

I certify that this copy of the Minutes is a true and correct record of the meeting held on 28 June 2011

Signed:
Presiding Elected Member

Date:.....



**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, 28 JUNE 2011
COMMENCING AT 4.00PM**

PRESENT:	President	Cr S C Chandler (Presiding Member)
	Councillors	Cr R T McClurg (Deputy President) Cr J B Fitzhardinge Cr K J Hepworth Cr B C Scott Cr I F West Cr L W Wheeler
	Staff	Mr D J Simmons – Chief Executive Officer Mr G M Peddie – Director, Corporate Services Mr F A Neuweiler – Manager, Community Development Mr G F Coaker – Town Planner Mr A S Wootton – Works Manager Ms A McDonald – Executive Assistant/Records Officer (EA) (Minute Taker) Miss S J Clarkson – Trainee Customer Services Officer
	Gallery	Two Members of the Public
GUESTS:		-
APOLOGIES:		-
LEAVE OF ABSENCE:		Cr R W Roberts

-
- 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
The Presiding Member declared the meeting open at 4.00pm and welcomed all those in attendance to the proceedings.
 - 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
Cr R W Roberts – Leave of Absence
 - 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
Nil.

4. PUBLIC QUESTION TIME

4.1. John Rossiter

Summary of Question One

In 1994 the Irwin Shire Council called for 3 community based nominees for the Committee of the Port Denison Retirement Village Homes Trust Inc of which there were 8 units then.

Today there are 39 units and a Committee of one who has no direct connection to the Irwin Shire Council.

I have spoken to some of the residents who have grave concerns about this situation.

Was there an agreement on management between Homeswest and the Irwin Shire Council?

When is Irwin Shire Council going to assume control of the Port Denison Retirement Village Homes Trust Inc?

The Presiding member advised that the CEO manages the Port Denison Retirement Village units and that the Co-ordinator, on her retirement from Council, was formally appointed to undertake the co-ordination of the Port Denison Retirement Village units by the then CEO and the current CEO has continued to endorse this position.

If any residents have any concerns they may contact the CEO.

The Presiding member also advised that there was an agreement between Homeswest and the Irwin Shire Council that expired in 2004 and at the Ordinary Council meeting held on 22 April 2003, Council agreed to disband the committee and the management of the Port Denison Retirement Village was directed through Council.

Summary of Question Two

When can we expect to see the dead trees, scrub and stumps at the southern entrance to town (corner of Ocean Drive & Point Leander Drive just below Cr Fitzhardinge's residence), cleared of this eyesore?

The CEO advised that the request was noted at the Annual Electors Meeting and has been placed into the 2012 works program.

Summary of Question Three

Why doesn't the Irwin Shire Council acknowledge emails by clicking reply and typing 'noted'? I refer to an email I sent on 21 June regarding Surf Beach Carpark erosion?

The CEO advised that immediate acknowledgement of incoming emails was not the Shire's practice and, similar to other forms of written communication the Shire receives, are recorded in an electronic document management system and directed to the relevant officer for appropriate action in due course. The CEO further advised that if a Shire response was not provided within 10 working days, he would welcome advice of such.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS

Nil.

7. CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 MAY 2011

A copy of the Minutes of the Ordinary Council Meeting held on 24 May 2011 has been provided to all Councillors under separate cover.

COUNCIL MOTION:

MOVED: Cr R T McClurg

SECONDED: Cr B C Scott

That the Minutes of the Ordinary Council Meeting, held on 24 May 2011, be confirmed as a true and accurate recording of that meeting.

CARRIED UNANIMOUSLY

VOTING DETAILS

7/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

- 8.1.** 23 June 2011 - The CEO and I attended a workshop organised by BROCC regarding the review method used when dealing with coastal vulnerability assessments.
- 8.2.** 24 June 2011 - The CEO, I and our partners attended the City of Geraldton Greenough's Mayor's Dinner.

9. REPORTS

AUDIT.7:

Subject	Interim Audit Report
Reporting Officer:	Director Corporate Services
File Reference:	FM.AD.10.11
Date Prepared:	24 May 2011
Voting Requirements:	Simple Majority

Issue:

Body/Background:

Council's auditors, UHY Haines Norton, visited Council's Offices in April and undertook an interim audit of Council's records in accordance with the Audit Specifications.

Officer's Comment:

A copy of the interim audit report is attached for information and consideration.

In the report, five items have been noted that were raised with management at the time and their recommendations as to the required action to be taken.

1. On the Rate Instalment Notice it was noted that the value of land was not indicated on the Notice.

Response

This will be rectified for the next financial year.

2. Completed Annual Returns from Councillors and employees contained sections that were left blank.

Response

In future all returns will be required to have any blank sections completed with N/A or Nil.

3. A number of purchase orders did not contain the \$ value of the goods or services ordered.

Response

Current Council policy is that all purchase orders are required to have the dollar value of the goods or services ordered to be included. Finance staff will take appropriate measures to ensure that the policy is properly observed.

