



AGENDA

FOR THE

ORDINARY MEETING
OF COUNCIL

TO BE HELD ON

TUESDAY, 24 SEPTEMBER 2013

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, 24 SEPTEMBER 2013

IN THE OCEAN ROOM AT THE IRWIN REC
RIDLEY STREET, PORT DENISON WA

Followed by dinner for Councillors, staff and partners, at Southerly's Tavern from 6pm



Darren Simmons
Chief Executive Officer

19 September 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 OCEAN ROOM, IRWIN REC
ON TUESDAY, 24 SEPTEMBER 2013
COMMENCING AT 4.00PM**

PRESENT:	President	Cr S C Chandler (Presiding Member)
	Councillors	Cr K J Hepworth (Deputy President) via telephone 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 Mrs H M Sternick – Manager Corporate Services Ms E Greaves – Executive Assistant Miss L E Tunbridge – Research and Projects Officer Mr A Hayat – Planning Officer

GUESTS: -

APOLOGIES: -

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 27 AUGUST 2013**

A copy of the Minutes of the Ordinary Council Meeting held on 27 August 2013 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 27 August 2013, be confirmed as a true and accurate recording of that meeting.

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

9. REPORTS

CORPORATE AND COMMUNITY

CC01 – 09/13

Subject: Accounts for Payment
Reporting Officer: Manager Corporate Services
Date of Report: 17 September 2013
File Reference: Minute Book
Voting Requirements: Simple Majority

Report Purpose:

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

Officer's Recommendation:

That the Accounts paid during August 2013, represented by Municipal Cheque Numbers 30233-30264, EFT payment numbers 14915-15056 totalling \$386,406.85, Police Licensing Payment No's PL010813-PL280813 totalling \$58,103.85, Vehicle Lease Payment \$853.51, Credit Card Payment \$1,716.12 and Trust Cheque Numbers 3008-3009 totalling \$10,000.00 be received.

Background:

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

SCP Outcome 4.2.1 *Ensure compliance whilst embracing innovation and best practice principles.*

CORPORATE AND COMMUNITY

CC02 – 09/13

Subject: Financial Statements for the Period ending 31/08/2013
Reporting Officer: Manager Corporate Services
File Reference: Minute Book
Date Prepared: 18 September 2013
Voting Requirements: Simple Majority

Report Purpose:

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

Officers Recommendation:

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

Background:

The Monthly Financial Report to the 31 August 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.

PLANNING AND INFRASTRUCTURE

PI01 – 09/13

Subject: Shed Extension on Lot 100 (#85) Melaleuca Road, Bookara
Proponent: Lawrence Bruce & Eileen Joyce Reynolds
Reporting Officer: Planning Officer
Date of Report: 17 September 2013
File Reference: P415
Voting Requirements: Simple Majority

Report Purpose:

To consider an application for a shed extension on Lot 100 (#85) Melaleuca Road, Bookara.

Officer's Recommendation:

That Council approve the application for the proposed shed extension on Lot 100 (#85) Melaleuca Road, Bookara subject to the following conditions;

- 1. The development 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;**
- 2. The shed extension is to be clad in colourbond steel only, and the existing shed is to be painted to match the colour of the extension within three months of the cladding being erected;**
- 3. The building hereby approved shall only be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes;**
- 4. All stormwater runoff is to be retained and disposed of on-site to the approval of the local government; and,**
- 5. Any additions to or change of use of any part of the building/s or land (not the subject of this consent) shall be subject to a further development application and consent for that use.**

Background:

The Applicant has outlined that there is a water shortage on their property and the need for more of a catchment area. They proceed to state that the quality of their bore water is poor and that they incur high costs to desalinate the water to use on their garden. They also mention that they have trailers and machinery they wish to store in the proposed extra space to stop the equipment rusting. After a site visit, it is confirmed that the lot will look very much presentable and visually pleasing once the machinery and equipment are stored away in the proposed shed extension, which can be seen on the attached site plan. The site is shown on the attached location plan.

The Land:

The land on which the shed extension is proposed is Lot 100 (#85) Melaleuca Road, Bookara. The land currently consists of a dwelling, a car garage, ablution, granny flat and the shed on which the extension is proposed. The total area of all outbuildings is 343.92m², and these consist of the car garage and existing shed. The area of the extension is 73.2m², making the total area of all outbuildings to be 417.12m² and the area of the shed to be finished with an area of 313.2m².

The Shire of Irwin Local Planning Scheme No. 5 states at *Clause 5.17.3 (b) The area of an outbuilding of non-masonry construction shall not exceed 150m²*. As per the adopted Delegations Register 2013 which reads; 'The Chief Executive Officer is delegated authority to approve outbuildings within the 'rural smallholdings' zone up to 300m²', this application seeks approval by Council. The lot has an area of 4.1 hectares and is situated on Melaleuca Road approximately 850m in from Brand Highway. The shed extension does not deteriorate the amenity of the area in any way, and once it is complete, it will look like the existing shed.

Consultation:

The landowner, Lawrence Bruce (Mick) Reynolds was contacted to establish what he currently stores in the shed. He advised that the existing shed holds a few motorbikes, a ride-on mower, trailers, vehicles and tools. He mentions his hobby is to restore his vehicles of which he currently engages to do in the existing shed. Mick submitted a cover letter with this application which provides justification on the extra area proposed for the shed extension, stating the need for more catchment and the storage of trailers and machinery to prevent rusting and make his block look more presentable and tidier.

Officer's Comment:

The application is supported.

The shed is to be primarily used for storage of machinery and equipment to stop the quality of these deteriorating. The lot will therefore be tidier and will present well. The owners have mentioned in their cover letter that there is a water shortage and they require a need for more catchment, therefore the extension shall accommodate an extra catchment. The owners have stated in a cover letter that they have no objections to build the extension to match the existing shed's profile.

Financial Implications:

Nil

Statutory Environment:

Shire of Irwin Local Planning Scheme No. 5

Part 4 – zones and the use of land

- 4.2 Objectives of the Zones
- 4.2.9 Rural Smallholdings Zone
- 4.3 Zoning Table

Part 5 – General Development Requirements

- 5.17 Outbuildings – Setbacks, Size and Construction type
- 5.30 Rural Smallholdings Zone

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 1.1.1 Implement an efficient and effective approval process.

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

As per the Local Government Act 1995 section 5.23 (2)(c), an item relating to a proposal for Council to enter into a contract, is to be held behind closed doors. A copy of the confidential item PI02 – 09/13 will provided under separate cover, to Council members and staff, prior to the meeting.

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE

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

_____.