



MINUTES

for the

Ordinary Meeting
of Council

held on

Tuesday, 25 September 2018

PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING

Members of the public are cautioned against taking any action on Council decisions, on items in these Minutes in which they may have an interest, until such time as they have been advised in writing by Council staff.

Ordinary Council Meeting 25 September 2018

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I certify that this copy of the Minutes is a true and correct record of the meeting held on
25 September 2018

Signed:
Presiding Elected Member

Date:.....



MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS ON TUESDAY, 25 SEPTEMBER 2018 COMMENCING AT 5.00PM

PRESENT:	Councillors	Cr M T Smith (President) Cr B Wyse (Deputy President) Cr S F Gumley Cr M Leonard Cr I Scott Cr I F West
	Staff	Mr S D Ivers – Acting Chief Executive Officer Mr B P Jeans – Manager Regulatory Services Mrs J O’Keeffe – Acting Manager Customer Services Mr M Jones – Acting Manager Technical Services Mrs D K Chandler - Coordinator Executive Services
	Apologies	Cr K L Wilson, Cr A J Gillam, Mrs H Sternick – Manager Customer Services, Mr P Traylen – Acting Manager Technical Services, Ms N Nelson – Manager Community Capacity
	Gallery	Ms Nicola Burr of Baldivis, Mr John Rossiter of Port Denison.
	Media	

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors, staff and guests.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

As noted above.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

- 4.1 Ms Burr asked Council why they have taken the BMX track and new skate park from the kids in the community. After consulting with *Convic*, all the kids have ended up with is grass.

Response: Cr Smith indicated that after consulting with the community, the BMX track wasn't being well utilised therefore a clean-up of the area to improve presentation was a priority for Stage 1. Stage 2 is still subject to funding. Cr Leonard reiterated and explained that Council have been very limited due to budget restrictions. Mr Ivers indicated that the skate park redevelopment has been split into 4 stages. Ms Burr asked if this design can be available to the community on the website.

- 4.2 Ms Burr asked Council why there is no recycling facility in Dongara.

Response: Cr Smith explained that it would be at significant cost to ratepayers. Mr Ivers indicated that the recycled items get transported to Meru in Geraldton and then the high cost of transporting the items from Meru to Perth would have to be transferred onto ratepayers, therefore it is not currently a viable operation.

Ms Burr thanked Council and left the meeting at 5.08pm.

- 4.3 Mr Rossiter: Why isn't it stated on the Shire rates notice that pensioners have until 30 June to pay their rates?

Response: This question was taken on notice.

- 4.4 Mr Rossiter: Has the Shire looked into holding a sundowner with local tradespeople to encourage apprenticeships in town and can the Shire look into a horticultural apprenticeship / traineeship?

Response: This question was taken on notice.

- 4.5 Mr Rossiter: If the Dongara Medical Centre is part of Batavia Health, why are our rates subsidising Geraldton patients?

Response: Cr Smith indicated that it was a Council decision to attract doctors to town for the benefit of local residents. Cr West explained that it is a very low cost being subsidised by ratepayers as the Shire receive grant funding for this purpose.

- 4.6 Mr Rossiter: Why are our rates subsidising Dongara Medical Centre, whose practice manager is discriminatory?

Response: Cr Smith indicated that this is not a Council matter.

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 ON 28 AUGUST 2018

A copy of the Minutes of the Ordinary Council Meeting held on 28 August 2018 has been provided to all Councillors under separate cover.

COUNCIL DECISION 010918:

MOVED: Cr Gumley

SECONDED: Cr West

That the Minutes of the Ordinary Council Meeting held on 28 August 2018, be confirmed as true and accurate recordings of those meetings.

VOTING DETAILS:

CARRIED 6/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Functions and Events

- | | |
|--------------|--|
| 3 September | Deborah Molgaard commenced in the position of Community Housing Officer. This is a part-time position based at the Shire Depot and involves the management of “The Village” including tenant liaison, management of maintenance requirements and associated administration. Deb has significant local experience in the building industry that will be beneficial in her new role. |
| 21 September | The Shire President attended the Mingenew Irwin Group’s 21 st Anniversary celebrations at The Grange. |
| 23 September | The Midwest Show and Shine and Denison Foreshore Sprint was a huge success with record crowd attendance. The organisers indicated that this event is the highlight of their annual circuit. Well done to all staff involved, they took a very professional approach that was well received by all participants. |

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9.1 OFFICER REPORTS

CUSTOMER SERVICES

CS01 – 09/18

Subject: Accounts for Payment
Author: S Clarkson, Finance Officer
Responsible Officer: H Sternick, Manager Customer Services
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. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- 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 licences, 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 2018.

