

I certify that this copy of the Minutes is a true and correct record of the meeting held on 24 August 2011

Signed: .....  
Presiding Elected Member

Date:.....



**MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS ON  
WEDNESDAY, 24 AUGUST 2011  
COMMENCING AT 4.00PM**

<b>PRESENT:</b>	President	Cr S C Chandler (Presiding Member)
	Councillors	Cr R T McClurg (Deputy President) Cr J B Fitzhardinge Cr K J Hepworth Cr R W Roberts 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 G F Coaker – Town Planner Mr A S Wootton – Works Manager Ms A McDonald – Executive Assistant/Records Officer (EA) (Minute Taker)
<b>GUESTS:</b>	Gallery	2 Members of the Public
		-
		-
<b>APOLOGIES:</b>		-
<b>LEAVE OF ABSENCE:</b>		-

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- 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**  
All Council members were in attendance.
  - 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**  
Nil.

#### 4. PUBLIC QUESTION TIME

##### 4.1. John Rossiter

Summary of Question One

Is Council aware that the Moreton Bay Fig trees situated on Lots 53 and 54 Point Leander Drive have an application currently pending with the Heritage Commission?

*The Shire President advised that yes Council is aware.*

##### 4.2. Riki Porteus

Summary of Question One

Will Council consider moving the 50km zone currently situated at the corner of Point Leander Drive and St Dominic's Road further up to Bungaru Road due to safety concerns?

*The Shire President advised that he will direct the concerns to the Roadwise Committee for directions.*

*The Works Manager advised the Main Roads Western Australia are currently investigating moving the 50 kilometres per hour zone further south along Point Leander Drive.*

Summary of Question Two

I am concerned with the fracking issues that have been raised in the media; will Council have a policy on fracking?

*The Shire President advised that whilst Council has no jurisdiction in respect to the use of hydraulic fracture stimulation within the Shire, local residents are welcome to express their views in writing to assist Council in any advocacy on the issue.*

#### 5. APPLICATIONS FOR LEAVE OF ABSENCE

Cr R McClurg has requested Leave of Absence from the Council Forum scheduled for 13 September 2011 and the Council Meeting scheduled for 27 September 2011.

##### **COUNCIL MOTION:**

**MOVED: Cr I F West**

**SECONDED: Cr K J Hepworth**

***That Cr R McClurg be granted leave of absence from the Council Forum scheduled for 13 September 2011 and the Council Meeting scheduled for 27 September 2011.***

**CARRIED UNANIMOUSLY**

**VOTING DETAILS:**

**8/0**

#### 6. PETITIONS

Nil.

7. CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 JULY 2011

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A copy of the Minutes of the Ordinary Council Meeting held on 26 July 2011 has been provided to all Councillors under separate cover.

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**COUNCIL MOTION:**

**MOVED:** Cr B C Scott.

**SECONDED:** Cr R T McClurg

*That the Minutes of the Ordinary Council Meeting, held on 26 July 2011, be confirmed as a true and accurate recording of that meeting.*

**CARRIED UNANIMOUSLY**

**VOTING DETAILS**

**8/0**

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

- 8.1. 23 August 2011 – The Shire of Irwin had a successful visit from the Ministerial Delegation of Hon Dr Kim Hames MLA, Minister for Health; Tourism; Hon Troy Buswell MLA, Minister for Transport, Housing; Mr John McGrath MLA, Parliamentary Secretary to the Premier; Hon Jim Chown MLC, Member for the Agriculture Region & Hon Brian Ellis MLC, Member for the Agriculture Region.
- 8.2. 4-6 August 2011 – CEO, Director, Corporate Services, Cr McClurg and I attended Local Government Week, it was the best presentation to date of all LG Weeks I have attended.
- 8.3. I would like to acknowledge and congratulate Cr West on his Eminent Service Award presented at Local Government Week. Cr West was nominated by the Shire of Perenjori for all the years of outstanding service whilst a councillor for them.
- 8.4. Congratulation to the CEO and his team for the new look Agenda.
- 8.5. 15 August 2011 saw the launch of our new Corporate Branding and relocation which was very smooth, with minimal inconvenience to the public, thanks to the staff. I would like to report that the staff are very happy in their new working environment.