4. It was noted that in the Electronic Funds Transfer (EFT) system changes to banking details in Synergy can be effected without authorisation.

Response

A verified document with all creditors' bank account details will be created which will be used by a staff member, who is independent of the payments preparation, to check all

payments made via EFT against that listing. Any notification of changes to bank account details will be entered into SynergySoft by the Finance Officer and double checked by an independent staff member. The master listing will be updated by another independent staff member.

5. Fixed Assets Register was not being reconciled to the Trial Balance on a regular basis.

Response

Reconciliations of the Fixed Asset Register are regularly being completed each month (in line with Financial Reporting to Council), but not being reviewed by a senior staff member independent of preparation. This is now being reviewed and signed off by a senior staff member independent of preparation.

Financial Implications:

Nil.

Policy Implication:

Nil.

Strategic Implications:

Nil.

Legal Implications:

Nil.

Staff Recommendation:

That the Audit Committee receives the interim audit report and notes the Director, Corporate Services' response to the matters raised.

Committee Recommendation:

That Council receives the interim audit report and notes the Director, Corporate Services' response to the matters raised.

COUNCIL MOTION:

MOVED: Cr I F West

SECONDED: Cr K J Hepworth

That Council receives the interim audit report and notes the Director, Corporate Services' response to the matters raised.

CARRIED UNANIMOUSLY

VOTING DETAILS

7/0

CDO.010

Subject: Appointment of Members - Tidy Towns Sustainable Committee
Reporting Officer: Community Development Officer
Date of Report: 10 June 2011
File Reference: CR.AW.2
Voting Requirements: Absolute Majority

Issue:

To consider the appointment of members of the reformed Tidy Towns Sustainable Committee.

Body/Background:

Council passed a resolution to reform the Tidy Towns Sustainable Committee at an ordinary meeting held on 22 March 2011. The Community Development Officer advertised in the Local Rag seeking expressions of interest from the community for committee members and received seven nominations.

There are many benefits in becoming involved in supporting a Tidy Towns Sustainable Committee, including:

- Increased community pride and morale;
- Recognition for those who contribute to our local community
- Improved natural environment;
- Increased tourism;
- Reduction of waste and minimisation of litter;
- Increased public awareness of environment issues;
- Introduction of water and energy saving initiatives;
- Leverage when seeking financial support for future projects.

Officer's Comment:

Following Council's appointment of members to the Tidy Towns Sustainable Committee, a meeting will be arranged to consider the committee's ideas and initiatives on improving Dongara/Port Denison including possible projects such as, Irwin River, environmental protection and conservation, recycling, litter prevention or water conservation.

Financial Implications:

Council allocates \$500 in the budget for expenditure on Tidy Towns activities each year.

Statutory Environment:

The appointment of the members of the Committee will be accordance with Section 5.10 (1) of the Local Government Act 1995.

Policy Implications:

Nil.

Officer's Recommendation:

That Council appoints the following nominees as members of the Tidy Towns Sustainable Committee:

F Neuweiler - Shire of Irwin Manager Community Development

C Palmer - Shire of Irwin Community Development Officer
Cr B Scott - Council Delegate
D Rayner - Mingenew Irwin Group
K Bessen - Community Member
M Campbell - Community Member
S Kerr - Community Member
J Rossiter - Community Member
J Stubbs - Community Member
R Welsh - Community Member

COUNCIL MOTION:

MOVED: Cr J B Fitzhardinge

SECONDED: Cr L W Wheeler

That Council appoints the following nominees as members of the Tidy Towns Sustainable Committee:

*F Neuweiler - Shire of Irwin Manager Community Development
C Palmer - Shire of Irwin Community Development Officer
Cr B C Scott - Council Delegate
Cr R T McClurg Council Delegate
D Rayner - Mingenew Irwin Group
K Bessen - Community Member
M Campbell - Community Member
S Kerr - Community Member
J Rossiter - Community Member
J Stubbs - Community Member
R Welsh - Community Member
R Porteus Community Member*

CARRIED BY ABSOLUTE MAJORITY

VOTING DETAILS

7/0

CEO.462

Subject: Delegations Register
Reporting Officer: Chief Executive Officer
File Reference: GV.AU.2
Date Prepared: 20 June 2011
Voting Requirements: Simple Majority

Issue:

To review Council delegations.

Body / Background:

Council undertook an extensive review of all Delegations in force at the ordinary Council meeting held on 27 May 2008.

Given the extent of the review in 2008 and the changes made, the then Chief Executive Officer (CEO), in a report to the ordinary meeting of Council held on 27 April 2010, recommended and Council subsequently resolved that no further changes to the delegations register be made.

A copy of the Delegations Register is available on the Shires website and a hard copy has previously been provided to Councillors.

Officers Comment:

Based on the extensive review of delegations undertaken by Council in 2008, and as the current CEO is unaware of any issues arising from the practical application of the existing delegations, it is suggested that Council continue its recent practice of completing its annual statutory review of delegations by noting that no change will be made to the existing delegations within its Delegations Register.

