



AGENDA

FOR THE

ORDINARY MEETING

OF COUNCIL

TO BE HELD ON

TUESDAY, 26 FEBRUARY 2013

The meeting will be followed by dinner at the Dongara Hotel Motel from 6pm.

PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING

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

NOTICE OF MEETING

PLEASE BE ADVISED THAT THE

ORDINARY MEETING OF COUNCIL

COMMENCING AT 4.00PM

WILL BE HELD ON

TUESDAY, 26 FEBRUARY 2013

IN COUNCIL CHAMBERS AT
13 WALDECK STREET, DONGARA WA



Darren Simmons
Chief Executive Officer

21 February 2013

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD IN THE COUNCIL CHAMBERS ON TUESDAY, 26 FEBRUARY 2013 COMMENCING AT 4.00PM

| | | |
|--------------------------|-------------|--|
| PRESENT: | President | Cr S C Chandler (Presiding Member) |
| | Councillors | Cr K J Hepworth (Deputy President) Cr J B Fitzhardinge Cr R T McClurg Cr R J Porteus Cr B C Scott Cr M T Smith Cr I F West |
| | Staff | Mr D J Simmons - Chief Executive Officer Mr G M Peddie – Director Corporate and Community Mr G F Coaker – A/Director Planning and Infrastructure Mr F A Neuweiler – Manager Community Safety Mr A S Wootton – Manager Works Mrs H M Sternick – Manager Corporate Services Mrs C M Palmer – Manager Community Services Mrs N Nelson – Manager Library and Tourism Services Mr L G Smith – Manager Recreation Services Miss L E Tunbridge – Research and Projects Officer |
| GUESTS: | | - |
| APOLOGIES: | | Miss E Greaves – Executive Assistant |
| LEAVE OF ABSENCE: | | - |

-
1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE
 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
 4. PUBLIC QUESTION TIME
 5. APPLICATIONS FOR LEAVE OF ABSENCE
 6. PETITIONS

7. CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18 DECEMBER 2012

A copy of the Minutes of the Ordinary Council Meeting held on 18 December 2012 has been provided to all Councillors under separate cover.

COUNCIL MOTION:

MOVED: Cr _____

SECONDED: Cr _____

That the Minutes of the Ordinary Council Meeting, held on 18 December 2012, be confirmed as a true and accurate recording of that meeting.

7.2 MINUTES OF THE GENERAL MEETING OF ELECTORS HELD 27 NOVEMBER 2012

A copy of the Minutes of the General Meeting of Electors held on 27 November 2012 has been provided to all Councillors under separate cover.

COUNCIL MOTION:

MOVED: Cr _____

SECONDED: Cr _____

That the Minutes of the General Meeting of Electors held on 27 November 2012 be received and the decision to accept the Annual Report for the financial year ended 30 June 2012 be noted.

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

9. REPORTS

CORPORATE AND COMMUNITY

CC01 – 02/13

Subject: Accounts for Payment
Reporting Officer: Manager Corporate Services
Date of Report: 19 February 2013
File Reference: Minute Book
Voting Requirements: Simple Majority

Report Purpose:

To receive the list of accounts paid under delegated authority during December 2012 and January 2013.

Officer's Recommendation:

That the Accounts paid during December 2012 and January 2013, represented by Municipal Cheque Numbers 28923-28961 and 30000-30034, EFT payment numbers 13915-14120 totalling \$1,067,060.41, Police Licensing Payment No's PL291112-PL290113 totalling \$106,604.60 and Trust EFT Payment Numbers: 14110-14113 totalling \$4,800.00 be received.

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of December 2012 and January 2013.

Officer's Comment:

Nil

Financial Implications:

Nil

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.

Policy Implications:

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

Strategic Implications:

Strategic Community Plan – Outcome 4.2.1 *Ensure compliance whilst embracing innovation and best practice principles.*

CORPORATE AND COMMUNITY

CC02 – 02/13

Subject: Financial Statements for the Period ending 31/01/2013
Reporting Officer: Manager Corporate Services
File Reference: Minute Book
Date Prepared: 19 February 2013
Voting Requirements: Simple Majority

Report Purpose:

To consider and receive the Monthly Financial Statements for the period 1 July 2012 to 31 January 2013.

Officers Recommendation:

That the Monthly Financial Statement for the period 1 July 2012 to 31 January 2013 be received.

