



MINUTES

FOR THE

ORDINARY MEETING
OF COUNCIL

HELD ON

TUESDAY, 25 JUNE 2013

PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING

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

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I certify that this copy of the Minutes is a true and correct record of the meeting held on
25 June 2013

Signed:
Presiding Elected Member

Date:.....



**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, 25 JUNE 2013
COMMENCING AT 4.00PM**

- PRESENT:**
- Deputy President Cr K J Hepworth (Presiding Member)
- Councillors 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 (CEO)
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
Ms E Greaves – Executive Assistant
Mr A Hayat – Planning Officer
- GUESTS:** Mr Jerry Blum – Geraldton Newspapers
- APOLOGIES:** Mrs H M Sternick – Manager Corporate Services
- LEAVE OF ABSENCE:** Cr S C Chandler (Shire President)
-

- 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 28 MAY 2013

A copy of the Minutes of the Ordinary Council Meeting held on 28 May 2013 has been provided to all Councillors under separate cover.

COUNCIL DECISION 010613:

MOVED: Cr Porteus

SECONDED: Cr Scott

That the Minutes of the Ordinary Council Meeting, held on 28 May 2013, be confirmed as a true and accurate recording of that meeting.

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Presiding Member – Cr Hepworth announced the Employee of the Month for May 2013 went to PJ Ruffles – since commencing at the Irwin Rec 12 months ago, PJ has initiated some great programs at the Gym and is always looking for ways to improve usage and services. She has introduced programs such as Punchfit and Back to Basics which has hugely improved attendance rates and has given positive exposure to the Irwin Rec and Shire. PJ should also be commended for the successful running of the Men’s Health Expo held on 14 June 2013.

Cr Hepworth advised that a Citizenship Ceremony was held 21 June in the CEO Office, due to the renovations of Council Chambers being underway, for Sonia Stringer and Gemma Chapman. The event was very well attended.

A note of interest – the Digital TV Switchover occurred today 25 June 2013.

Cr Hepworth advised that he and the Chief Executive Officer attended the WALGA Northern Country Zone meeting in Mingenew yesterday. At this meeting it was resolved that Irwin would host next year’s Zone Conference (March 2014).

Ms Nicole Nelson announced that the Dongara Visitor’s Centre had been awarded a Level Two Visitor Centre Accreditation from the Tourism Council of WA. This status signifies to our customers and wider community, that we are committed to providing the highest levels of customer service, quality products and experiences to all visitors. This entitles our Centre to use the blue italic “i” symbol.

Ms Nelson also advised that our Centre is now accredited with the Australian Tourism Accreditation Program. The T-QUAL tick and accreditation means that we have undergone rigorous assessment to ensure that you can expect us to deliver reliable customer service, professionalism, accurate advertising and compliance with health and safety standards.

Certificates were presented to the Presiding Member, Cr Hepworth on behalf of the Shire of Irwin. Cr Hepworth acknowledged Ms Nelson and staff for their work in achieving these recognitions.

9. REPORTS

CORPORATE AND COMMUNITY

CC01 – 06/13

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

Report Purpose:

To receive the list of accounts paid under delegated authority during May 2013.

OFFICER RECOMMENDATION AND COUNCIL DECISION 020613:

MOVED: Cr Porteus

SECONDED: Cr West

That the Accounts paid during May 2013, represented by Municipal Cheque Numbers 30136-30163, EFT payment numbers 14533-14675 totalling \$655,859.64, Police Licensing Payment No's PL010513– PL290513 totalling \$65,643.30, Credit Card payment \$2,204.68 and Trust No's 3000-3001 and EFT14676 totalling \$3,000 be received.

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of May 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 – 06/13

Subject: Financial Statements for the Period ending 31/05/2013
Reporting Officer: Manager Corporate Services
File Reference: Minute Book
Date Prepared: 19 June 2013
Voting Requirements: Simple Majority

Report Purpose:

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

OFFICER RECOMMENDATION AND COUNCIL DECISION 030613:

MOVED: Cr West

SECONDED: Cr McClurg

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

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

Background:

The Monthly Financial Report to the 31 May 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:

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles
SCP Outcome 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.

CORPORATE AND COMMUNITY

CC03 – 06/13

Subject: Sundry Debtor Write Off
Reporting Officer: Manager Corporate Services
Date of Report: 4 June 2013
File Reference: FM.DB.3
Voting Requirements: Absolute Majority

Report Purpose:

To consider writing off outstanding Sundry Debtors accounts that are deemed non recoverable.

OFFICER RECOMMENDATION AND COUNCIL DECISION 040613:

MOVED: Cr Porteus

SECONDED: Cr West

That Council take the following action:

1) Writes off the following sundry debts:

DLAN02	Account Enquiries	\$2,234.65
DBUR02	Lost Library Book	\$19.80
DMEE01	Lost Library Book	\$47.30
DMCP01	Lost Library DVD	\$100.65
DBUR03	Lost Library Book	\$15.40; and

2) Delegates authority to the Chief Executive Officer to write off outstanding amounts up to the value of \$250.00.

VOTING DETAILS:

CARRIED BY AN ABSOLUTE MAJORITY VOTE 7/0

Background:

Council staff have identified five outstanding sundry debtor accounts that have been outstanding for some time and which are deemed to be non recoverable.

Officer's Comment:

Following is an outline of the Sundry Debtors in question and collection results to date:

1. **DLAN02 - \$2,234.65:** This debtor was raised for account enquiries on property sold and date back to August 2011. Council staff have identified duplicated invoices and differences in Council's current charges and payments received. Due to this debtor receiving the monies from third party it is deemed non recoverable.
2. **DBUR02 - \$19.80:** This debtor was raised in June 2011 for recovery of damaged library book. Collection efforts have been unsuccessful.
3. **DMEE01 - \$47.30:** This debtor was raised in January 2012 for a lost library book. Collection efforts have been unsuccessful.
4. **DMCP01 - \$100.65:** This debtor was raised in January 2012 for the loss of a library DVD. Collection efforts have been unsuccessful.
5. **DBUR03 - \$15.40:** This debtor was raised in September 2011 for the loss of a library book. Collection efforts have been unsuccessful.