By adopting this action now, Council meets its statutory obligations in time for the 2010/11 external audit whilst allowing for the CEO to facilitate a more extensive review (being similar in scope to the process completed in 2008) of delegations during 2011/12.

Financial Implications:

Nil.

Statutory Environment:

Section 5.46 (2) of the Local Government Act 1995 requires Council to review delegations at least once every financial year.

Policy Implications:

Nil.

Officers Recommendation:

That Council note the review of delegations for the 2010/11 financial year and resolves that no changes be made to the current delegations in force.

COUNCIL MOTION:

MOVED: Cr K J Hepworth

SECONDED: Cr B C Scott

That Council note the review of delegations for the 2010/11 financial year and resolves that no changes be made to the current delegations in force.

CARRIED UNANIMOUSLY

VOTING DETAILS

7/0

CEO.463

Subject: Dongara Community Resource Centre Lease
Reporting Officer: Chief Executive Officer
File Reference: CS.SP.25
Date Prepared: 20 June 2011
Voting Requirements: Simple Majority

Issue:

Dongara Community Resource Centre (formerly Telecentre) lease option and rent reduction consideration.

Body / Background:

The Dongara Community Resource Centre's (the Centre) lease is due to expire on 22 July 2011 with the current lease taking effect from 23 July 2009 for a period of two years and includes an option for a period of two years, conditional on agreement by both parties.

Under the present arrangements, the Shire agreed to a \$150 plus GST weekly rent of the facility for the first year and a \$5 weekly increase in the second year which means Council currently receives \$155 plus GST from the Centre.

Except for renovations and upgrades, Council maintains the garden and building with the Centre being responsible for internal cleaning and utilities (being telecommunications, water and power).

The Shire is now in receipt of correspondence from the Centre's Co-ordinator (copy attached) seeking to exercise the further 2-year lease period option and seeking a rent reduction to \$130 per week plus GST. The correspondence also details the Centre's desire to be included in future planning for a possible joint library, visitor and community resource centre.

Officers Comment:

There is no doubt that the diverse range of services and facilities provided by the Dongara Community Resource Centre are of real and significant benefit to the community and for this reason it is suggested that it would appropriate for Council to agree to the Centre's request to exercise the 2-year lease option so these services can continue.

However, based on Council's long standing financial support of the Centre through the waiving or significantly discounting the rent payable by the Centre, from a commercial rent perspective, it is recommended that Council not accede to the request for a rent reduction but instead considers 'capping' the rent payable to the existing \$155 per week plus GST.

It is suggested that such 'cap', in effect, represents a rent reduction but recognises both the community services provided by the Centre and the past investment in the building fabric in the form of new air conditioners, painting and carpets.

Furthermore, it is suggested that a rent 'cap' could also recognise a future partnership arrangement between Council and the Centre by agreeing to jointly investigate the feasibility/practicability of establishing a combined library, visitor and community resource centre. This aligns with the Centre's strategic position outlined in its correspondence and has been included within the attached draft lease document and works in parallel with the Shire's own strategic planning processes.

Should Council agree with the suggested rent cap, a minor technical amendment to the effective dates of the new 2-year lease period could be implemented so that it aligns to financial years by

commencing from 1 July 2011 and ceasing on 30 June 2013. (These dates have been reflected in the attached draft lease document).

Financial Implications:

Based on conservative commercial lease rate for Moreton Terrace of \$150 per square metre per annum (plus GST and outgoings) the commercial value of the area presently occupied by the Centre (being 175m²) would be in the vicinity of \$30,000 plus GST.

The annual rent under the proposed agreement is proposed to be approximately \$8,000, hence Council would subsidise the rent by around \$22,000 per annum.

Statutory Environment:

Local Government Act 1995
Regulation 30 Local Government (Functions & General) Regulations 1996 (exempt disposition).

Policy Implications:

Nil.

Officers Recommendation:

That Council adopt the attached lease arrangement with the Dongara Community Resource Centre Inc for the property located on 11 Moreton Terrace, Dongara.

COUNCIL MOTION:

MOVED: Cr K J Hepworth

SECONDED: Cr B C Scott

That Council adopt the attached lease arrangement with the Dongara Community Resource Centre Inc for the property located on 11 Moreton Terrace, Dongara.

CARRIED UNANIMOUSLY

VOTING DETAILS

7/0

CEO.464

Subject: Seawall Construction- Stage 4 Works
Reporting Officer: Chief Executive Officer
Date of Report: 22 June 2011
File Reference: GS.PR.10
Voting Requirements: Absolute Majority

Issue:

To seek Councils endorsement of the CEO's actions in accepting an offer from the Department of Transport for additional funding to complete stage 4 of the Grannies Beach Seawall while contractors are undertaking the construction works on stages 2 and 3.