Background:

The Monthly Financial Report to the 31 January 2013 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Cash Flows
- Schedules 3 – 14 Budget vs Actuals Comparison
- Graphical Representation – Statement of Financial Activity
- Net Current Funding Position
- Cash and Investments
- Receivables
- Cash Backed Reserves
- Information on Borrowings
- Capital Disposals and Acquisitions
- Trust Fund
- Budget Amendments
- Restricted Assets
- Port Denison Retirement Village 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.

Strategic Implications:

Strategic Community Plan – Outcome 4.2.1 *Ensure compliance whilst embracing innovation and best practice principles.*

PLANNING AND INFRASTRUCTURE

PI 01 – 02/13

Subject: Gravel Royalty Payments
Reporting Officer: Manager Works
Date of Report: 29 January 2013
File Reference:
Voting Requirements: Simple Majority

Report Purpose:

For Council to consider raising the gravel royalty payment to \$3.00 per metre, as of the 1st of July 2013 and amending Policy E2 – Gravel Royalty Payments.

Officer's Recommendation:

That Council;

- a) Raise the gravel royalty payment to \$3.00 per metre as of the 1st of July 2013.
- b) Amend the E2 Gravel Royalty Payment Policy to reflect the increased payment rate.

Background:

Council have been paying \$2.00 per metre gravel royalty since April 2008. The original policy (adopted in 2004) was for the sum of \$1.50 per metre and this was to be set for a three year term. In the past a rise of fifty cents per metre was the traditional rise however because of the length of time between rises and the difference in price between the private sector and the council price, \$1.00 per metre would be a more realistic rise.

Officer's Comment:

In consultation with landowners it has been suggested that in some situations the landowners/occupiers have pushed negotiations on the royalty knowing that to haul from other gravel reserves would have been time inefficient and cost more overall.

The rise in the payment will help with future negotiations for higher standard road building materials. Currently you only get rights to gravel that is in an unused section of land and some of that is not really up to the standard that we require to turn out high quality works.

The current policy states that the royalty payment rate is set at \$2.00 therefore, should Council wish to adjust this rate, a decision is required by Council and an amendment to be made to the Policy. As part of the review process for the Policy Manual the setting of this fee will also be reviewed on a regular basis.

Financial Implications:

Increased expenditure for consideration in the 2013/14 Budget.

Statutory Environment:

Nil

Policy Implications:

Policy E2 - Payment of Gravel Royalties. Date of adoption 8 April 2008.

Strategic Implications:

1.1.2 Partner and negotiate with industry and commerce to improve local infrastructure.

PLANNING AND INFRASTRUCTURE

PI 02 – 02/13

Subject: Bitumen Seal - Bowling Club Carpark
Reporting Officer: Manager Works
Date of Report: 18 February 2013
File Reference: RC.LI.2
Voting Requirements: Absolute Majority

Report Purpose:

To bring to Councils notice the poor condition of the Bowling Club carpark and the need to have repairs carried out as soon as possible.

Officer's Recommendation:

That Council undertake to Slurry Seal the Bowling Club carpark for an estimated cost of \$15,000.00 to be funded from the 2012-2013 Budget.

Background:

The attached letter has been received from the bowling club requesting Council undertake re-surfacing works in their carpark.

Officer's Comment:

To my knowledge this carpark has not had any re-seals carried out on it for more than 28 years. The normal life expectancy would be around 16 years. The carpark is showing serious signs of fatigue and there are a lot of small holes appearing in the surface.

Councils Slurry Sealing program is scheduled to commence in the next couple of weeks and this would be the ideal time for Council to undertake the works if they so choose to. Alternatively asphalt works should also be commencing in the next month should Council wish to consider this option, although in the past asphalt has been restrictive because of pricing.

Financial Implications:

Non-budgeted item – allocation to be made for amount;
Estimate for Slurry Sealing \$15,000.00 or Asphalt sealing \$24,200.00

Statutory Environment:

Nil

Policy Implications:

Nil

Strategic Implications:

Outcome 3.1 High quality and well maintained community infrastructure

PLANNING AND INFRASTRUCTURE

PI03 – 02/13

Subject: Draft Dongara and Port Denison District Structure Plan
Reporting Officer: A/Director Planning and Infrastructure
Date of Report: 19 February 2013
File Reference: LP.SU.2.1
Voting Requirements: Simple Majority

Report Purpose:

To consider for initial adoption prior to advertising, the draft Dongara and Port Denison District Structure Plan and associated District Water Management Strategy.

