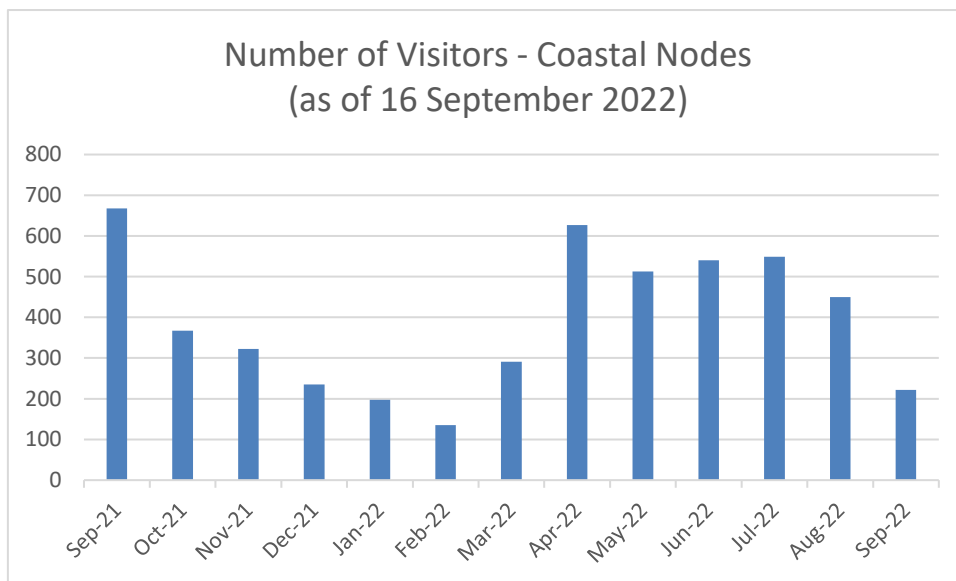
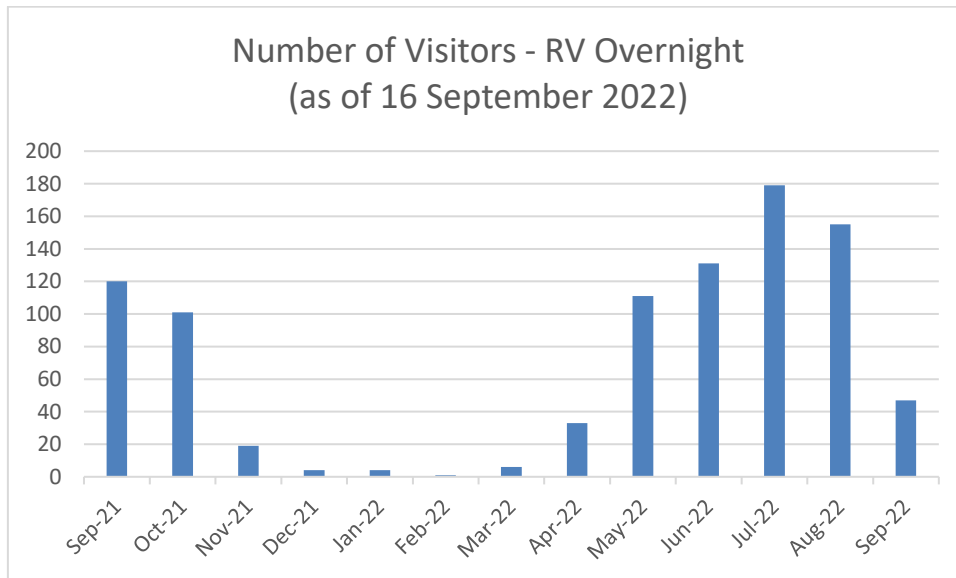
Officer's Comment:

With the implementation of the new paid camping model for the Coastal Nodes and RV Overnight Stay, the Shire uses a digital database program called Sortly to register the visitor numbers and details such as date of stay, length of stay, location of stay and registration. This allows the Shire to track visitor numbers and greatly assists with analysing a variety of visitor movements and trends.

Trial Period Statistics

A total of 911 entries were recorded in the 12-month period since reopening. During the engagement phase prior to June 2021, there was a mixed perception on the likely negative impacts to local businesses with the introduction of a \$10 fee. It is the Officer's view that it would be very subjective to analyse these numbers in isolation with relation to the impact on local caravan park stays or local spending. The new approach of operating, in combination with the Coastal Nodes, has allowed us however to effectively monitor visitor numbers in a systematic and accurate way which was not possible before. The below graph highlights the peak visiting periods for visitors using the RV Overnight Stay at the Dongara Town Oval since its reopening. The graph further below of the same period of time for the

Coastal Nodes provides a reference to camping travellers in the district, where some similarities can be drawn. Interestingly there is a noticeable spike in March and April at the Coastal Nodes which didn't translate to a similar spike of RV Overnight visitors at the Dongara Town Oval. We can also see that July was the peak month for visitors at the RV Overnight but less so at the Coastal Nodes.



Trial Period Feedback

Over the past 12 months the Shire has received minor feedback from visitors and local residents. Feedback has been summarised with some notable recurring comments such as:

- Most visitors verbally advise the Patrol Officer that they consider the \$10 fee to be fair. One submission received suggested it should remain free to encourage visitors and spending.
- Visitors would often like to stay longer than overnight.
- The reorientation of the angled bays could assist with maneuvering RVs in a way that's easier to park the RV off the current one-way road.
- Improved signage to reflect the bays and desired movement.
- More permanent bordering/bunting for clearer access and bays.

