



MINUTES

FOR THE

ORDINARY MEETING
OF COUNCIL

HELD ON

TUESDAY, 26 NOVEMBER 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
26 November 2013

Signed:
Presiding Elected Member

Date:.....



**MINUTES OF THE ORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, 26 NOVEMBER 2013
COMMENCING AT 4.00PM**

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

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- 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 John Rossiter enquired as to why the Agenda for this meeting was not on the Shire's website, following a check each day since Friday last week.

The Chief Executive Officer advised that he was not in a position to comment immediately on why the Agenda was not on the website however suggested that any future omission could be reported at the earliest opportunity to the Shire Office so that remedial action can be taken.

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. PETITIONS

7. CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 22 OCTOBER 2013

A copy of the Minutes of the Ordinary Council Meeting held on 22 October 2013 has been provided to all Councillors under separate cover.

COUNCIL DECISION 011113:

MOVED: Cr Scott

SECONDED: Cr Hepworth

That the Minutes of the Ordinary Council Meeting, held on 22 October 2013, be confirmed as a true and accurate recording of that meeting.

VOTING DETAILS:

CARRIED 8/0

7.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 12 NOVEMBER 2013

A copy of the Minutes of the Special Council Meeting held on 12 November 2013 has been provided to all Councillors under separate cover.

COUNCIL DECISION 021113:

MOVED: Cr Hepworth

SECONDED: Cr Kennedy

That the Minutes of the Special Council Meeting, held on 12 November 2013, be confirmed as a true and accurate recording of that meeting subject to council decision 011113S Part 2 being amended to read that Council accept the 2012/13 Annual Report, for the year ended 30 June 2013 subject to the replacement of page 39, Rate Setting Statement, to reflect the correct figures.

VOTING DETAILS:

CARRIED 8/0

A copy of the Amended Page 39 to be inserted into the 2012/13 Annual Report as provided on the following page;

SHIRE OF IRWIN
RATE SETTING STATEMENT
FOR THE YEAR ENDED 30TH JUNE 2013

	NOTE	2013 Actual \$	2013 Budget \$	2012 Actual \$
Revenue				
Governance		478,128	829,800	115,098
General Purpose Funding		945,868	570,700	1,223,384
Law, Order, Public Safety		122,760	172,400	124,171
Health		17,558	37,600	24,038
Housing		289,779	252,700	255,116
Community Amenities		747,722	593,200	729,004
Recreation and Culture		3,615,736	790,600	336,249
Transport		1,281,207	1,303,400	838,498
Economic Services		288,436	291,200	287,949
Other Property and Services		116,621	60,700	201,199
		<u>7,881,813</u>	<u>4,902,300</u>	<u>4,134,702</u>
Expenses				
Governance		(359,761)	(361,950)	(349,944)
General Purpose Funding		(168,515)	(174,900)	(131,874)
Law, Order, Public Safety		(266,667)	(339,150)	(205,488)
Health		(170,168)	(189,700)	(161,001)
Housing		(291,315)	(448,750)	(281,334)
Community Amenities		(962,760)	(1,053,200)	(855,443)
Recreation and Culture		(2,299,371)	(2,568,500)	(2,026,371)
Transport		(2,325,867)	(1,867,100)	(1,534,990)
Economic Services		(492,384)	(515,150)	(436,006)
Other Property and Services		(214,595)	(211,600)	(133,800)
		<u>(7,551,403)</u>	<u>(7,730,000)</u>	<u>(6,116,251)</u>
Net Result Excluding Rates		330,410	(2,827,700)	(1,981,549)
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
Initial Recognition of Assets Due to Change to Regulations:				
Land - Vested In and Under the Control of Council	2(a)(ii)	(3,323,000)	0	0
(Profit)/Loss on Asset Disposals	19	48,053	48,800	8,630
Movement in Deferred Pensioner Rates (Non-Current)		(4,198)	0	(3,295)
Movement in Sundry Debtor Loan (Non-Current)		3,571	0	3,572
Movement in Employee Benefit Provisions (Non-Current)		20,433	10,200	9,473
Depreciation and Amortisation on Assets	2(a)	2,173,334	1,967,300	1,592,953
Capital Expenditure and Revenue				
Purchase Land and Buildings		(108,931)	(853,400)	(134,980)
Purchase Infrastructure Assets - Roads		(2,017,103)	(2,439,600)	(1,342,404)
Purchase Infrastructure Assets - Other		(110,716)	(603,200)	(280,746)
Purchase Plant and Equipment		(515,569)	(639,000)	(422,437)
Purchase Furniture and Equipment		(53,921)	(43,000)	(128,405)
Proceeds from Disposal of Assets	19	120,909	212,000	261,808
Repayment of Debentures	20	(70,583)	(70,600)	(95,257)
Self-Supporting Loan Principal Income		6,388	7,900	6,030
Transfers to Reserves (Restricted Assets)	11	(741,978)	(550,200)	(673,854)
Transfers from Reserves (Restricted Assets)	11	356,017	382,000	163,730
Transfers to Restricted Assets		(751,398)	(233,700)	(715,296)
Transfers from Restricted Assets		653,642	715,200	411,126
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	21(b)	866,458	891,900	522,313
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	21(b)	1,006,450	0	866,458
Total Amount Raised from General Rate	21(a)	<u>(4,124,632)</u>	<u>(4,027,100)</u>	<u>(3,665,046)</u>