OFFICER'S RECOMMENDATION AND COUNCIL DECISION 020918:

MOVED: Cr Leonard

SECONDED: Cr West

That Council receives the Accounts paid during August 2018 as presented in Attachment Booklet – September 2018, represented by:

Payment Type/Numbers	Total Amount
EFT 23030 – 23195	\$374,060.36
Muni Cheques - 31770 – 31787	\$39,714.00
Trust Cheques – 3157 – 3159	\$1,306.16
Direct Debit – Solar Panel Repayments 08/18	\$1,947.66
Direct Debit – Credit Card	\$3,497.39
Direct Debit – Superannuation	\$31,515.82
Direct Debit - Transport – PL300718 – PL290818	\$90,376.80
Grand Total	\$542,418.91

VOTING DETAILS:

CARRIED 6/0

Attachment:

[Accounts for Payment – August 2018](#)

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of August 2018.

Officer's Comment:

Nil

Stakeholder Engagement:

Nil

Financial / Resource Implications:

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 CEO3 Council has delegated authority to the Chief Executive Officer to authorise all payments by Council.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

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CUSTOMER SERVICES

CS02 – 09/18

Subject: Financial Statements for the Period ending 31 July 2018
Author: J O’Keeffe, Coordinator Finance
Responsible Officer: H Sternick, Manager Customer Services
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. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- 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 licences, 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 2017 to 31 July 2018.

OFFICER’S RECOMMENDATION AND COUNCIL DECISION 030918:

MOVED: Cr Wyse

SECONDED: Cr Gumley

That the Monthly Financial Statement for the period 1 July 2018 to 31 July 2018 be received, as provided in Attachment Booklet – September 2018.

VOTING DETAILS:

CARRIED 6/0

Attachment:

[Financial Statements - Ending 31 July 2018](#)

Background:

The Monthly Financial Report to the 31 July 2018 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Summary Information and Graphs
- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature & Type
- Statement of Cash Flows
- Statement of Capital Acquisitions and Capital Funding
- Significant Accounting Policies

- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants and Contributions
- Trust Fund
- Detailed of Capital Acquisitions

Officers Comment:

The financial position to the end of July 2018 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

Operating Revenue	\$241,484	190% positive variance
Operating Expenditure	\$587,197	40.8% positive variance
Net Operating	(\$345,713)	
Capital Revenue	\$955,519	378.2% positive variance
Capital Expenditure	\$12,942	1584.36% positive variance
Cash at Bank – Municipal	(\$134,276)	
Cash at Bank – Reserve	\$1,639,832	
Total Funds Invested	\$0	
Net Rates Collected	2.36%	
Non Rates Receivables Outstanding	\$968,440	

The attached report provides 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.

Stakeholder Engagement:

Nil.

Financial / Resource Implications:

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

Statutory Environment:

Local Government Act 1995 - Section 6.4

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

Section 34 Financial activity statement report

- (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.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

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CUSTOMER SERVICES

CS03 – 09/18

Subject: Financial Statements for the Period ending 31 August 2018
Author: J O’Keeffe, Coordinator Finance
Responsible Officer: H Sternick, Manager Customer Services
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. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- 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 licences, 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 2018 to 31 August 2018.

OFFICER’S RECOMMENDATION AND COUNCIL DECISION 040918:

MOVED: Cr Gumley

SECONDED: Cr Wyse

That the Monthly Financial Statement for the period 1 July 2018 to 31 August 2018 be received, as provided in Attachment Booklet – September 2018.

VOTING DETAILS:

CARRIED 6/0

Attachment:

[Financial Statements - Ending 31 August 2018](#)

Background:

The Monthly Financial Report to the 31 August 2018 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Summary Information and Graphs
- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature & Type
- Statement of Cash Flows

- Statement of Capital Acquisitions and Capital Funding
- Significant Accounting Policies
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants and Contributions
- Trust Fund
- Detailed of Capital Acquisitions

Officers Comment:

The financial position to the end of August 2018 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

Operating Revenue	\$6,242,671	1.3% positive variance
Operating Expenditure	\$1,124,520	33.9% positive variance
Net Operating	\$5,118,151	
Capital Revenue	\$955,519	66.7% positive variance
Capital Expenditure	\$213,794	103.9% positive variance
Cash at Bank – Municipal	\$537,372	
Cash at Bank – Reserve	\$1,642,339	
Total Funds Invested	\$0	
Net Rates Collected	3.61%	
Non Rates Receivables Outstanding	\$47,229	

The attached report provides 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.

Stakeholder Engagement:

Nil.