Officer's Recommendation:

That Council adopts the draft Dongara and Port Denison District Structure Plan and draft District Water Management Strategy and seeks consent to advertise from the Western Australian Planning Commission.

Background:

In May of 2012 the Shire of Irwin received \$135,000 in funding from the Department of Planning through the Northern Planning Program – Local Government Assistance package to undertake a planning project of strategic significance within the Shire.

The funding was primarily provided in order for the Shire to appoint a consultant to prepare a District Structure Plan for the Dongara and Port Denison urban areas. Additionally, components of the funding were provided to complete a District Water Management Strategy to accompany the structure plan, and as a separate project, a North Coast Development Analysis looking at the development potential of the coastal land north of town to the Shire boundary (corresponding with Policy Area E).

Through WALGA's preferred supplier system, GHD were selected as the consultants to undertake the project in May of 2012.

Since this time, GHD have been preparing the District Structure Plan and District Water Management Strategy with a draft now ready for Council consideration. Preparation of the document has included various site visits, a literature review, opportunities and constraints mapping, a community consultation workshop and stakeholder liaison.

The North Coast Development Analysis component of the funding however, although having commenced, is yet to be completed. It is expected that this will be presented to Council at a separate, upcoming meeting in the near future.

The Proposal:

A draft copy of the District Structure Plan (DSP) has recently been provided to Council, however a further refined draft, along with the District Water Management Strategy, can be found in the attachments to this agenda. The versions of the DSP are essentially the same, except that some of the final figures in relation to traffic counts and lot yields have been included in the attached copy.

The format of the DSP has been closely aligned to the Department of Planning's manual for structure plan preparation, although tailored slightly to suit the local, regional context.

Essentially, section 4.0 'The Plan' and Figure 17 – the District Structure Plan map, provide the core of the document. This section sets out exactly what zones are intended by the plan, where they are located and how they coordinate with one another.

The following indicate of the main proposals presented in the DSP:

- Activity Centres:

- Recognition of the existing Dongara town centre as a District Centre and potential for this to expand on the southern side of the Irwin River;
- Expansion of the Port Denison Neighbourhood Centre along Point Leander Drive, and a new, future Neighbourhood Centre north of Francisco Rd to service the population catchment proposed in that area;
- Future Urban:
 - Identification of four ‘precincts’ which will act as the future growth directions for Dongara and Port Denison. These include a St Dominics Precinct, a Race Course Estate Precinct, a Francisco Road North Precinct and a South Port Denison Precinct;
- Public Open Space:
 - Identification of key future reserves, some of which will act as future district level parks;
- Industrial:
 - Expansion of the existing Moore Road industrial area east to approximately opposite the Caltex roadhouse, and bounded by the current alignment of Brand Highway and the future highway realignment;
 - The consolidation of the Port Denison Marine Based Industry zone to south of Russ St, therefore deleting the proposed expansion of this zone north of Russ St as is currently provided for on the LPS No 5 Scheme maps;
- Community Infrastructure:
 - Identification of a future primary school site in Precinct 3 to service the future population catchment north of Francisco Road;
- Basic Raw Materials:
 - Identification of the land surrounding the Cockburn Cement operation as ‘Basic Raw Materials’ in recognition of the existing mining tenements over this area;
- Road Hierarchy:
 - Identification of the current and proposed road linkages to ensure an efficient movement network based on the proposed growth pattern. (Note: there are some adjustments that need to be made to the road hierarchy plan in terms of existing and future local important roads. GHD have been advised of the necessary adjustments).

At the conclusion of this, the document (under section 4.3) provides an estimate of the potential lot yield for each section of the DSP and ultimately a projected population figure. The lot yield, based on 70% developable area, equates to a total across the DSP of 10,258 lots. Expanding on this, the ultimate population, based on an average of 2.3 people per lot, would be a total of 23,195 people.

These figures are acknowledged as quite high, however it should be noted this is the ultimate potential for the DSP should it be developed to its maximum extent. Based on historical development trends, its likely development will be gradual (the full potential will be beyond the expected life of the DSP at 10-15 years) and unlikely to reach the maximum densities provided for.

The separate District Water Management Strategy has been prepared in accordance with the state government’s Better Urban Water Management Guidelines. This document essentially outlines the objectives and methods for achieving best practice in water conservation and efficiency, water sensitive urban design, flood management, storm water management, ground water management and waste water management.