Body/Background:

VDM contracting was awarded Council's tender at its meeting held on 22 March 2011 to construct stage 2 of the Grannies beach seawall as follows:

"That Council

- 1. Based on the recommendation of the Seawall Tender Panel (comprising Shire of Irwin, Department of Transport and M.P. Rogers and Associates representatives), Council accept the Tender from VDM Contracting for \$198,479 (GST inclusive) to undertake Stage 2 construction works of a 50 metre section of the Dongara Seawall at Grannies Beach, Port Denison."*

Subsequently, at a special meeting of Council held on 5 May 2011 Council resolved:

"That Council, by an absolute majority:

- 1. Agrees to engage VDM Contracting to undertake Stage 3 construction works (representing a further 50 metres) of the Dongara Seawall in parallel with their Stage 2 works; and*
- 2. Not proceed with the transfer \$300,000 to the Building Reserve as resolved at its ordinary meeting of Council held on 19 April 2011 and, in lieu, transfers \$200,000 to the Building Reserve and uses the additional \$100,000 as its matching funds to acquire additional matching funding from the Department of Transport in order to fund the additional 50 metres of seawall."*

As a result of Council's decision, VDM continued on with the seawall construction works until Friday, 17 June 2011 at which point Stage 3 works were completed.

However, and as advised by the CEO at the Council Forum on 14 June 2011, in the week leading up to the completion of Stage 3, VDM initiated discussions with the Shire about the possibility of continuing with Stage 4 works whilst on-site as their plant and operators were currently available but invoice the Shire in July 2011. VDM also advised that they were likely to be engaged elsewhere in October 2011, the time of the planned Stage 4 works.

Arising from these discussions, contact was made with the Coastal Infrastructure section of the Department of Transport (DoT) to enquire as to whether the DoT would be providing funding for seawall works in 2011/12.

Whilst advice from the DoT indicated that the Hon Minister for Transport had yet to finalise funding allocations from 2011/12, the DoT was prepared to allocate an additional \$100,000 from unexpended 2010/11 coastal protection funding on the basis that the VDM invoice for these works shall be received in 2011/12, and the Shire will match DoT's \$100,000 equally in the 2011/12 financial year.

Officer's Comment:

Based on the availability of the contractor, the additional DoT funding, Council's intention to continue seawall works in 2011/12, Councillors being notified at the Council Forum on 14 June 2011 and the significant advantage for Council to be in position to have the seawall extend past the last of the beachfront chalets, the CEO authorised VDM to commence Stage 4 works on the seawall effective from 21 June 2011. If this action was not taken, VDM would have commenced demobilisation operations.

On this basis, it is now considered prudent that Council endorse the actions of the CEO in engaging VDM to undertake Stage 4 seawall works and formally commit to including the project within its 2011/12 Budget.

Financial Implications:

Statutory Environment:

Section 6.8 Local Government Act 1995
Local Government (Functions and General) Regulations 1996

Policy Implications:

Nil.

Officer's Recommendation:

That Council, by an absolute majority:

1. Endorses the actions of the Chief Executive Officer to engage VDM Contracting to undertake Stage 4 construction works of the Dongara Seawall in parallel with their Stage 2 and 3 works; and
2. Includes the Department of Transport's additional \$100,000 for Stage 4 construction works of the Dongara Seawall and a matching \$100,000 from the regional component of its Country Local Government Fund allocation in the Shire's 2011/12 Budget.

COUNCIL MOTION:

MOVED: Cr R T McClurg

SECONDED: Cr I F West

That Council, by an absolute majority:

1. *Endorses the actions of the Chief Executive Officer to engage VDM Contracting to undertake Stage 4 construction works of the Dongara Seawall in parallel with their Stage 2 and 3 works; and*
2. *Includes the Department of Transport's additional \$100,000 for Stage 4 construction works of the Dongara Seawall and a matching \$100,000 from the regional component of its Country Local Government Fund allocation in the Shire's 2011/12 Budget.*

CARRIED BY ABSOLUTE MAJORITY

VOTING DETAILS

7/0

DCS.379

Subject: Accounts for Payment
Reporting Officer: Director Corporate Services
Date of Report: 28 June 2011
File Reference: Minute Book
Voting Requirements: Simple Majority

Issue:

To receive the list of accounts paid under delegated authority during May 2011.

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of May 2011.

Policy Implications:

Under Delegation C3 Council has delegated authority to the Chief Executive Officer to authorise all payments by Council.

Statutory Implications:

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.
 - (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.

Officer's Recommendation:

That the Accounts paid during May 2011, represented by Municipal Cheque Numbers 28180 - 28210, EFT payment numbers 11577 – 11680 totalling \$490,454.43, Trust Payment Cheque Numbers: 2248 - 2254 totalling \$2,910.00 & Police Licensing Payment No's PL020511 – PL 270511 totalling \$69,050.85 be received.

