



MINUTES

FOR THE

ORDINARY MEETING
OF COUNCIL

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 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 24 September 2013

Signed:
Presiding Elected Member

Date:.....



**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS 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

*As per Council Policy E10 – Persons Not Physically Present at a Council or Committee Meeting

GALLERY: Mr Kevan Dennis
Mr John Leslie Rossiter

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**

Mr Kevan Dennis began by complimenting the outgoing Councillors and provided feedback that Council appears to be running well with good leadership and positive change.

Mr Dennis' first inquiry relates to the various surveys having been conducted (Foreshore Development and Recreation Needs) and those intended in the future (Aquatic Needs). Mr Dennis asked when the results of these surveys would be available to the community.

- The Chief Executive Officer responded by advising that the Foreshore Master Plan was intended for Council consideration in August however due to a late submission received by the Department of Transport, the Plan requires further research. It may be available at the end of November 2013. The Recreation Needs Analysis is still being developed and the aquatic needs may link into this process.

To lead on from question one, will the restructure of the Royalties for Regions grant program influence the short term continuance of these initiatives?

- The CLGF component of the Royalties for Regions scheme will no longer be available to fund these projects however the work the Shire has undertaken in preparing these documents has been developed to compliment grant applications due to the comprehensive planning and consultation that has been done.

Mr Dennis referred to an enquiry raised at a Council meeting 3 ½ years ago regarding the stand alone costs or bottom line for the Recreation Centre, and was advised at the time that 18 months was not a sufficient period to formulate a true record. Would this information now be available?

- Council recently adopted a Long Term Financial Plan which outlines the costs in running the Recreation Centre which is available on the Shire's website. A monthly financial report is presented to Council at each Council meeting which also includes financial details for the Recreation Centre.

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 was provided to all Councillors under separate cover.

COUNCIL DECISION 010913:

MOVED: Cr Scott

SECONDED: Cr West

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

VOTING DETAILS:

CARRIED 8/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

- The Shire President attended the official opening of the Mondarra Gas Facility on 18 September with the Chief Executive Officer
- The Shire President thanked the outgoing Councillors for their contributions and provided well wishes, in particular to Cr John Fitzhardinge who has not re-nominated.
- Manager Tourism and Library Services presented the 2013 Top Tourism Award – Community Relations category awarded to the Visitors Centre, to the Shire President.
- Ms Nelson also advised that she was Runner Up in the Golden i Awards.

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.

COUNCIL DECISION 020913:

MOVED: Cr Porteus

SECONDED: Cr Fitzhardinge

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.

VOTING DETAILS:

CARRIED 8/0

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.

COUNCIL DECISION 030913:

MOVED: Cr Hepworth

SECONDED: Cr West

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

VOTING DETAILS:

CARRIED 8/0

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.

COUNCIL DECISION 040913:

MOVED: Cr West

SECONDED: Cr Porteus

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 government;**
- 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.**

Advice Note:

- 1 A Building Permit is required to be approved by the local government.**

VOTING DETAILS:

CARRIED 8/0

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 aesthetically 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 73.2m, 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

The Shire President approved an announcement regarding the future of Global Care following receipt of a letter indicating their withdrawal from the Thungarra Seaside Estate.

13. MATTERS BEHIND CLOSED DOORS

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, was held behind closed doors. A copy of the confidential item PI02 – 09/13 was provided under separate cover, to Council members and staff, prior to the meeting.

Mr John Rossiter and Mr Kevan Dennis exited the meeting at 4:20pm.

COUNCIL DECISION 050913:

MOVED: Cr Scott

SECONDED: Cr Porteus

That Council move behind closed doors to discuss Confidential Item PI02 – 09/13 at 4:20pm.

VOTING DETAILS:

CARRIED 8/0

COUNCIL DECISION 060913:

MOVED: Cr Fitzhardinge

SECONDED: Cr Porteus

That Council give the CEO delegated authority to enter into a contract with the landowner of Lot 1319 (#234) Bonniefield East Road, Bonniefield for the purchase of the surveyed strip of land as per the attached sketch provided by HTD Surveyors.

VOTING DETAILS:

CARRIED BY ABSOLUTE MAJORITY 8/0

COUNCIL DECISION 070913:

MOVED: Cr West

SECONDED: Cr Porteus

That Council return from behind closed doors at 5:46

VOTING DETAILS:

CARRIED 8/0

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 5:47pm.

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

Signed:
Presiding Elected Member

Date:.....