A water management strategy is generally required by legislation to be prepared at each level of structure planning. This is to ensure sufficient consideration is given to protecting this valuable resource and its transfer within the urban environment. The main aims from this document will be ensure all new development adheres to best practice methods for urban water management and to acknowledge that older areas, particularly those draining directly into the Irwin River, should be considered for improvement as they are upgraded in the future.

Officer's Comment:

The draft District Structure Plan and draft District Water Management Strategy provide a logical and comprehensive plan to guide and coordinate the growth of the Dongara and Port Denison over the next 10-15 years.

The DSP is classified as a strategic document and sits between the Local Planning Strategy (being the Shire's highest order planning document) and the Local Planning Scheme No 5. Included on page 55 of the draft document is a graphical representation of where the plan sits in the local planning hierarchy.

The plan is therefore not statutory in nature in that it does not dictate specific provisions or zoning boundaries. That is the role of the Local Planning Scheme, which this document will help to inform when considering any amendments or revisions to such. The DSP is also not intended to be a static document over its life of 10-15 years. Ideally it will be reviewed at 5 yearly intervals, as per Scheme review requirements, or amended to take advantage of new important opportunities.

Much of the detail and refinement prior to subdivision or development will still be required, however this is to be done at the Local Structure Planning stage. The Shire's Scheme No 5 currently includes provisions to impose local structure planning prior to subdivision or development, the powers for which will be increased once the new "Development" zone is implemented.

Where the DSP plays a key role therefore, is in providing the direction and intent to guide future land use and development decisions. This is evident in both the desire of the DSP to consolidate some existing urban areas with higher densities, and to allow for future expansion in other suitably identified areas.

This applies particularly to the four future growth precincts, in that this document will provide a firm strategic basis for these areas to be considered for development. Alternatively, any urban expansion proposals which fall outside of these areas will find support difficult, as the strategic backing will be missing.

In this regard, the St Dominics precinct is seen as a key opportunity for expansion close to the existing town centre and the visual and recreational amenity afforded by its proximity to the Irwin River.

The Race Course Estate precinct has been identified as a blockage to further development to the north of town, arising from its low density and limited servicing. There is an opportunity therefore to increase the density in a location close to the town centre, provide servicing and allow the development front to open up.

Following on from this, the land to the north of Francisco Road is already experiencing considerable pressure to allow urban development. It would currently represent a leap-frogging of the Race Course estate if traditional residential development was permitted, however, it does represent an eventual logical northern corridor for future urban expansion.

Lastly, the area immediately adjoining the south of Port Denison has long been identified as an attractive expansion option, being close to the desirable attributes of the marina and South Beach, however is completely constrained by lime sand mining interests. This has been included on the basis that eventual urban development still represents the highest and best use of this land and should be the Shire's preferred option for this area.

It should be noted that although each precinct is numbered, it does not necessarily represent a staging plan. Current practice of the Western Australian Planning Commission (WAPC) is that staging of development should not be dictated by government, but determined by the market and private development which will be influenced by cost and viability of a project.

Section 5.0 of the draft DSP also includes some important considerations. Firstly, the document raises the possibility of imposing 'Development Contribution Areas'. This planning tool has two advantages in that one; it forces landowners to equitably share the costs of common infrastructure (drainage, utilities, schools etc), and secondly it also provides a mechanism for the local government to recoup some of the costs associated with providing district level services, particularly in this instance district public open space.

This approach would require an amendment to the Local Planning Scheme to provide a statutory basis to be able to impose such provisions, in accordance with the WAPC's State Planning Policy 3.6, but its mention in the DSP again provides the strategic basis to support a future Scheme amendment for such.

Lastly, the DSP also recommends pursuing a Memorandum of Understanding (MOU) between the Shire, the Department of Planning and the Department of Mines and Petroleum, specifically in relation to the constraints facing the expansion of Port Denison to the south. The MOU itself would be unlikely to force any party into any particular action, but may help facilitate a path forward in resolving the land use conflict and the eventual transition in land use from mining to urban.

In summary, the draft Dongara and Port Denison District Structure Plan and draft District Water Management Strategy provide a suitable platform from which the Shire can plan for and implement its urban expansion and consolidation direction. It will provide the Shire with an important 'front foot' position when considering future urban expansion proposals from development interests, as opposed to considering development on a case by case basis, and lastly provides the first step in the structure planning process which is becoming increasingly important in ensuring a quality planning outcome.