This statement is to be read in conjunction with the accompanying notes.

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Shire President announced his attendance at the following functions/events;

- 13 Nov – WA Country Health Service with Margaret Denton
- 13 Nov – Dr James Quirke from Batavia Health
- 14 Nov – Seniors Quiz and Afternoon Tea
- 15 Nov – Depot Hill Crossing Opening at Mingenew
- 20 Nov - Department of Mines and Petroleum visit
- 21 Nov – Hames Sharley Bike Plan Inception Meeting with Deputy President
- 26 Nov – Northern Country Zone with Deputy President

The Shire President also wished to recognise the invitation CEO, Darren Simmons received to attend a dinner with the Infrastructure Coordinator for Infrastructure Australia tomorrow evening.

It was also announced that there will be a Town Centre Revitalisation Workshop for staff and Councillors held on Friday, 29 November 2013 at the Irwin Rec and a Community Consultation Workshop on Saturday, 30 November 2013 at the Dongara Hotel Motel.

At the 2013 Annual Meeting of Electors, held soon after this ordinary meeting of Council, the Shire President announced that Mrs Helen Sternick, Manager Corporate Services had been recognised as the October 2013 Employee of the Month for working hard individually to consistently meet deadlines and produce work of a high standard, for managing her team well to achieve outcomes within Corporate Services, and for always providing assistance and support to colleagues within the organisation. Helen has a well developed relationship with all staff, who see her as a valuable, reliable and respected staff member.

9. REPORTS

CORPORATE AND COMMUNITY

CC01 – 11/13

Subject: Accounts for Payment
Reporting Officer: Manager Corporate Services
Date of Report: 18 November 2013
File Reference: Minute Book
Voting Requirements: Simple Majority

Report Purpose:

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

OFFICERS RECOMMENDATION AND COUNCIL DECISION 031113:

MOVED: Cr Porteus

SECONDED: Cr Scott

That the Accounts paid during October 2013, represented by Trust EFT Number 15197 and Cheques 3010 - 3018 totalling \$6,041.13 Municipal Cheque Numbers 30291-30344, EFT payment numbers 15142-15304 totalling \$766,288.85, Police Licensing Payment No's PL260913 – PL301013 totalling \$58,611.15, Credit Card Payment \$1,572.20 and Vehicle Lease Payment \$853.51, 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 October 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 – 11/13

Subject: Financial Statements for the Period ending 31/10/2013
Reporting Officer: Manager Corporate Services
File Reference: Minute Book
Date Prepared: 14 November 2013
Voting Requirements: Simple Majority

Report Purpose:

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

OFFICERS RECOMMENDATION AND COUNCIL DECISION 041113:

MOVED: Cr West

SECONDED: Cr Leonard

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

VOTING DETAILS:

CARRIED 8/0

Background:

The Monthly Financial Report to the 31 October 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
- Major Variances
- 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
- Non Operating Grants and Contributions
- 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 – 11/13

Subject: Tourism Development Plan
Reporting Officer: Manager Library and Tourism Services
Date of Report: 18 November 2013
File Reference: ED.PG.1
Voting Requirements: Simple Majority

Report Purpose:

To consider the Draft Tourism Development Plan (TDP) in preparation for public consultation.

OFFICERS RECOMMENDATION AND COUNCIL DECISION 051113:

MOVED: Cr Scott

SECONDED: Cr Kennedy

That Council consent to the draft Tourism Development Plan being publicly advertised for a period of 42 days in a form and manner similar to that prescribed by the Shire of Irwin Local Planning Scheme No.5 and thereafter considers any submissions and the final adoption of the amended document.

VOTING DETAILS:

CARRIED 8/0

Background:

A strategy within the Shire of Irwin's Strategic Community Plan (SCP) 2012-2022 is to develop and implement a Tourism Development Plan and to partner and work with local businesses, state government agencies and other regional tourism organisations. A TDP will enable Council to take an integrated and coordinated approach allowing for a long-term focus of forward planning and provide an opportunity to develop strong partnerships and a shared vision between Council and local tourism stakeholders guiding growth in tourism in the Shire of Irwin over the next five to ten years.

In March the Shire advertised for external consultants to prepare a TDP as per the scope prepared by staff, with the successful consultants being Kirkgate Consultants.

The preparation of this plan has been prepared with input at workshops, hosted by Kirkgate Consultants, attended by Council Members, Senior Management, tourism stakeholders, local businesses and community members.

Mr Terry Penn and Mr David Duncanson of Kirkgate provided a presentation to the August Council Forum, which outlined the processes and findings that enabled the development of the Draft Tourism Development and Promotion Strategic Plan. Following feedback from that meeting the draft has been amended to incorporate the views and comments from Council Members.

Officer's Comment:

The Senior Management Group have further refined the original draft plan presented to the Council Forum in August and the financial implications have been broken down further since the amended draft plan was presented at the November Forum.

It is now recommended that the attached draft TDP be advertised for public comment. All feedback received from the community and other stakeholders will be tabled and presented to Council for consideration when the Tourist Development Plan is presented to Council for final adoption.

Financial Implications:

The adoption of the Draft Tourism Development Plan contains projects that are funded in the 2013/14 budget as well as planned projects that are incorporated in the Corporate Business Plan

and Long Term Financial Plan. The Draft Plan also contains recommendations for new projects that are presently unfunded and will require additional funding to be obtained for their implementation.

Statutory Environment:

Nil

Policy Implications:

An adopted TDP will guide Council's future decision-making around tourism products and services and assist in sourcing external funding for the proposed projects. A review of the Shire of Irwin's Coastal Development Strategy June 2000 is necessary in order to ensure consistency with State Planning Policy 2.6 State Coastal Planning July 2013.

Strategic Implications:

SCP Outcome 1.3.1 Develop and implement a Tourism Development Plan

PLANNING AND INFRASTRUCTURE

PI01 – 11/13

Subject: Memorandum of Understanding with the Dongara Pottery Club
Reporting Officer: Planning Officer
Date of Report: 18 November 2013
File Reference: CP.RE.13
Voting Requirements: Simple Majority

Report Purpose:

To consider lease arrangements with the Dongara Pottery Club located at 'The Old School' at 1 Moreton Terrace, Dongara.