Financial / Resource Implications:

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

Statutory Environment:

Local Government Act 1995 - Section 6.4

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

Section 34 Financial activity statement report

- (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.

Strategic Implications:

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

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9.2 COUNCIL COMMITTEE REPORTS

9.2.1 ASSET MANAGEMENT ADVISORY COMMITTEE MEETING HELD 11 SEPTEMBER 2018

Attachment Booklet Part 2 – Asset Management Advisory Committee Meeting Minutes –
11 September 2018

COUNCIL DECISION 050918:

MOVED: Cr Scott

SECONDED: Cr Leonard

That Council receives the Minutes of the Asset Management Advisory Committee meeting held 11 September, 2018, subject to the following amendments as advised by the AMAC Chair, Cr Scott:

ASSET MANAGEMENT ADVISORY COMMITTEE MOTION:

MOVED: Cr Smith

SECONDED: Cr Gillam

That Council accepts the Dongara – Port Denison Pedestrian Footbridge Concept Design as presented by Josh Bryne and Associates.

Not all committee members were in agreeance with 'accepting' the footbridge concept design due to possibly limiting Council's future design options, if and when funding became available for this project. An amended recommendation was voted on to 'receive' the footbridge concept design:

ASSET MANAGEMENT ADVISORY COMMITTEE AMENDED RECOMMENDATION TO COUNCIL:

MOVED: Cr West

SECONDED: Cr Leonard

That Council receives the Dongara – Port Denison Pedestrian Footbridge Concept Design as presented by Josh Bryne and Associates.

VOTING DETAILS: 7/0

VOTING DETAILS:

CARRIED 6/0

ASSET MANAGEMENT ADVISORY COMMITTEE RECOMMENDATION AND COUNCIL DECISION 060918:

MOVED: Cr Scott

SECONDED: Cr Gumley

That Council, pending the outcome of the insurance claim, reinstates the Grannies Beach retaining wall in line with future development of the area as identified through the Foreshore Master Plan – Grannies Beach Precinct design.

VOTING DETAILS:

CARRIED 6/0

**ASSET MANAGEMENT ADVISORY COMMITTEE RECOMMENDATION AND COUNCIL
DECISION 070918:**

MOVED: Cr West

SECONDED: Cr Leonard

That Council, en bloc:

- **Align the 2018/19 Regional Road Group funded resealing of Point Leander Drive with the Foreshore Master Plan, with the objective of creating increased green space amenity and parking through the construction of on street parking using Council funds.**
- **Supports aligning the 2019/20 Regional Road Group funding submission for Moreton Terrace with the proposed one way concept design as presented in the 2014 Town Centre Revitalisation Plan.**

VOTING DETAILS:

CARRIED 6/0

**ASSET MANAGEMENT ADVISORY COMMITTEE RECOMMENDATION AND COUNCIL
DECISION 080918:**

MOVED: Cr Leonard

SECONDED: Cr West

That Council receives the Dongara – Port Denison Pedestrian Footbridge Concept Design as presented by Josh Bryne and Associates.

VOTING DETAILS:

CARRIED 6/0

CEO REVISED RECOMMENDATION AND COUNCIL DECISION 090918:

MOVED: Cr Gumley

SECONDED: Cr Scott

That Council receives the Dongara – Port Denison Pedestrian Footbridge Concept Design as presented by Josh Bryne and Associates and notes the recommendations.

VOTING DETAILS:

CARRIED 6/0

**ASSET MANAGEMENT ADVISORY COMMITTEE RECOMMENDATION AND COUNCIL
DECISION 100918:**

MOVED: Cr Gumley

SECONDED: Cr Leonard

That Council receives the Kailis Drive Entry Statement concept plan as prepared by Josh Byrne and Associates and resolves to host a Council workshop to clearly define the design scope with consideration to current financial constraints.

VOTING DETAILS:

CARRIED 6/0

ASSET MANAGEMENT ADVISORY COMMITTEE RECOMMENDATION:

That Council undertake a facilitated community consultation workshop, prior to formalising a long-term management plan for the Town Hall.

This was not voted on and an amended motion moved below:

AMENDED COUNCIL DECISION 110918:

MOVED: Cr Leonard

SECONDED: Cr Gumley

That Council undertake a community consultation workshop, prior to formalising a long-term management plan for the Town Hall.

VOTING DETAILS:

CARRIED 6/0

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 5.24pm.

An electronic copy of the Minutes are available for download from the Shire's website
<http://www.irwin.wa.gov.au/Agendas-Minutes.aspx>

I certify that this copy of the Minutes is a true and correct record of the meeting held on
25 September 2018

Signed:
Presiding Elected Member

Date:.....