COUNCIL MOTION:

MOVED: Cr B C Scott

SECONDED: Cr L W Wheeler

That the Accounts paid during May 2011, represented by Municipal Cheque Numbers 28180 -28210, EFT payment numbers 11577 – 11680 totalling \$490,454.43, Trust Payment Cheque Numbers: 2248 - 2254 totalling \$2,910.00 & Police Licensing Payment No's PL020511 – PL 270511 totalling \$69,050.85 be received.

CARRIED UNANIMOUSLY

VOTING DETAILS

7/0

DCS.380

Subject: Financial Statements for the Period ending 31/05/2011
Reporting Officer: Accountant/Senior Administration Officer
File Reference: Minute Book
Date Prepared: 28 June 2011
Voting Requirements: Simple Majority

Issue:

To consider and receive the Monthly Financial Statements for the period 1 July 2010 to 31 May 2011.

Body / Background:

The Monthly Financial Report to the 31 May 2011 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Rate Setting Statement
- Statement of Comprehensive Income by Program
- Statement of Comprehensive Income by Nature & Type
- Statement of Financial Position
- Statement of Changes in Equity
- Statement of Cash Flows
- Disposal of Assets
- Information on Borrowings
- Reserve Funds
- Net Current Assets
- Rating Information
- Trust Fund Summary
- Statement of Bank Reconciliations
- Capital Works Program
- Restricted Assets Statement
- Schedules 3 – 14 Budget vs Actuals Comparison
- APU Operating Statement

Officers Comment:

Nil.

Financial Implications:

Nil.

Statutory Environment:

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.

Officers Recommendation:

That the Monthly Financial Statement for the period 1 July 2010 to 31 May 2011 be received.

COUNCIL MOTION:

MOVED: Cr I F West

SECONDED: Cr K J Hepworth

That the Monthly Financial Statement for the period 1 July 2010 to 31 May 2011 be received.

VOTING DETAILS

CARRIED UNANIMOUSLY

7/0

DCS.381

Subject: Differential Rates – 2011/12
Reporting Officer: Director Corporate Services
File Reference: RV.RT.3
Date Prepared: 20 June 2011
Voting Requirements: Simple Majority

Issue:

To consider the adoption of rates in the dollar for differential rating to be advertised prior to the adoption of the 2011/12 Budget.

Body / Background:

The Local Government Act provides (S 6.36) that before imposing differential general rates or a minimum payment applying to a differential rate category a local government is to give 21 days' local public notice of its intention to do so. Where a local government proposes to modify the proposed rate or minimum payment after considering any submissions received during the advertising period it is not required to give local public notice of the modified rate or minimum payment.

Officers Comment:

The Draft Budget for 2011/12 has been prepared and was presented for Council discussion and feedback at the Council Forum meeting held on 14 June 2011. For Council to meet the requirements of the Act as noted above it is required to advertise the proposed differential rates within time frames to meet the 21 day period before the budget is adopted in July 2011.

The proposed differential rates in the dollar are based on raising an additional 5% of rate revenue over rates raised in July last year as well as taking into consideration any interim rate revenue due to valuation changes from new and/or developed properties over the past year. In 2011/12 a revaluation has been received for both Gross Rental Values as well as Unimproved Valuations.

Unimproved Valuations

The Valuer-General has advised that the total unimproved valuation for the Shire of Irwin has increased by an overall average of approximately 0.8% to \$165,590,700.

The Valuer-General also suggests that there is a possibility of a slight change to this figure due to the effect of interim valuations.

In the letter, the Valuer-General also makes the following comments:

“OVERALL VARIATION TO UNIMPROVED VALUATION

Despite land values remaining relatively static this last year – there has been a slight increase of 0.8% in the assessed unimproved values for 30 June 2011.

Some changes to individual assessments may occur either as a product of the mass valuation process or where records have been amended or corrected for soil types etc.

Demand for bush style blocks has increased in the past few years and this has resulted in a few blocks having significant increases in value.”

It should be noted that individual property values will change by more or less than the average increases reported above and therefore when rate notices are issued in July/August 2011 they will not necessarily reflect a 5% increase in rates on their property.

Gross Rental Valuations

The Valuer-General has also provided a new Gross Rental Valuation Roll to take effect from 1 July 2011. The previous roll was effective from 1 July 2007 and therefore the amendments to valuations in the GRV areas are over a four year period and potentially therefore a greater variation in change.

In the General Valuation Summary for Irwin 2011 the following information and comments are provided in regards to the new Roll:

“The following data and advice should be read in conjunction with the statistical summary at the end of the valuation roll.