As most of these amounts are of minor value it is suggested that Council delegates authority to the Chief Executive Officer to write these amounts off in the ordinary course of business.

Financial Implications:

The total debt to be written off is \$2,417.80. This amount has been carried forward as part of Council's opening net current asset position balance. If the amount is written off, it will be treated as an expense in the year's budget.

Statutory Environment:

Local Government Act 1995.

Policy Implications:

Nil.

Strategic Implications:

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles.
SCP Outcome 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.

CORPORATE AND COMMUNITY

CC04 – 06/13

Subject: Differential Rates – 2013/14
Reporting Officer: Manager Corporate Services
Date of Report: 18 June 2013
File Reference: RV.RT.3
Voting Requirements: Simple Majority

Report Purpose:

To consider the adoption of rates in the dollar for differential rating to be advertised prior to the adoption of the 2013/14 Budget.

OFFICER REVISED RECOMMENDATION AND COUNCIL DECISION 050613:

MOVED: Cr Scott

SECONDED: Cr West

That Council advertises its intention to adopt the following differential rates and minimum payments for each of the following rating categories in the 2013/14 financial year.

<u>Rate Category</u>	<u>Rate in Cents in the Dollar</u>	<u>Minimum Rates</u>
<u>Gross Rental Valuations</u>		
Residential	9.481	\$820
Commercial	9.481	\$820
Light & General Industry	9.481	\$820
Special & General Industry	9.481	\$820
Undeveloped	9.481	\$820
<u>Unimproved Valuations</u>		
Mining – Improved	20.00	\$820
Mining – Undeveloped	19.95	\$820
Policy Area A	0.9081	\$820
Policy Area B	0.9081	\$820
Policy Area C	0.9081	\$820
Policy Area D	0.9081	\$820
Policy Area E	0.9081	\$820
Policy Area F	0.9081	\$820
Policy Area G	0.9081	\$820

That the Manager Corporate Services make 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.

That the Manager Corporate Services 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 Undeveloped category which results in more than 50% of the properties in each category being imposed with the minimum rate.

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

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, however it is necessary to provide an explanation with the rates notice when it is issued.

Officer's Comment:

As per the feedback from the Council Forum meeting held on 11 June 2013, and 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.

The proposed differential rates in the dollar are based on raising an additional 4.5% 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 2013/14 a revaluation has been received for Unimproved Valuations. A revaluation of Gross Rental Values was received in 2011/12 and values for 2013/14 have not changed except where due to building development or subdivision.

Unimproved Valuations

Landgate has advised that the total unimproved valuation for the Shire of Irwin has decreased by an overall average of approximately 9.7% to \$160,487,000.

The Valuer's comments also suggest that there is a possibility of a slight change to this figure due to the effect of interim valuations.

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

“OVERALL VARIATION TO UNIMPROVED VALUATION

Broad acre land values have remained relatively static this last year. There has been a general decrease in values of small rural holdings of approximately 10% to 20% immediately surrounding Dongara. The one exception to this is the 1 to 3 hectare properties in and around Hidden Valley subdivision which have increased by approx 20%. These values are now a more accurate reflection of the market and are better co-ordinated than last year's more conservative value.

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, development potential etc.”

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 August 2013 they will not necessarily reflect a 4.5% increase in rates on their property.

Gross Rental Valuations

As noted above a new Gross Rental Valuation was adopted in 2011/12.

Mining Valuations

At the June Forum during discussion of proposed rating levels as part of the draft budget, Council members supported the increased of Mining Rates to reflect the levels being used at other Councils within the Midwest.

Adopting a 20 cents rate in the dollar for mining (in comparison to a 4.5% increase) will approximately raise an additional \$21,500 in rate revenue.

Financial Implications:

The proposed rates in the dollar will be used to raise rates based on valuations against individual properties to raise rate revenue in the 2013/14 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 remained 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.

Strategic Implications:

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles.
SCP Outcome 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.

Before Item CC05, Cr West (Chairman of the Audit Committee) was asked to report on the outcome of the Audit Committee meeting held prior to this Council Meeting, to discuss the appointment as reported on below. Cr West confirmed that the Audit Committee supported the officer recommendation to appoint Mr Wen-Shien Chai as its Auditor.

CORPORATE AND COMMUNITY

CC05 – 06/13

Subject: Appointment of Council Auditor
Reporting Officer: Director Corporate and Community
Date of Report: 19 June 2013
File Reference: FM.AT
Voting Requirements: Absolute Majority

Report Purpose:

To consider the appointment of an additional auditor for the Shire of Irwin as part of the UHY Haines Norton audit contract.

OFFICER/AUDIT COMMITTEE RECOMMENDATION AND COUNCIL DECISION 060613:
MOVED: Cr West **SECONDED: Cr Fitzhardinge**

That Council endorse the following additional person be appointed by Council as its auditor from 1 July 2013 until the completion of the current UHY Haines Norton Audit contract in 2015/16;

Mr Wen-Shien Chai Registered Company Auditor No 299761

VOTING DETAILS: CARRIED BY AN ABSOLUTE MAJORITY VOTE 7/0

Background:

At its meeting held on 22 November 2011 Council appointed UHY Haines Norton as its audit firm to provide audit services for the five year period 2011/12 to 2015/16. As required by the Local Government Act and associated Audit Regulations Council appointed the following persons as its auditors for that period.

Mr G Godwin – Registered Company Auditor No 310219
Mr DJ Tomasi – Registered Company Auditor No 15724.

Officer's Comment:

UHY Haines Norton have recently advised that Mr Wen-Shien Chai has been advanced to audit and engagement partner status at the firm as at 1 July 2013, and ask that Council resolve (by absolute majority) to add Chai as an auditor of the Shire.