## 9. REPORTS

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**DCS.386**

**Subject:** Accounts for Payment  
**Reporting Officer:** Director Corporate Services  
**Date of Report:** 23 August 2011  
**File Reference:** Minute Book  
**Voting Requirements:** Simple Majority

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**Issue:**

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

**Background:**

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

**OFFICERS RECOMMENDATION / COUNCIL DECISION:**

**MOVED:** Cr K J Hepworth

**SECONDED:** Cr I F West

*That the Accounts paid during July 2011, represented by Municipal Cheque Numbers 28267 - 28284, EFT payment numbers 11791 – 11971 totalling \$1,237,354.66, Trust Payment Cheque Numbers: 2261 - 2263 totalling \$1,520.00 & Police Licensing Payment No's PL010711 – PL 270711 totalling \$51,092.41 be received.*

**CARRIED UNANIMOUSLY**

**VOTING DETAILS**

**8/0**

**DCS.387**

**Subject:** Financial Statements for the Period ending 31/07/2011  
**Reporting Officer:** Director Corporate Services  
**Date Prepared:** 23 August 2011  
**File Reference:** Minute Book  
**Voting Requirements:** Simple Majority

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**Issue:**

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

**Body / Background:**

The Monthly Financial Report to the 31 July 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.

**OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

**MOVED: Cr R T McClurg**

**SECONDED: Cr L W Wheeler**

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

**CARRIED UNANIMOUSLY**

**VOTING DETAILS**

**8/0**

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**TP.521**

**Subject:** Final Adoption – Public Open Space Strategy  
**Proponent:** Shire of Irwin  
**Reporting Officer:** Town Planner  
**File Reference:** LP.PL.5  
**Date Prepared:** 16 August 2011  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider the draft Shire of Irwin Public Open Space Strategy for final adoption.

**Background:**

Council at its meeting held on 28 June 2011 considered the draft Public Open Space Strategy (the strategy) for initiation and advertising. At that meeting, Council resolved the following:

*‘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.’*

**Community Consultation:**

In accordance with the above resolution the strategy was advertised for public comment for 35 days, concluding on the 11<sup>th</sup> of August 2011.

Advertising included the following:

- Publication of a notice in the Geraldton Guardian; and
- Publication of a notice in the Dongara Rag.

Copies of the strategy were made available for viewing on both the front counter of the Shire administration building and also online via the Shire website.

The Strategy received additional publicity during the advertising period as a result of a notice published by the Irwin Progress Association in the Rag and also a ‘letter to the editor’.

At the close of advertising a total of two submissions were received.

A schedule of submissions, including a recommendation in relation to each, is attached. Full copies of each submission are also attached.

**Officers Comment:**

It is not considered that the submissions received warrant any modifications to the document. In relation to Lots 53 and 54 Point Leander Drive, Port Denison, the strategy clearly indicates that there is no statutory requirement for additional public open space in this location.

No other submissions have been received or concerns raised during the advertising period.

Some minor modifications to the document are proposed however, these include a small number of typographical errors and minor adjustments to Schedule 1. The modifications should also include reference to the heritage aspects of the Irwin River and the walk trails along its foreshore.

It is recommended therefore, subject to the minor modifications outlined above, that the Strategy be adopted for final approval by Council and be referred to the Minister for Planning for consideration.

**Financial Implications:**

Nil.

**Policy Implications:**

Final adoption of a Public Open Space Strategy for the Dongara and Port Denison urban area.

**OFFICER'S RECOMMENDATION / COUNCIL DECISION:**

**MOVED:** Cr K J Hepworth

**SECONDED:** Cr B C Scott

*That Council resolves to:*

- 1. Determine the submissions as outlined in the 'Schedule of Submissions';*
- 2. Adopt for final approval the Shire of Irwin Public Open Space Strategy June 2011, subject to minor modifications being effected; and*
- 3. Refer the Shire of Irwin Public Open Space Strategy June 2011 to the Minister for Planning for consideration.*

**CARRIED**

**VOTING DETAILS**

**7/1**



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**TP.522**

**Subject:** Dongara to Cape Burney Coastal Planning Strategy  
**Proponent:** Western Australian Planning Commission  
**Reporting Officer:** Town Planner  
**File Reference:** LP.PR.2  
**Date Prepared:** 18 August 2011  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider correspondence from the Western Australian Planning Commission (WAPC) advising that the Dongara to Cape Burney Coastal Planning Strategy will no longer be proceeded with and that the Steering Committee for this project has been discharged.

**Background:**

The importance of strategic planning for the coast between Dongara and Cape Burney was first formally recognised by the WAPC in 2004 when it was identified in its Coastal Planning Program Status of Coastal Planning in Western Australia 2004/05 Report.

That report recommended the development of a coastal management plan/strategy for this stretch of coastline to address growing landowner speculation and pressure for subdivision and development of large rural properties in the area.