Acknowledging the feedback received over this trial period, some of the comments regarding improvements could be implemented should the continuation of the RV Overnight Stay be supported. In response to allowing additional nights, the restriction to overnight stay was implemented to primarily

accommodate for driver safety as a stopover point and secondly it was to not impede on the offerings of existing caravan parks in the region.

Cost Recovery Extent

The June 2021 Council Report makes note that the extent of cost recovery for a paid model can be realised following the 12-month trial period. It was estimated the ongoing maintenance and operational upkeep for the RV Overnight Stay costs the Shire between \$30,000 and \$50,000 per annum. The introduction of the \$10 fee for visitors for the 12-month period has resulted in \$9,110 being collected, which whilst does cover the patrol officer wages, there is very little funds left to improve this facility.

Concluding Statement

It is the Officer's Recommendation that Council endorse the continuation of the paid RV Overnight Stay at Dongara Town Oval in its current format.

Consultation:

Internal Staff
Visitors (informal)

Statutory Environment:

Caravan Park and Camping Grounds Act 1995
Caravan Park and Camping Grounds Regulations 1997

Policy Implications:

Nil.

Financial/Resource Implications:

As covered earlier in the report, the 12-month trial of the RV Overnight Stay with the introduction of the \$10 fee resulted in a \$9,110 income.

Strategic Implications:

Strategic Community Plan 2021 – 2031
Strategy 3.1.3 Identify, provide, and manage Shire assets (including community infrastructure, shire-controlled reserves, and freehold land) in accordance with agreed service levels.

Attachments:

Attachment Booklet – September 2022
ID02-09/22 Attachment 1: Item ID02-06/21 Review of RV Overnight Stay, June 2021

COUNCIL DECISION 100922:

MOVED: Cr Leonard

SECONDED: Cr Tunbridge

That Council suspends Clause 10.2 of the *Shire of Irwin Meeting Procedures Local Law 2016* at 6.16pm, in order for Councillors to discuss item ID02-09/22.

VOTING DETAILS:

Carried 7/0

Discussion held on the officer recommendation.

COUNCIL DECISION 110922:

MOVED: Cr Leonard

SECONDED: Cr Eva

That Council reconvenes under the *Shire of Irwin Meeting Procedures Local Law 2016* at 6.32pm.

VOTING DETAILS:

Carried 7/0

Officer Recommendation:

OFFICER RECOMMENDATION:

MOVED: Cr Leonard

SECONDED: Cr Eva

That Council endorse the continuation of the RV Overnight Stay at the Dongara Town Oval with the following being implemented:

- a) Restricted to self-contained caravans/campervans/RVs only;**
- b) Maximum one night stay permitted;**
- c) Maintain a fee applied per night per vehicle in the annual Fees and Charges; and**
- d) Maintain the designated bays along the northern boundary for this purpose.**

The officer recommendation was moved by Cr Leonard and seconded by Cr Eva.

Cr Leonard moved an amendment to include item e) Reviews the above, including location, no later than 31 May 2023.

Cr Tunbridge seconded the amendment.

The Shire President invited Cr Leonard, as the Mover, to speak to the amendment.

The Shire President invited Cr Tunbridge, as the Seconder, to speak to the amendment.

The Shire President invited any other Councillor to speak for or against the amendment.

The Shire President put the amendment to vote.

AMENDMENT AND COUNCIL DECISION 120922:

MOVED: Cr Leonard

SECONDED: Cr Tunbridge

That Council endorse the continuation of the RV Overnight Stay at the Dongara Town Oval with the following being implemented:

- a) Restricted to self-contained caravans/campervans/RVs only;**
- b) Maximum one night stay permitted;**
- c) Maintain a fee applied per night per vehicle in the annual Fees and Charges;**
- d) Maintain the designated bays along the northern boundary for this purpose; and**
- e) Reviews the above, including location, no later than 31 May 2023**

VOTING DETAILS:

Carried 7/0

The amendment was CARRIED.

The Shire President invited Councillors to speak to close the debate.

SUBSTANTIVE MOTION AND COUNCIL DECISION 130922:

MOVED: Cr Leonard

SECONDED: Cr Eva

That Council endorse the continuation of the RV Overnight Stay at the Dongara Town Oval with the following being implemented:

- a) Restricted to self-contained caravans/campervans/RVs only;**
- b) Maximum one night stay permitted;**
- c) Maintain a fee applied per night per vehicle in the annual Fees and Charges;**
- d) Maintain the designated bays along the northern boundary for this purpose; and**
- e) Reviews the above, including location, no later than 31 May 2023.**

VOTING DETAILS:

Carried 7/0

9.2. Committee Reports

9.2.1. Shire of Irwin Local Emergency Management Committee Meeting 31 August 2022

The minutes of the Shire of Irwin Local Emergency Management Committee Meeting held Wednesday 31 August 2022 have been provided as Attachment 9.2.1 in Attachment Booklet – September 2022.

COUNCIL DECISION 140922:	
MOVED: Cr Tunbridge	SECONDED: Cr Palmer
That Council receive the Minutes of the Shire of Irwin Local Emergency Management Committee Meeting held Wednesday 31 August 2022 provided as Attachment 9.2.1 in Attachment Booklet – September 2022.	
VOTING DETAILS:	Carried 7/0

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

12. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil.

13. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil.

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6:38pm.

An electronic copy of the Minutes are available for download from the Shire's website.

<https://www.irwin.wa.gov.au/council/council-meetings/2022-council-meetings>