OFFICERS RECOMMENDATION AND COUNCIL DECISION 061113:

MOVED: Cr Porteus

SECONDED: Cr Hepworth

That Council approves the Memorandum of Understanding (MOU) as attached, from 1 July 2013 to 30 June 2018 between the Shire of Irwin and the Dongara Pottery Club at 1 Moreton Terrace, Dongara, subject to the Dongara Pottery Club following these specified conditions;

- 1. The Dongara Pottery Club is to notify the Council in writing at least 3 months before the expiry of their renewed agreement if they intend to enter new lease arrangements after 30 June 2018;**
- 2. All telecommunication expenses for the building are the responsibility of the Pottery Club with all accounts relating to such to be established in the name of the Pottery Club;**
- 3. Lease payments shall be paid according to the new agreement; and,**
- 4. All insurances required by the Dongara Pottery Club including public liability, contents and workers compensation are the responsibility of the Dongara Pottery Club.**

VOTING DETAILS:

CARRIED 8/0

Background:

The agreement for the Dongara Pottery Club, which operated under a Memorandum of Understanding (MOU) ceased to be effective on 30 June 2013. The Dongara Pottery Club has requested a new MOU, extending the agreement for five years, ceasing on 30 June 2018.

A copy of the new proposed MOU is attached.

Officer's Comment:

In relation to the building maintenance arrangements, the Shire would pay all maintenance costs associated with the interior and exterior structure of the building during the lease period. The Pottery Club will be responsible for the internal fabric of the building.

The lease payments are based on the Consumer Price Index (CPI). Therefore, the lease payment for the first year shall be an annual payment of \$665, whereby annual payments for the subsequent years shall be based on the increase in CPI.

Financial Implications:

Property and Public Liability Insurance is paid for by Council along with its annual insurance premiums, whereas public liability, contents and workers compensation are the responsibility of the Pottery Club.

Statutory Environment:

Local Government Act 1995

Strategic Implications:

SCP Outcome 3.2.2 Identify services and programs for families;

SCP Outcome 3.6.2 Annually review the cost and utilisation of all community facilities and services.

SCP Outcome 3.7 Community groups and volunteers are acknowledged and supported.

PLANNING AND INFRASTRUCTURE

PI 02 – 11/13

Subject: Supply and Spray Bitumen 1-2013/14
Reporting Officer: Manager Works
Date of Report: 14 November 2013
File Reference: RD.TE.5
Voting Requirements: Simple Majority

Report Purpose:

To consider the tenders received for the "Supply and Spray of Bitumen", as to public Tender 1-2013/14.

OFFICERS RECOMMENDATION AND COUNCIL DECISION 071113:

MOVED: Cr West

SECONDED: Cr Leonard

That the tender submitted by Bitutek Pty Ltd for the price of \$1.07 per litre and \$120 per hour Spreader truck hire be accepted for Tender 1-2013/14 Supply and Spray Bitumen, as it meets Council's requirements and is the most cost-effective option of the two tenders received.

VOTING DETAILS:

CARRIED 8/0

Background:

Tenders were called on 12 October 2013 for the supply and spraying of approximately 100,000 litres of bitumen and the supply of spreader trucks for the works. The submission period closed on Monday 4 November 2013 and two tenders were received.

The works are planned for two stages, the first stage being the primer seal on Tabletop and Mallee Roads before the end of December 2013 and the second stage involves seal coats on Tabletop Road, Mallee Road, Massingham Place, Philby Road, Watson Place and Sloper Vale to be applied in February 2014.

Officer's Comment:

The following companies have submitted tenders for Council's sealing program for the 2013/2014 financial year:

COMPANY/SUPPLIER	ITEM DESCRIPTION	UNIT PRICE
RNR Contracting	Primer seal	\$1.10 per litre
RNR Contracting	Second coat seal	\$1.14 per litre
Bitutek Pty Ltd	Primer seal	\$1.07 per litre
Bitutek Pty Ltd	Second coat seal	\$1.07 per litre
Both the Tenders	Spreader truck	\$120 per hour

RNR Contracting was awarded the supply and spray tender in the 2010/2011 financial year and has also completed contract works for the Shire in the past to a very high standard.

Bitutek Pty Ltd is a relatively new company that won the Shire's tender last season and performed very well. Its tendered price for this year's program is the again the lowest of the two tender submissions.