Financial Implications:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 4.2.1 Ensure compliance whilst embracing innovation and best practice principles.
SCP Outcome 4.3.3 Adopt best practice processes to achieve a high standard of governance and accountability.

Prior to consideration of Item CC06 - 12/13, Cr Hepworth disclosed an impartiality interest in the Item, as his wife is listed as a proposed committee member but remained in the meeting and was permitted to vote on the matter.

CORPORATE AND COMMUNITY

CC06 – 12/13

Subject: Youth Advisory Committee (YAC)
Reporting Officer: Manager Community Services
Date of Report: 7 June 2013
File Reference: CS.SP.28
Voting Requirements: Absolute Majority

Report Purpose:

Consider a request to endorse the names of the proposed committee members for the reformation of the Shire of Irwin Youth Advisory Committee (YAC).

OFFICER RECOMMENDATION AND COUNCIL DECISION 070613:

MOVED: Cr McClurg

SECONDED: Cr Porteus

That Council endorses the names of the proposed committee members of the Shire of Irwin Youth Advisory Committee, as this committee will partner and support identified stakeholders to improve youth programs and facilities. Listed below are the names of the proposed committee members:

COMMITTEE

Community – Sarah Collins, Virginia McGuinness, Karen Clarkson and Stacey Rogers;

Youth – Tuzcanee Hood, Sammi Williams, Brittany Williams, Ellie Collins, Charlie Collins and Connor Rogers

Shire of Irwin – Coralie Palmer, Laurie Smith, Lauren Tunbridge;

Dongara District High School - Janine Calver, David Ball and Isabelle Hepworth;

Dongara Police - Miriam Williams.

VOTING DETAILS:

CARRIED BY AN ABSOLUTE MAJORITY VOTE 7/0

Background:

The recently adopted Strategic Community Plan provides a long term strategic framework and direction for the Shire and outlines long term community aspirations, values, visions and objectives.

The Shire of Irwin Youth Advisory Committee includes representatives from the Dongara District High School, Shire of Irwin, Dongara Police, Parents, and interested students.

Youth Advisory Committees (YACs) are a group of people who are interested in the issues facing young people today – who meet to plan youth inspired and youth driven events and activities and want to do something about them. This committee would be focusing on the 12 – 17 year old age bracket.

Officer's Comment:

With the reformation of the Shire of Irwin YAC this committee of council will provide the following benefits:

- Raise community awareness;
- Supported by the Shire of Irwin through administration and financial;
- Better funding opportunities;
- Provide youth programs for the youth of Dongara.

Financial Implications:

In the draft budget there is an allocation of \$10,000 to assist in meeting the outcomes listed below. Funding and fundraising opportunities would also be organised to offset the financial implications.

Policy Implications:

Nil

Statutory Environment:

Outcome 3.4.1 Monitor and investigate the demand for youth programs and facilities;

Outcome 3.4.2 Oversee Youth Week activities;

Outcome 3.4.3 Partner and support the District High School and other educational facilities of the Strategic Community Plan 2012-2022.

PLANNING AND INFRASTRUCTURE

PI 01 – 06/13

Subject: Proposed Dedication as Public Road – Brennand Rd
Reporting Officer: Planning Officer
Date of Report: 19/06/13
File Reference: RD.AP
Voting Requirements: Simple Majority

Report Purpose:

To consider a request from State Land Services to dedicate Lot 155 Brennand Road, Dongara as Public Road in lieu of Right of Way.

OFFICER RECOMMENDATION AND COUNCIL DECISION 080613:

MOVED: Cr West

SECONDED: Cr Scott

That Council resolves to close the Right of Way, being Lot 155 Brennand Road, Dongara, to allow the subject land to be dedicated as Public Road subject to the proponent making a formal undertaking to pay the associated costs for conversion of the Right of Way and construction of the Public Road as per Council's standards.

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

Background:

The use of the land is to be for a public road. Previously the road was used as a Right of Way (ROW). The proposal is henceforth requesting to dedicate Lot 155 Brennand Road as public road to provide connectivity through to Lot 250.

The Land

Proposed Lot 155 Brennand Road is 899 metres squared in area. The land is predominantly vacant with presence of trees. The land is used primarily used for providing access through adjoining lots. See attached location plan.

The Proposal

The request seeks closure of the ROW and then approval to dedicate the land for the purposes of public road and to provide access through Lot 250 in support for future subdivision. The attached draft Outline Development Plan illustrates the land owners intent for the subdivision of Lot 250, and the requirement to create Lot 155 as a public road to provide a connection through to the subdivision.

The Process

The first step would be to close the ROW as per section 58 of the *Land Administrations Act 1997* (LAA). Initially, the request would need to be published in a newspaper, circulating the district for a period of 35 days (as per ss. 3), then which the Local Government shall consider any objections concerning the proposal in this period. Closure of the ROW, subject to the Minister's satisfaction of compliance with the Local Government's formal request in the form of a report and the decision to close the ROW permanently, shall fulfil the requirements of section 58.

The requirements of section 56 would then need to be met to dedicate the land as a road. On receiving a request to dedicate land as a road under ss.2, the Minister will consider the request and under ss.3, make a decision to grant the request or decide otherwise. Ss. 5 (a) enforces that land to be dedicated as a road must, before the time of dedication, be unallocated Crown land. Therefore, fulfilling the requirements of s.58 of the LAA shall consequently set up the grounds for complying with the requirements of s.56 of the Act.

Officer's Comment:

The request to dedicate Lot 155 as Public Road improves access through Lot 250, as can be seen on the ODP. The adjoining Lot 250, being zoned residential as per the Scheme, has potential to be subdivided in future. The location of the new proposed road is supported in the sense it will provide constructed road access to future residential development.

If Council supports the proposal it is required to meet its obligations under the provisions of the LAA. Being Crown Land prior to dedication and as per the LAA subject to sub section 5, the Minister may grant the request.