The Department first initiated a strategy in 2006, calling it the 'Greenough-Irwin Dunes Coastal Planning Strategy'. The proposal was for the Department to prepare the strategy, with input from the two local governments, being the Shire of Irwin and the then City of Geraldton.

Although the Shire and the City advised of their willingness to take part, that strategy never eventuated.

Following this, in 2007/08 a scheme amendment was lodged with the Shire from a private landholder for a rezoning of Lots 4 and 5 Brand Highway, Bookara which would have been located within the strategy study area. The amendment was to make way for a major new development which would have included a large range of land uses such as residential, tourism, commercial, industrial etc. Although the Shire initiated the amendment, it was rejected by the WAPC on the basis it did not conform with the State's objectives for this part of the coast.

Shortly after this, in 2008, the Department decided to revisit the strategy and proposed a revised model for its preparation, whereby it would be developed in collaboration with staff from the Department and from the local governments, with input from a steering committee. The Shire and the City agreed to this revised model, and further agreed to expend \$20,000 each to help fund specialist background reports to inform the strategy document. The Shire also agreed to chair the steering committee at the request of the Department.

This strategy eventually became known as the Dongara to Cape Burney Coastal Planning Strategy and the first steering committee meeting was held on the 10<sup>th</sup> June 2009. Over the course of approximately the next eighteen months, the committee and staff worked to prepare a project scope, organised various specialist reports, conducted public consultation, held workshops and ultimately developed a draft strategy document.

By February 2011, the draft had still not been given consent to advertise from the WAPC. The Shire was then informed that carriage of the project had been transferred from the Coastal Branch within the Department of Planning to the Director of the Central Regions, who had the task of revising the draft and applying a more statutory based planning approach to the project. Subsequent to this, the Shire was presented with two options for a revised draft and were requested to provide an answer on the most preferable option within nine days. Although the Shire

couldn't accede to the request that quickly, a Special Council meeting was held on the 5 April 2011 (within 14 days of the request) to consider the options. On the basis the Shire was (and is) under pressure to determine two new scheme amendments within the study area (Amendments 10 and 11), Council resolved to generally endorse Option 1. It was felt this option included enough detail (although minimal) to prepare a suitable planning document.

Since that resolution, the Shire has repeatedly expressed to the Department the importance of an outcome for the Strategy in order to reach an agreed position on planning for this coast and allow the Shire to progress the two amendments.

However, on the 11 July 2011, correspondence was received from the WAPC advising that the strategy will no longer be progressed, and the steering committee is disbanded. A copy of that correspondence is attached.

The WAPC cites that planning for this coast should be integrated into wider regional and local planning processes such as the Batavia Coast Sub Regional Strategy and local planning strategies, and that the specialist reports will be published separately for general information.

**Officers Comment:**

Unfortunately, the Shire is essentially now in a position whereby it must prepare its own amendment to its own Local Planning Strategy, in order to achieve a suitable strategic planning position for the northern coastline of our Shire.

Although the Shire is not averse to completing this task, it is a poor outcome after what has been years of liaising with the Department of Planning on this project. In this regard, the Shire could have initiated and concluded an amendment to its own Local Planning Strategy some time ago had it known this would be the eventual outcome.

Additionally, as originally proposed, an outcome that considers the coast from Dongara to Cape Burney as a whole, rather than as two separate local government areas as will now happen, would have resulted in a better integrated planning approach.

The next step therefore is for the Shire to begin work on amending its Local Planning Strategy. This is already taking place and it is noted the Department have assisted in the initial stages. It is recommended however, that correspondence should be forwarded to the WAPC expressing the Shire's dissatisfaction with the process to this point and lack of useful outcome in planning for an area of coastline that is still under considerable pressure for subdivision and development.

It is noted that the City of Greater Geraldton have also expressed their concerns with the Department of Planning over this project and are also likely to make their views known to the WAPC.

**Financial Implications:**

Nil.

**Policy Implications:**

Nil.

**OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

**MOVED:** Cr I F West

**SECONDED:** Cr J B Fitzhardinge

*That Council advises the Western Australian Planning Commission of its dissatisfaction with the handling of the proposed Dongara to Cape Burney Coastal Planning Strategy by the Department of Planning and lack of a strategic planning outcome for an important regional coastline still experiencing pressure for subdivision and development.*

**CARRIED UNANIMOUSLY**

**VOTING DETAILS**

**8/0**

**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**

Nil.

**14. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 4.20pm.

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

*Signed:* .....  
Presiding Elected Member

Date:.....