- *Date of Valuation* 1 August 2010
- *Date of Coming into Force* 1 July 2011
- *In respect of Gross Rental Values for the Local Authority of Irwin, the following statistics are provided for your assistance: -*

	<u>% Inc/Dec</u>	<u>Agg. Values</u>	<u>% of Total</u>
<i>Residential</i>	+ 39.74 %	\$ 15,861,104	68.32 %
<i>Commercial</i>	+ 21.90 %	\$ 2,155,616	9.28 %
<i>Industrial</i>	+ 13.85 %	\$ 1,192,332	5.14 %
<i>Vacant Land</i>	- 41.45 %	\$ 4,004,205	17.25 %
<i>Misc</i>	- 52.00 %	\$ 2,640	0.01 %

N.B The actual total of all Local Authority GRV's is \$ 23,358,377 as disclosed at the bottom of the valuation roll. The discrepancy between this figure and the total shown above is due to the fact that these statistics supplied ignore properties without a previous GRV. Therefore, the figures above can only be used as an indicative guide to the movement between General Valuations.

Please note that the % decrease in values for vacant land GRV's is most likely attributed to the recent change in the prescribed percentage to 3% for residential land valued on the 'assessed value' basis. The use of a 'differential rate' or other mechanisms available within the Local Government Act may be appropriate to smooth out this anomaly and provide a more equitable distribution of the rates burden.”

Historically Council has adopted differential rates in the dollar for GRV to reflect the different rate codes (residential, industrial/commercial, vacant, R50 residential and R50 undeveloped) and valuation methods.

Vacant properties have historically been valued using 5% of capital value, resulting in valuations which are relatively high in comparison to other categories and it has been necessary to adopt a lower rate in the dollar to equate the rates applicable to individual properties. Similarly R50 undeveloped land has often resulted in rates decreasing when a house/units etc have been constructed on the property. The Valuer General has adopted a change in policy to use a prescribed 3% for valuing vacant land in 2011/12 instead of 5%, resulting in a substantial (41.45%) decrease in the total valuation of this rate category. This has changed the relativities of values between vacant land and developed properties to a more equitable situation and will enable Council to use the same rate in the dollar for all categories.

In previous years Council has also adopted a discounted rate in the dollar for commercial and industrial properties to recognise the economic impact and employment opportunities they provide in the community. The Gross Rental Values in the 2011/12 roll have increased the values for commercial/industrial properties but to a lesser degree than residential properties, to the extent that using the one rate in the dollar will result in decreased rate revenue from the commercial and industrial rate code compared to 2010/11. To continue discounting this area will result in residential rates increasing greater than necessary.

In summary the new Gross Rental Valuation Roll effective from 1 July 2011 provides an opportunity to simplify the Shire's rating policy and adopt three rates in the dollar, being a GRV rate, Mining rate and UV rate.

Financial Implications:

The proposed rates in the dollar will be used to raise rates on individual properties to raise rate revenue in the 2011/12 financial year.

Statutory Environment:

A local government may impose differential general rates according to any, or a combination, of the following characteristics -

- *the purpose for which the land is zoned under a town planning scheme in force under the Town Planning and Development Act 1928;*
- *the predominant purpose for which the land is held or used as determined by the local government;*
- *whether or not the land is vacant land; or*
- *any other characteristic or combination of characteristics prescribed.*

In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

In recent years Council has adopted a UV differential rate to be applied to mining properties which is more than twice the lowest UV differential rate.

This situation has been created by increasing UV values being imposed on rural properties whilst mining tenements, which are valued using a different method, have remained steady. The differential rate on rural properties, therefore, has decreased whilst the rate on mining has increased in accordance with rate rise percentages each year. The lower UV rate has dropped to below 50% of the mining rate and needs the Minister's approval before being imposed.

A minimum payment is not to be imposed on more than the prescribed percentage (50%) of the number of separately rated properties in the district or the number of properties in each category unless the general minimum does not exceed the prescribed amount (\$200).

The Minister may approve the imposition of a minimum payment contrary to the provisions outlined above, where a local government imposes a differential general rate on the basis that the land is vacant land.

A minimum payment is to be applied separately, in accordance with the principles set out above in respect of each of the following categories -

- *to land rated on gross rental value*
- *to land rated on unimproved value; and*
- *to each differential rating category where a differential rate is imposed.*

Council has two differential rating categories, being GRV – Undeveloped Land and UV – Mining, which imposes a minimum rate on more than 50% of the properties within the category.

It is therefore necessary to apply to the Minister to seek approval for these categories. The Department has advised that Council may apply to the Minister during the statutory advertising period.

Policy Implications:

Nil.

Officers Recommendation:

That Council:

1. Advertises its intention to adopt the following differential rates and minimum payments for each of the following rating categories in the 2010/12 financial year.

<u>Rate Category</u>	<u>Rate in Cents in the Dollar</u>	<u>Minimum rates</u>
<u>Gross Rental Valuations</u>		
Residential	8.64	\$745
Commercial	8.64	\$745
Light & General Industry	8.64	\$745
Special & General Industry	8.64	\$745
Undeveloped	8.64	\$745
<u>Unimproved Valuations</u>		
Mining	6.50	\$745
Policy Area A	0.7662	\$745
Policy Area B	0.7662	\$745
Policy Area C	0.7662	\$745
Policy Area D	0.7662	\$745
Policy Area E	0.7662	\$745
Policy Area F	0.7662	\$745
Policy Area G	0.7662	\$745

2. Makes application to the Minister for Local Government seeking approval under Section 633 (3) of the Local Government Act 1995 to impose a differential rate for UV Mining Tenement properties at more than twice the rate of UV properties in Policy Areas A to G.
3. Makes application to the Minister for Local Government seeking approval under Section 635 (5) of the Local Government Act 1995 to impose a minimum rate for the GRV – Undeveloped Land and UV – Mining Rate category which results in more than 50% of the properties in each category being imposed with the minimum rate.