The procedure will be undertaken through 1 process. This will involve all sets of documents being submitted at once, with the information to close the ROW and dedicate the land as a road posted on one advertisement in the newspaper and on a single sign on site when advertising is to be conducted. This process of combining the requirements of sections 56 and 58 of the LAA has been confirmed through liaison with the Manager for State Land Services – Mid West Lands Division. Ultimately, the costs of the process shall be borne by the applicant.

Financial Implications:

Nil.

Statutory Environment:

The land is zoned Residential 12.5 under the Shire of Irwin Local Planning Scheme No5 (the Scheme). The subject land was vested in the Crown for the purpose of an ROW pursuant to s20A of the *Town Planning and Development Act 1928*.

Pursuant to Section 58(4) of the LAA;

(4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —

- (a) by order grant the request; or*
- (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
- (c) refuse the request.*

Pursuant to Section 56 (5) of the LAA;

To be dedicated under subsection (3) (a), land must immediately before the time of dedication be -
(d) Unallocated Crown land or, in the case of a private road, alienated land; and
(e) Designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.

Policy Implications:

Nil.

Strategic Implications:

SCP Outcome 2.6.1 – Maintain road assets and ancillary infrastructure.

Prior to consideration of Item PI02 - 12/13, Cr Scott, Cr Fitzhardinge and Cr Porteus disclosed an impartiality interest in the Item, as they are all members of the Irwin District Historical Society. These Councillors were asked to remain on the meeting and permitted to vote on the matter.

PLANNING AND INFRASTRUCTURE

PI 02 – 06/13

Subject: Memorandum of Understanding with Irwin District Historical Society
Reporting Officer: Planning Officer
Date of Report: 19/06/2013
File Reference: CS.SP.13
Voting Requirements: Simple Majority

Report Purpose:

To consider lease arrangements with the Irwin District Historical Society (IDHS) for both the Old Police Station Museum premises at 5 Waldeck Street, Dongara and the Russ Cottage premises at 1 Saint Dominics Road, Dongara.

OFFICER RECOMMENDATION AND COUNCIL DECISION 090613:

MOVED: Cr McClurg

SECONDED: Cr Smith

That Council approves the combined Memorandum of Understanding for the Old Police Station Museum at 5 Waldeck Street, Dongara and the Russ Cottage at 1 Saint Dominics Road, Dongara subject to the following conditions;

- 1. The Irwin District Historical Society (IDHS) is responsible for all the internal cleaning and minor maintenance such as replacing missing pickets in fence, staining floors, and replacing veranda floor boards as required;**
- 2. The IDHS shall be responsible for the costs incurred at each premises such as telecommunications, water and power utilities; and,**
- 3. All insurances required by the IDHS including public liability, contents and workers compensation are the responsibility of the Irwin District Historical Society.**

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

Background:

The agreement for the Old Police station will cease to be effective on the 30th June 2013 which operates under a Memorandum of Understanding (MOU), and the lease for Russ Cottage expires on 1st July 2013, being a formal lease. The request proposes both sites to be included on one new MOU and extending the agreement for three years, ceasing on 30 June 2016. A copy of the proposed MOU is attached.

Officer's Comment:

In relation to the building maintenance arrangements, the Shire would maintain the gardens and the buildings, with the exception of renovations and additions internally or to the exterior of the buildings, and any upgrades. Upon inspection of the old police station museum, a few walls within the building are in disrepair, yet seem to be of a minor state according to our Building Maintenance Officer.

All internal utilities costs are the responsibility of the IDHS. The Shire will maintain the gardens and appearance of the buildings during the period of this agreement with the exception of issues mentioned.

Financial Implications:

Property and Public Liability Insurance are paid for by Council along with its annual insurance premiums, whereas public liability, contents and workers compensation are the responsibility of the IDHS. Cost of utilities incurred at each premises shall be the responsibility of the IDHS, and the Shire shall pay for the watering of the Russ Cottage Grounds, and 75% of the water charges

incurred at the old police station museum, this taking into account the IDHS being responsible for the water usage within the building.

Statutory Environment:

Both sites are category 1A on the Irwin Shire Municipal Inventory of Heritage Places, warranting a permanent entry on the State Register of Heritage Places. The Old Police Station has a place number of 23, and Russ Cottage with a place number of 58.

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 2.1.2 – Continue to maintain, enhance and utilise Shire heritage buildings.

Prior to consideration of Item PI03 - 12/13, Cr Smith disclosed a financial interest in the Item. Mr Smith being a competitive business owner of the proponent. Cr Smith left the meeting at 4:18pm.

PLANNING AND INFRASTRUCTURE

PI 03 – 06/13

Subject: Proposed Extractive Industry – Lot 1412 Ellery Road
Proponent: D and M Whyatt
Reporting Officer: A/Director Planning and Infrastructure
Date of Report: 18 June 2013
File Reference: P393
Voting Requirements: Simple Majority

Report Purpose:

To consider an application to operate an extractive industry (lime sand) on Lot 1412, Ellery Road, Yardarino.

COUNCIL DECISION 100613:

MOVED: Cr West

SECONDED: Cr Fitzhardinge

That Council suspend standing orders at 4:19pm

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 6/0

COUNCIL DECISION 110613:

MOVED: Cr Porteus

SECONDED: Cr Fitzhardinge

That Council reinstate standing orders at 4:23pm

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 6/0

REVISED OFFICER RECOMMENDATION AND COUNCIL DECISION 120613:

MOVED: Cr West

SECONDED: Cr Scott

That Council approves the proposed Extractive Industry (Lime Sand) on Lot 1412 (No 199) Ellery Road, Yardarino subject to the following conditions:

- 1. The extractive industry is hereby approved until 31 December 2014, after which time annual renewal is required in accordance with the *Shire of Irwin Extractive Industries Local Law 2000*.**
- 2. The extractive industry hereby approved shall occur in accordance with the attached endorsed plans. The endorsed plans shall not be modified or altered without the prior written approval of the local authority.**
- 3. The extractive industry hereby approved shall occur in accordance with the details outlined in “Excavation Site Plan” and the “Management Plan” as submitted by the applicant in support of the application.**
- 4. A detailed site survey of the extraction area, with a minimum contour interval of 1 metre and prepared in accordance with Part 2.3(1)(a) of the *Shire of Irwin Extractive Industries Local Law 2000* to be submitted to the local authority prior to commencement.**
- 5. Access to Lot 1412 and the extraction pit shall be from Ellery Road only and from the north east corner of the lot only, corresponding with the current verified extent of Ellery Road, until such time as legal access from Lot 1412 to the road immediately adjoining its eastern boundary is established.**
- 6. Dust suppression measures are to be applied to the extraction pit at all times, to the satisfaction of the local authority.**

7. The proponent is to liaise with the Department of Water regarding monitoring of groundwater levels and preparation of a contingency plan detailing measures to be taken in the event the water table is reached as a result of the extraction industry.
8. All activities associated with this extractive industry are to cease if the water table is intercepted. A minimum 2 metre buffer between the floor of the extraction pit and the water table is to be maintained at all times.
9. Measures are to be put in place to ensure no leakage of hydrocarbons or chemicals into the groundwater system as a result of the extractive industry.
10. Sealing of the intersection between Brand Highway and Ellery Road for a minimum of the shoulder width, to the approval of Main Roads Western Australia.
11. The proponent taking reasonable steps to ensure that Brand Highway remains free of dirt and debris from the extraction pit and Ellery Road at all times.
12. The proponent being responsible for repairing damage to Brand Highway directly attributable to the extraction industry and related activities including export from the site.
13. The erection of signage – Advance Warning and Trucks Entering at appropriate locations on Brand Highway, to the approval of Main Roads Western Australia.
14. Preparation of a “Road Maintenance Program” for Ellery Road to the approval of the local authority, prior to commencement of operations.
15. Rehabilitation and decommissioning of the extractive industry is to occur in accordance with an approved “Rehabilitation and Decommissioning Plan” to the approval of the local authority.
16. No blasting of material is permitted as part of extraction operations, unless separate written approval is granted by the local authority.
17. An extraction pit area of no larger than 3 hectares is permitted to be open at any one time.
18. The proponent must have at all times a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum not less than \$10,000,000 in respect of any one claim relating to any of the excavation operations.
19. The proponent shall provide to the local government a copy of the policy taken out in accordance with Condition 9, within 14 days after the issue of that policy and shall provide to the local government evidence of renewal within 14 days of each renewal date.
20. If the proponent intends to cease carrying out the extractive industry:
 - temporarily for a period of 12 months; or
 - permanently.The proponent must give the local government written notification of the cessation no later than 1 week after those operations have ceased.
21. Any additions to or change of use of any part of the operation (not the subject of this consent) shall be subject to a further development application and consent for that use.

Advice:

1. In regards to Conditions 7, 8 and 9 the proponent should liaise directly with the Department of Water, Geraldton Office ph: 9965 7400.
2. In regards to Conditions 10, 11, 12 and 13 the proponent should liaise directly with Main Roads Western Australia, Geraldton Office 9956 1200.
3. In regards to Condition 14 the proponent should liaise directly with the Shire Works Manager ph: 9927 0000.
4. Please be advised that in relation to Conditions 10 through to 14, costs are to be equitably shared with the owner of adjoining Lot 14 Ellery Road and operator of Irwin Limesands, having regard for the previous works Irwin Limesands have contributed to upgrading Ellery Road and the Brand Highway intersection.
5. The Department of Environment and Conservation, Midwest Region (ph: 9921 5955), has advised that clearing of vegetation is prohibited unless the clearing is authorised

by a clearing permit obtained from DEC or is a kind that is exempt in accordance with Schedule 6 or Regulation 5 of the *Environmental Protection (Clearing Native Vegetation) Regulations 2004*.

6. Western Power advises that overhead powerlines and/or underground cables are adjacent to or traverse the property. Western Power should be contacted on 13 10 87 prior to commencement of works.
7. The Department of Agriculture and Food advises that biosecurity standards need to be maintained throughout the life of the extractive industry. The Department can be contacted on ph: 9965 8555.
8. The application for the renewal of the license on or before 31 December each year must be made in writing to the local government, including payment of the applicable fee and any other information required by the local government.
9. A license cannot be transferred to any other person without the prior written approval of the local government.
10. Certain prohibitions apply to every license. Please refer to clause 6.2 of the *Shire of Irwin Extractive Industries Local Law 2000* for applicable prohibitions.
11. Compliance may be required with the *Mines Safety and Inspection Act 1994*, the Department of Mines & Petroleum should be contacted to ascertain any obligations in regards to this Act.
- 22.

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 6/0

Background:

Location

Lot 1412 is located at the western end of Ellery Road and is adjacent to the Irwin River on the south side. The property is 60.7 hectares in area and consists of a mixture of cleared alluvial flood plain and vegetated sand dunes. A portion of the property is currently occupied by the Dongara motocross track.

An existing extractive industry (Irwin Limesands) is located on the property immediately adjoining to the south, being Lot 14. This industry has been in operation since 1999.

Zoning

Lot 1412 is zoned "Rural Smallholdings" under the Shire of Irwin Local Planning Scheme No 5 (the Scheme). It falls within Policy Area G of the Local Planning Strategy, meaning the land has potential for subdivision with a minimum lot size of 20 hectares.

Extractive Industries are an 'A' use in the Rural Smallholdings zone, meaning the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice (advertising).

The Proposal

The proposal is to excavate the sand dune located in the south east corner of the property, which covers approximately 10 hectares of the lot. The timing of excavation will predominantly be between November and March with the sand being used to supply lime for agricultural use and as clean fill for use in construction within Dongara.