If Council adopt the plan as recommended, the next step will be to seek WAPC approval to advertise the document. If this is granted, the plan will be formally advertised and submissions sought, after which a schedule of submissions and any recommended modifications will be reported back to Council for final adoption.

Financial Implications:

Minor advertising costs.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Strategic Implications:

Strategic Community Plan; Objective 1: A prosperous, diverse and thriving economy – Outcome 1.7.1 – *Develop and implement a District Structure Plan*

PLANNING AND INFRASTRUCTURE

PI04 – 02/13

Subject: Nominations – Development Assessment Panel
Reporting Officer: A/Director Planning and Infrastructure
Date of Report: 21 February 2012
File Reference: LP.PR.3
Voting Requirements: Simple Majority

Report Purpose:

To consider nominations for the Mid West Joint Development Assessment Panel.

Officer's Recommendation:

That Council advises the Minister for Planning of the following nominations to the Mid West Joint Development Assessment Panel for a two year term from 27 April 2013 to 26 April 2015;

1. Cr _____ and Cr _____
as DAP Members; and
2. Cr _____ and Cr _____
as alternate DAP Members.

Background:

On 1 July 2011 fifteen Development Assessment Panels (DAP's) came into operation across the State with the purpose of determining development applications that exceed a certain threshold (\$7 million in value for regional areas). Each panel consist of five members: three specialist (including the presiding member), and two local government elected members. The Shire of Irwin falls within the Mid West Joint Development Assessment Panel area.

Appointment of the first round of local government DAP members expires on 26 April 2013. The current appointments include Cr S Chandler and Cr I West as DAP Members, and Cr K Hepworth and Cr R McClurg as alternate DAP Members. Those members are eligible for reconsideration at this time.

There have been no development applications since April 2011 in the Shire of Irwin that have exceeded the threshold and therefore have been required to be determined by the DAP.

Upon receipt of nominations, the Minister for Planning will consider and appoint nominees for a two year term expiring 26 April 2015. It is a mandatory requirement that all DAP members attend training before they can sit on a DAP and determine applications. Local government members who have previously been appointed to a DAP and have completed the training are not required to attend further training.

Local government elections this year may result in a change to local DAP membership if current Councillors, who are appointed DAP members, are not re-elected. In this instance, the Department of Planning advises that the alternate local DAP members will take the place of former members, or if both members and alternate members are not re-elected, the local government will need to re-nominate to the Minister.

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment. The fees available to members are generally \$400 per meeting and \$400 for the training. Members who are not entitled to be paid the fees include federal, state and local government employees, active or retired judicial officers and employees of public institutions.

The Director General of the Department of Planning has also advised that local representation to DAP's is vital. If no nominations are received by 28 March 2013, pursuant to the regulations, he may appoint any eligible voter within the local government area who has relevant knowledge or experience to the DAP.

The three specialist members to the Mid West Joint DAP have not yet been appointed by the Minister. The Shire will be advised of these members in due course.

Financial Implications:

Nil.

Statutory Environment:

Planning and Development (Development Assessment Panels) Regulations 2011.

Policy Implications:

Nil.

Strategic Implications:

Strategic Community Plan; Objective 1: A prosperous, diverse and thriving economy
1.1.1 – *Implement an efficient and effective approval process.*

OFFICE OF THE CEO

CEO01 – 02/13

Subject: Execution of Documents – Policy Amendment
Reporting Officer: Executive Assistant
Date of Report: 14 January 2013
File Reference: CM.PO.1
Voting Requirements: Simple Majority

Report Purpose:

To update the current *A3 Use of Common Seal* Policy to include the execution of documents that do not require the common seal, and ensure the policy reflects the requirements as per the Local Government Act 1995 s 9.49A.

Officer’s Recommendation:

That Council approve the amendments to policy *A3 Use of Common Seal* as presented below, including the change of title to *A3 Execution of Documents*;

A3 EXECUTION OF DOCUMENTS

(A) USE OF COMMON SEAL

The Shire President and Chief Executive Officer or a senior employee authorised by him or her are authorised to affix and sign all documents to be executed under a common seal.

Details of all transactions where the Common Seal has been affixed shall be recorded in a register kept by the Chief Executive Officer, with such register to record each date on which the common seal was affixed to a document, the nature of the said document, and the parties to any agreement to which the common seal was affixed.