COUNCIL MOTION:

MOVED: Cr I F West

SECONDED: Cr J B Fitzhardinge

That Council:

1. *Advertises its intention to adopt the following differential rates and minimum payments for each of the following rating categories in the 2010/12 financial year.*

<u>Rate Category</u>	<u>Rate in Cents in the Dollar</u>	<u>Minimum rates</u>
<u>Gross Rental Valuations</u>		
<i>Residential</i>	<i>8.64</i>	<i>\$745</i>
<i>Commercial</i>	<i>8.64</i>	<i>\$745</i>
<i>Light & General Industry</i>	<i>8.64</i>	<i>\$745</i>
<i>Special & General Industry</i>	<i>8.64</i>	<i>\$745</i>
<i>Undeveloped</i>	<i>8.64</i>	<i>\$745</i>
<u>Unimproved Valuations</u>		
<i>Mining</i>	<i>10.00</i>	<i>\$745</i>
<i>Policy Area A</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area B</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area C</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area D</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area E</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area F</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area G</i>	<i>0.7662</i>	<i>\$745</i>

Makes application to the Minister for Local Government seeking approval under Section 633 (3) of the Local Government Act 1995 to impose a differential rate for UV Mining Tenement properties at more than twice the rate of UV properties in Policy Areas A to G.

Makes application to the Minister for Local Government seeking approval under Section 635 (5) of the Local Government Act 1995 to impose a minimum rate for the GRV – Undeveloped Land and UV – Mining Rate category which results in more than 50% of the properties in each category being imposed with the minimum rate.

VOTING DETAILS

LOST
 2/5

COUNCIL MOTION:

MOVED: Cr K J Hepworth

SECONDED: Cr R T McClurg

That Council:

- 1. Advertises its intention to adopt the following differential rates and minimum payments for each of the following rating categories in the 2010/12 financial year.*

<u>Rate Category</u>	<u>Rate in Cents in the Dollar</u>	<u>Minimum rates</u>
<u>Gross Rental Valuations</u>		
<i>Residential</i>	<i>8.64</i>	<i>\$745</i>
<i>Commercial</i>	<i>8.64</i>	<i>\$745</i>
<i>Light & General Industry</i>	<i>8.64</i>	<i>\$745</i>
<i>Special & General Industry</i>	<i>8.64</i>	<i>\$745</i>
<i>Undeveloped</i>	<i>8.64</i>	<i>\$745</i>
<u>Unimproved Valuations</u>		
<i>Mining</i>	<i>6.50</i>	<i>\$745</i>
<i>Policy Area A</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area B</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area C</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area D</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area E</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area F</i>	<i>0.7662</i>	<i>\$745</i>
<i>Policy Area G</i>	<i>0.7662</i>	<i>\$745</i>

Makes application to the Minister for Local Government seeking approval under Section 633 (3) of the Local Government Act 1995 to impose a differential rate for UV Mining Tenement properties at more than twice the rate of UV properties in Policy Areas A to G.

Makes application to the Minister for Local Government seeking approval under Section 635 (5) of the Local Government Act 1995 to impose a minimum rate for the GRV – Undeveloped Land and UV – Mining Rate category which results in more than 50% of the properties in each category being imposed with the minimum rate.

CARRIED UNANIMOUSLY

VOTING DETAILS

7/0

Subject: Draft Public Open Space Strategy
Proponent: Shire of Irwin
Reporting Officer: Town Planner
File Reference: LP.PL.5
Date Prepared: 22 June 2011
Voting Requirements: Simple Majority

Issue:

To consider the draft Shire of Irwin Public Open Space Strategy for initial adoption prior to advertising.

Background:

The Shire was requested by the Western Australian Planning Commission (WAPC) in August of 2010 to prepare a public open space strategy for the Port Denison area, following referral of Scheme Amendment No 7 (Lots 53 and 54 Point Leander Drive) to the WAPC.

The Shire has taken this request on board and prepared a strategy for the whole urban area, including Dongara, on the basis the larger scope of the document will provide a better contextual analysis of public open space and provide a useful guiding document for the Shire in the future.

The Proposal:

The draft strategy has been prepared by Landvision (Shire's preferred planning consultants) in consultation with the Shire. It consists of the following main elements:

- A review of the State and local open space planning framework;
- Classification of open space within the Dongara/Denison context;
- Provision of Local and Neighbourhood Parks;
- Provision of Organised Sporting Club Areas;
- Provision of Foreshore Reserve Areas;
- Population considerations;
- Open Space Analysis;
- Summary of findings and recommendations; and an
- Open Space Schedule.