Overburden of between 150mm and 400mm is proposed to be cleared and stockpiled for later re-use in rehabilitation. The clean lime sand is then proposed to be excavated down to the loam soil over which the dune lies, which corresponds to the level of the adjacent paddock currently used for farming purposes. The loaders and screening plant will operate from this level.

Trucks accessing the site are proposed to include single trailers and road trains. It is estimated that approximately 20 thousand tonnes of sand a year will be removed from the site, mainly from

January through to April, with approximately eight trucks movements a day during this peak period and approximately eight truck movements a week on average for the remainder of the year.

Access is to be via Ellery Road and then Brand Highway. Ellery Road is currently constructed to the Shire's rural (gravel) standard.

There are no significant environmental features, including water courses, in the immediate location of the proposed extractive industry. The Irwin River is approximately 400 metres away to the north.

A copy of the preliminary extraction plan (survey) is attached. The applicant has advised that a further, more detailed survey will be prepared prior to commencement, if approval is granted.

Advertising

The proposal was advertised in accordance with the requirements of Clause 9.4 of the Scheme and the Shire of Irwin *Extractive Industries Local Law 2000*. This included as follows:

- a notice published in the Dongara Rag;
- a notice published in the Geraldton Guardian;
- A sign of the notice erected in a prominent position adjacent to the site;
- Letters sent to all adjoining landowners;
- Letters sent to relevant government agencies and authorities;
- Notice posted to the Shire website; and
- A full copy of the proposal made available for public viewing on the front counter of the Shire administration building.

Advertising was for a period of 24 days and concluded on the 5 April 2013. A total of eight submissions were received, including one objection to the proposal.

A schedule of submissions is provided in the attachments, providing a summary of each submission. A full copy of the objection is also included.

Officer's Comment:

The proposal does raise a number of issues, as outlined in the submissions, generally relating to the following points:

- access to the site and use of a private easement;
- increase in the volume of trucks using Ellery Road;
- an increase in the number of trucks accessing Brand Highway at the Ellery Road intersection; and
- potential for impacts on groundwater.

The predominant issue is the access to the site and the objection lodged by the neighbour in this regard. In particular, the objection is based on the understanding that the section of the road aligned in a north/south orientation alongside the eastern boundary of Lot 1412, and providing direct access into Lot 14 (Weinman's), is an easement for the sole benefit of Lot 14. The objection suggests the proponent does not have a legal right to use this access, as is proposed as part of the application.

A comprehensive search of survey records and certificate of title documentation however, has failed to identify any formally registered easement over this portion of the access, or any instrument which would give sole benefit of access to Lot 14. The cadastral data indicates it simply as a public road reserve, as per the remainder of Ellery Road.

Attempts have been made to clarify the objector's position on the status of this part of the access, however at the time of writing no contact was able to be established.

To assist in resolving the issue, it is noted that although the proposed extraction pit is located in the south-east corner of Lot 1412 and adjacent to the disputed road, Lot 1412 does have direct

frontage to the remainder of Ellery Road, which terminates in the north-east corner of the property. Access from the pit to the public road network could therefore be gained using this as an alternative, and potentially as a permanent solution, until the legal situation concerning the road along the eastern boundary is resolved.

A plan outlining the location of the mentioned roads is attached.

The concern relating to the similarity of business names cannot be addressed by local government. Although it is acknowledged there may be some confusion between Irwin Limesands and Irwin Earthworks, the Shire does not have any jurisdiction over naming rights. This is generally handled through the National Business Names Register, controlled by the Australian Securities and Investments Commission.

In relation to the increased number of trucks accessing Brand Highway at the Ellery Road intersection, Main Roads Western Australia (MRWA) have advised that although the impact is not large enough to warrant an objection to the proposal, the cumulative impact of additional trucks does give rise to the need to impose a number of conditions.

The suggested conditions are outlined in the schedule of submissions (attached) and generally relate to the protection of MRWA infrastructure at the intersection, and a need to install appropriate signage warning of trucks entering the highway. This is important considering the minimal sight distance for traffic travelling along Brand Highway, particularly towards the intersection from the north.

The conditions are therefore considered appropriate. It would also be expected that the costs of complying with the conditions be shared equitably by both the applicant and the operator of the existing Irwin Limesands extractive industry.

The issues raised by the Department of Water (DoW) are at this stage less of a concern on the basis that the proposal is essentially to extract the sand from a dune ridge which overlies the original loam/clay soil of the adjacent farm paddocks. The floor of the extraction operation therefore is proposed to correspond with the level of the adjacent paddock, and would be unlikely to encounter any groundwater.

This will become more evident upon production of a more detailed survey of the contours and levels across the site, which the proponent has indicated will be provided if approval is granted. A contour survey at an interval of approximately 1 metre (as opposed to the 10 metre interval as submitted) would more accurately reflect the topography of the dune and would likely alleviate some of the concerns of the DoW, however a number of conditions in regards to the protection of the groundwater system should still be imposed.

There is also a concern that the additional truck movements associated with a second extractive industry in this location may have safety and maintenance implications for Ellery Road. To ascertain the expected impact, information was sought from both the applicant and also from Irwin Limesands on the number, size and frequency of trucks utilising Ellery Road.

Irwin Limesands provided detailed information including the following:

- Predominantly 50 tonne trucks, small amount of 75 and 35 tonne trucks;
- Pit open 6 days a week, last load completed by 4:30pm;
- Between January and March of this year the pit has average roughly 25 working days a month and 15 truck movements a day; and
- A total of 58,188 tonnes of sand was extracted between January and March of this year.

The applicant alternatively has advised that it is difficult to predict the expected truck movements until the pit has been in operation. However, has advised of the following:

- Trucks will generally be single trailers and road trains;

- Estimated to move approximately 20 thousand tonnes a year;
- Eight truck movements a day during the peak period; and
- Eight truck movements a week on average for the remainder of the year.