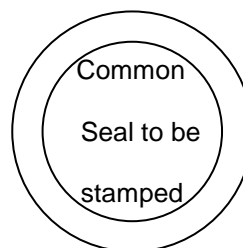
Below is an example of an entry into the Common Seal Register:

| Seal Number | Document | Document Description | Signatories |
|-------------|----------------------|--|---|
| 001 | Creation of Easement | Deed between Dongara Holdings Pty Ltd and Shire of Irwin | <ul style="list-style-type: none"> • Shire of Irwin Shire President • Shire of Irwin CEO • Director Dongara Holdings • Secretary Dongara Holdings |

Below is an example of how documents should be executed under the common seal:

Dated this 23rd day of February 2009

The COMMON SEAL of the
 SHIRE OF IRWIN }
 was hereunto affixed in the }
 presence of: }
 }



(INSERT NAME OF SHIRE PRES)
 Shire President

(INSERT NAME OF CEO)
 Chief Executive Officer

(B) EXECUTION OF DOCUMENTS WHERE COMMON SEAL NOT REQUIRED

Council authorises the Chief Executive Officer to sign deeds, contracts, funding agreements and other documents not requiring the use of the Common Seal, on behalf of the Shire of Irwin.

Background:

Following a review of Council's Policy Manual, it was determined that the *A3 Use of Common Seal* policy did not reflect changes made to the Local Government Act 1995 s 9.49A in 2009 and did not consider the execution of documents that do not require the use of the common seal.

Officer's Comment:

The policy, as presented, has been amended to show the Use of Common Seal as Part A of the policy and a Part (B) which addresses the execution of documents not requiring the common seal. This aligns Council's policy with the requirements laid out in the Local Government Act 1995 s9.49A.

Financial Implications:

Nil

Statutory Environment:

The policy will ensure Council is aware of and meets statutory obligations when executing documents.

Policy Implications:

Change to A3 Use of Common Seal

Strategic Implications:

Outcome 4.3.3 - Adopt best practice processes to achieve a high standard of governance and accountability.

OFFICE OF THE CEO

CEO02 – 02/13

Subject: Additional Funds – Port Denison Foreshore Master Plan
Reporting Officer: Research and Projects Officer
Date of Report: 19 February 2013
File Reference: PK.US.1
Voting Requirements: Absolute Majority

Report Purpose:

To consider allocating an additional \$20,000 towards the Port Denison Foreshore Master Plan project budget of \$30,000 in order to engage a project consultant.

Officer's Recommendation:

The Council, by an absolute majority vote:

1. **Re-allocates \$20,000 from account 2192 Town Planning Consultant Fees to account 3402 Foreshore Materials and Contracts in order to undertake the development of the Port Denison Foreshore Master Plan; and**
2. **Appoints RPS as project consultant as per its project quotation dated 8 February 2013**

Background:

An allocation was first made for the development of a Foreshore Master Plan in the 2010/11 budget. Delays in commencing the project has resulted in these funds being carried forward into the 2011/12 and 2012/13 budgets.

The Foreshore Master Plan – Stage 1: Draft Concept Plan was advertised via WALGA's eQuotes program to all Town Planning Consultants identified as 'preferred suppliers' (14 in total). After a three and a half week advertising period, 7 submissions were received at close of business Monday, 11 February 2013.

The submissions presented varying costs, standards and ideas, all of which were reviewed by a selection panel consisting of the Chief Executive Officer, Acting Director Planning and Infrastructure, Manager Works and the Research and Projects Officer.

Officer's Comment:

Based on the quality of submissions, capacity and understanding of the Shire's requirements the Selection Panel felt that the submission received by RPS presented the best value for money to the Shire with their quotation of \$47,751.00 (GST inclusive).

It is therefore recommended to achieve desired outcomes sort by the Council that additional monies be allocated towards the project in order to accept the quotation received.

Financial Implications:

\$20,000 to be reallocated from 2192 Town Planning Consultant Fees to 3402 Foreshore / Materials and Contracts.

Statutory Environment:

Local Government Act 1995 s6.8(1)

Policy Implications:

Policy A24 Purchasing.

Strategic Implications:

Strategy 1.2.5 – Develop and implement a Foreshore Strategy, including the area from the Surf Beach to the Obelisk.

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

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