A copy of the draft strategy has previously been referred to all Councillors.

Essentially, the strategy divides open space areas into three distinct categories being; Local/Neighbourhood Parks, Sporting Club Areas and Foreshore Reserve Areas. Each category of open space is provided with its own plan illustrating the distribution of that type of open space across the urban area. This provides an analysis of the proximity of open space to residential lots.

The strategy also includes calculations (and an accompanying plan) of the amount of public open space in comparison to neighbourhood catchments. This provides an analysis of the ratio of open space to residential lots and population density.

The results of the analysis are summarised in Section 8.0 which also lists the main findings and recommendations from within the strategy.

This is followed by the strategy map on page 29 in A3 format, showing a combined view of the open space categories and their distribution over Dongara and Port Denison.

Lastly, the document includes an open space schedule which provides a reference for each individual open space site and details of how each site fits within the strategy.

Officers Comment:

The draft public open space strategy provides a comprehensive analysis of the distribution and adequacy of open space across the Dongara and Port Denison urban area, and provides a sound basis from which to make future open space decisions.

In particular, the strategy takes a wholistic view of the range of open space types available within Dongara/Denison, rather than just focussing on the traditional parks and gardens, and has tailored the analysis to suit this local situation. The strategy however, also balances this local approach against the recognised open space framework set by the State government, that predominantly being Liveable Neighbourhoods and the provisions for public parkland included in this.

The strategy has attempted to avoid making detailed and specific recommendations in regards to the development or otherwise of each individual open space site, rather it focuses on the broader scale by identifying categories of open space and their distribution and adequacy. This then provides the context and direction to consider each park for more detailed planning and discussion as and when necessary. The open space schedule does however; make some specific suggestions in relation to individual parks, although these are generally related to recommendations concerning upgrading of particular parks from Local to Neighbourhood status.

Some comments from elected members have already been received, with some minor adjustments proposed. It is envisaged that these can be incorporated into a schedule of submissions, and potential modifications, to be considered by Council after public comment is sought (providing the draft strategy is initiated).

It is suggested therefore that the draft strategy is suitable for initiation by Council and for public comment to be sought. In this regard, an advertising period of 35 days is considered appropriate. Advertising would include the publication of a notice in both the Dongara Rag and the Geraldton Guardian, with a copy of the strategy available for viewing in hard copy at the Shire offices and online via the Shire website.

At the conclusion of advertising the strategy and a schedule of submissions will be reported back to Council for further consideration and a determination in regards to final adoption or otherwise.

Financial Implications:

Minor advertising costs.

Policy Implications:

Provides a draft strategy for the consideration of open space across the Dongara and Port Denison urban area.

Officers Recommendation:

That in accordance with the requirements of the Minister for Planning, dated 4 August 2010, Council initiate the draft Shire of Irwin Public Open Space Strategy and thereafter seek public comment for a period of 35 days prior to further consideration and determination of the strategy.

COUNCIL MOTION:

MOVED: Cr B C Scott

SECONDED: Cr K J Hepworth

That in accordance with the requirements of the Minister for Planning, dated 4 August 2010, Council initiate the draft Shire of Irwin Public Open Space Strategy and thereafter seek public comment for a period of 35 days prior to further consideration and determination of the strategy.

CARRIED UNANIMOUSLY

VOTING DETAILS

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 BEHIND CLOSED DOORS

A confidential item (CEO.465 – New Shire of Irwin Corporate Identity) will be discussed.

COUNCIL MOTION:

MOVED: Cr B C Scott

SECONDED: Cr I F West

That Council deal with confidential item CEO.465 and close the meeting in accordance with section 5.23(2)(c) and (e) of the Local Government Act 1995 at 4.29pm.

CARRIED UNANIMOUSLY

VOTING DETAILS:

7/0

CEO.465 – NEW SHIRE OF IRWIN CORPORATE IDENTITY

The Chief Executive Officer tabled a confidential report on this matter and provided copies to each elected member. The report is dated 22 June 2011 and is located in the records management system of the council on file IT.AQ.6.

COUNCIL MOTION:

MOVED: Cr B C Scott

SECONDED: Cr J B Fitzhardinge

That Council adopts 'Original Concept 1' with the inclusion of the word 'Port' as the Shire's corporate branding (logo) identity and, as it is considered an operational matter, note that the staff will choose the Shire's resulting stationery concept.

CARRIED UNANIMOUSLY

VOTING DETAILS

7/0

PROCEDURAL MOTION:

MOVED: Cr I F West

SECONDED: Cr L W Wheeler

That Council come out from behind closed doors at 4.36pm.

CARRIED UNANIMOUSLY

VOTING DETAILS:

7/0

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 4.37pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on
28 June 2011

Signed:
Presiding Elected Member

Date:.....