Based on this information, Irwin Limesands would remain as the predominant operator using Ellery Road, and who have not been known to cause any major maintenance concerns in the past. An additional eight truck movements a day during the peak period from Irwin Earthworks could however, potentially impact on maintenance issues of this Shire controlled road.

On this basis the application was referred to the Manager Works who has suggested that the operators should be contributing to road maintenance, i.e. watering, during the peak usage period. As such, it is suggested that if the application is approved, an appropriate condition should be included requiring the applicant to prepare a road maintenance program, to the approval of the Works Manager, prior to commencement. This would also need to apply to the existing Irwin Limesands operation, and the costs be shared equitably between the two, similar to the treatments to be applied to the Brand Highway intersection requested by MRWA.

In terms of safety, Ellery Road is a 20 metre wide road reserve, with a minimum seven metre wide pavement and table drains to the side. This is considered adequate for trucks to safely pass in opposite directions.

Lastly, although not specifically raised by the objector, it is noted that if this application is approved, it will be in direct competition with Irwin Limesands, as the dune to be excavated is essentially the same dune straddling both lots and with the sand predominantly being made available to the same clients, being the inland agricultural industry.

Competition however, is not a relevant planning consideration in this instance. The application must be considered on its individual planning merits alone. On this basis, although there are some planning issues, they can generally be addressed by way of condition and are not significant enough to warrant the proposal be refused. Indeed, if this application was to be refused, it would bring into question the appropriateness of the approval for the adjoining Irwin Limesands extractive industry.

It is recommended that the application be approved, subject to conditions.

Financial Implications:

Nil.

Statutory Environment:

Shire of Irwin Local Planning Scheme No 5.
Shire of Irwin *Extractive Industries Local Law 2000*.

Policy Implications:

Nil.

Strategic Implications:

SCP Outcome 2.3.12 – Support and promote efficient use of resources.

Following consideration of Item PI04 – 06/13 and prior to the consideration of Item CEO01 – 06/13, Cr Smith returned to the meeting at 4:24pm.

OFFICE OF THE CEO

CEO 01 – 06/13

Subject: Delegations Register and Policy Manual Review
Reporting Officer: Executive Assistant
Date of Report: 11 June 2013
File Reference: CM.PO.1
Voting Requirements: Absolute Majority

Report Purpose:

For Council to review the updated Delegations Register and Policy Manual for adoption.

OFFICER RECOMMENDATION AND COUNCIL DECISION 130613:

MOVED: Cr Scott

SECONDED: Cr Porteus

That Council adopt the Delegations Register and Policy Manual dated June 2013 as attached.

VOTING DETAILS:

CARRIED BY AN ASOLUTE MAJORITY VOTE 7/0

Background:

Local Governments are required to keep a register of delegations and to review the delegations at least once every financial year, as per Local Government Act 1995 s5.18 and s5.46. These delegations include those from Council to the Chief Executive Officer and Committees, and the Chief Executive Officer to other staff. Council has not yet reviewed the Register this financial year.

There is no formal requirement for Council to review the Policy Manual however a full comprehensive review has not been conducted since April 2009, and considering the many organisational changes that have occurred during this time it was thought prudent to take the opportunity to review both.

Council were provided with a Draft Council Policy Manual, which included the Delegations Register, at the April 2013 Forum. Staff were provided the opportunity to review and discuss the Register and Manual at a Senior Management Meeting in May and again in June following the consultation period after the Forum.

Officer's Comment:

As per feedback provided, the Policy Manual presented has been reformatted to allow the reader to clearly navigate the manual and reflects the current organisational structure. The revised Manual will now include reference to the Council meeting and the relevant decision reference number corresponding with any new policies or amendments.

Below are the proposed changes to the Delegations Register;

- CEO3 – title change from 'Cheque Signing Authority' to **Payment Authorisation**, to account for EFT payments. Also included is a secondary signature authorisation of the Director Planning and Infrastructure.
- CEO15 – **Authority to Invest** has been amended to simply authorise the investment of Council funds to reflect Council's Policy F4 Management of Investments.
- ON1 Issue of Burning Permits from previous Delegations Register has been removed – Council approve permit authorisations on an annual basis (around October) as part of the process of approving appointments within the Shire of Irwin Bushfire Advisory Committee.
- New ON1 delegation – **Temporary Road Closure** allows for the Director of the Planning and Infrastructure to approve road closures.

Summary points are provided below on the main additions / amendments to the Policy Manual;

- **E14 Code of Conduct** has been allocated a Policy reference, previously a stand-alone document – based on Model Code of Conduct by WALGA and confirmed as meeting minimum requirement of the Act (Executive Assistant).
- **Small Outbuildings** and **Building Licence Fees** have been removed as these issues have been provided for under the new Building Act 2011 (Manager Community Safety)
- **Office Staff Dress Code** has been removed and will be included in the Staff Policy and Procedure Manual with no compromise on the high presentation standard (Executive Assistant).
- **Financial Information to be Presented to Council** has been removed as it is provided for within the Local Government (Financial Management) Regulations 1996 s.6.4 (Manager Corporate Services).
- Minor amendments throughout, updating officer titles as per organisational restructure.
- **Councillor Meeting Fees** has been removed as this is accounted for through the Budget adoption process and is soon to be set by Salaries and Wages Tribunal (Chief Executive Officer).
- Major update of **C1 Use of Shire of Irwin Community Bus** (Manager Community Services)
- **F3 Debt Collection** and **F4 Management of Investments** have been updated to reflect current requirements and processes (Manager Corporate Services).
- Addition of **F6 Depreciation and Capitalisation of Assets** (Manager Corporate Services)
- **Attendance of Staff at Bushfires** has been amended to **S3 Staff Emergency Volunteer Service** to allow for volunteering for Ambulance or other emergency services including bush fires (Chief Executive Officer).
- Various changes to Building policies – to reflect the new Building Act 2011 and changes in staff titles (Manager Community Safety).
- **H4 Overflow Camping – Dongara Oval** amended to state that shower facilities are available on site (Shire Ranger / Manager Community Safety).
- Inclusion of summarized policies for the **C3 Community Assistance Scheme** and **C4 'The Village' Rental Housing Procedures** (Manager Community Services).
- **C2 Assistance for Residents in National Sporting Events** has been amended with an increase limit of \$250 (Manager Community Services).

Financial Implications:

Nil

Statutory Environment:

Local Governments are required to keep a register of delegations and to review the delegations at least once every financial year, as per Local Government Act 1995 s5.18 and s5.46

Delegation of powers are required to be resolved by Absolute Majority under the Local Government Act 1995 s5.42(1).

Policy Implications:

As outlined

Strategic Implications:

Strategy 4.2.1 –Ensure compliance whilst embracing innovation and best practice principles.

OFFICE OF THE CEO

CEO 02 – 06/13

Subject: Modified Strategic Community Plan, Corporate Business Plan and associated Informing Strategies under the Integrated Planning and Reporting Framework

Reporting Officer: Chief Executive Officer

Date of Report: 19 June 2013

File Reference: CM.PL.2

Voting Requirements: Absolute Majority

Report Purpose:

For Council to consider adoption of the modified Strategic Community Plan, draft Corporate Business Plan and associated draft informing strategies under the Integrated Planning and Reporting Framework

OFFICER RECOMMENDATION AND COUNCIL DECISION 140613:

MOVED: Cr West

SECONDED: Cr Porteus

That Council;

1) Adopts the following integrated planning and reporting documents as provided in the report of the Chief Executive Officer dated 19 June 2013:

- 1. Modified Shire of Irwin Strategic Community Plan 2012-2022,**
- 2. Shire of Irwin Corporate Business Plan 2013-2017;**
- 3. Property Infrastructure Asset Management Plan 2012;**
- 4. Transport Infrastructure Asset Management Plan 2012;**
- 5. Workforce Plan 2013; and**
- 6. Long Term Financial Plan 2013-2028**

2) Provides a copy of the adopted reporting documents and a letter of thanks to the Department of Local Government in acknowledgement of their financial support.

VOTING DETAILS:

CARRIED BY AN ABSOLUTE MAJORITY VOTE 7/0

Background:

The Local Government (Administration) Regulations 1996 (the Regulations) were amended in August of 2011 with the inclusion of regulations that ensure Council meets its statutory obligation under section 5.56 of the Local Government Act 1995 to 'plan for the future of the district'.

The Regulations require Council to prepare and adopt a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP) as identified in the following extract from the Local Government (Administration) Regulations 1996:

Division 3 — Planning for the future

[Heading inserted in Gazette 26 Aug 2011 p. 3483.]

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*

- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
 - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*

- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
- *Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

Officer's Comment:

SCP's and CBP's are integral components of the State Government-initiated integrated planning framework that has also seen the Shire develop a number of other informing plans and strategies that will underpin Council's annual budget and future decision-making processes.

With Royalties for Regions funding assistance provided by the Western Australian State Government through the Department of Local Government, UHY Haines Norton (WA) Pty Ltd (UHYHN) was appointed by Council to assist staff complete the SCP that Council adopted at its meeting held on 23 October 2012 following extensive community consultation.

However, since that time, UHYHN have been working closely with staff to develop a modified version the Shire of Irwin Strategic Community Plan 2012-2022 in order to address matters raised by the Department of Local Government as part of its SCP assessment process by outlining the SCP's renewal process (Page 8 of the modified SCP), how success will be measured (Page 35 of the modified SCP) and an indication of the Shire's resource capacity to meet the SCP objectives (Page 37 of the modified SCP).

In addition, the following additional components of the IPR have been drafted for Council consideration:

- Shire of Irwin Corporate Business Plan 2013-2017;
- Property Infrastructure Asset Management Plan 2012;
- Transport Infrastructure Asset Management Plan 2012;
- Workforce Plan 2013; and
- Long Term Financial Plan 2013-2028

Copies of all these documents have been provided as attachments to this report.

Following completion of the draft plans, including significant elected member and staff consultations, it is recommended that Council resolves by absolute majority to adopt all the plans identified above in order to meet its integrated planning and reporting requirements by the 30 June 2013 statutory deadline.

Financial Implications:

The SCP, CBP and other informing plans and strategies will guide Council's budget and future decision-making under the integrated planning and reporting framework.

Statutory Environment:

Section 5.56 of the Local Government Act 1995
Local Government (Administration) Regulations, regulation 19C and 19DA

Policy Implications:

As part of the integrated planning framework, the SCP, CBP and associated informing plans and strategies will guide Council's future decision-making.

Strategic Implications:

SCP Outcome 4.2.2 Implement the Integrated Planning Framework, including the Long Term Financial Plan, Workforce Plan, Asset Management Plan, Corporate Business Plan and Annual Budget.

Following consideration of Item CEO02 – 06/13 the Presiding Member, Cr Hepworth expressed thanks and appreciation for the management team and staff in preparing these documents to a high standard and within the appropriate time period.

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

**COUNCIL DECISION 150613:
MOVED: Cr West**

SECONDED: Cr McClurg

That Council move behind closed doors at 4:28pm to discuss a confidential matter relating to the personal affairs of a person in accordance with the Local Government Act 1995 section 5.23(b).

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

The Chief Executive Officer wishes to discuss with Council a confidential matter concerning the personal affairs of a person behind closed doors in accordance with the Local Government Act 1995 section 5.23(b).

**COUNCIL DECISION 160613:
MOVED: Cr West**

SECONDED: Cr McClurg

That Council return from behind closed doors at 4:43pm.

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

**COUNCIL DECISION 170613:
MOVED: Cr West**

SECONDED: Cr McClurg

That Council supports the confidential nomination recommended by the Chief Executive Officer behind closed doors.

VOTING DETAILS:

CARRIED BY A SIMPLE MAJORITY VOTE 7/0

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 4:44pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on
25 June 2013

Signed:
Presiding Elected Member

Date:.....