Financial Implications:

2013/2014 Budget – the recommended tender is under the allocated budget amount of \$1.10 per litre of bitumen and \$120 per hour for Spreader truck hire.

Statutory Environment:

Local Government Act 1995

Strategic Implications:

SCP Outcome 2.6: Physical assets are maintained efficiently and effectively.

PLANNING AND INFRASTRUCTURE

PI 03 – 10/12

Subject: Appointments for Bush Fire Advisory Committee 2013
Reporting Officer: Community Emergency Services Manager
File Reference: GV.CO.2 / ES.VO.1
Date Prepared: 18 November 2013
Voting Requirements: Absolute Majority

Report Purpose:

To consider the recommendations of the Bush Fire Advisory Committee to appoint persons as Fire Control Officers and other positions under the Bushfires Act.

OFFICERS RECOMMENDATION AND COUNCIL DECISION 081113:

MOVED: Cr Hepworth

SECONDED: Cr Porteus

That Council:

Appoints the individuals listed below to the nominated position and to the Shire of Irwin Bush Fire Advisory Committee in accordance with the *Bush Fires Act 1954* and *Local Government Act 1995*:

Chief Bush Fire Control Officer	Peter Summers
Deputy Chief Bush Fire Control Officer (Irwin)	Andrew Gillam
Deputy Chief Bush Fire Control Officer (Dongara)	Murray Butcher
Fire Weather Officers	Peter Summers Geoff Crabb Ashley Clarkson
Fire Control Officers (FCOs)	Director Corporate & Community (Geoff Peddie) Director Planning & Infrastructure (Suzette van Aswegen) subject to the completion of the FCO course) Manager Community Safety (Felix Neuweiler) Shire Ranger (Ashley Clarkson) Community Emergency Services Manager (Kyle Pollitt)
<u>IRWIN NORTH BRIGADE</u>	
Brigade Captain	Geoff Crabb
Brigade Lieutenants	1 John Koric 2 Piers Blake 3 Gerard Bowman
Fire Control Officer	Geoff Crabb
<u>IRWIN SOUTH BRIGADE</u>	
Brigade Captain	Carl Forward
Brigade Lieutenants	1 Andrew Gillam 2 Chris Gillam 3 Craig Forsyth
Fire Control Officer	Andrew Gillam
<u>DONGARA TOWN BRIGADE</u>	
Brigade Captain	Murray Butcher
Brigade Lieutenants	1 Jim Butcher 2 Ashley Clarkson 3 Paul Parker
Fire Control Officer	Murray Butcher

VOTING DETAILS:

CARRIED 8/0

Background:

The Shire of Irwin Bush Fire Advisory Committee Meeting was held on Monday 16 September 2013.

At the meeting it was resolved to recommend that Council make the following appointments:

Chief Bush Fire Control Officer		Peter Summers
Deputy Chief Bush Fire Control Officer		Andrew Gillam
Deputy Chief Bush Fire Control Officer		Murray Butcher
Fire Weather Officers		Peter Summers Geoff Crabb Ashley Clarkson
Fire Control Officers		Chief Executive Officer (Darren Simmons) Director Corporate & Community (Geoff Peddie) Manager Community Safety (Felix Neuweiler) Shire Ranger (Ashley Clarkson) Community Emergency Services Manager (Kyle Pollitt)
<u>NORTH BRIGADE</u>		
Brigade Captain		Geoff Crabb
Brigade Lieutenants	1	John Koric
	2	Piers Blake
	3	Gerard Bowman
Fire Control Officer		Geoff Crabb
<u>SOUTH BRIGADE</u>		
Brigade Captain		Carl Forward
Brigade Lieutenants	1	Andrew Gillam
	2	Chris Gillam
	3	Craig Forsyth
Fire Control Officer		Andrew Gillam
<u>TOWN BRIGADE</u>		
Brigade Captain		Murray Butcher
Brigade Lieutenants	1	Jim Butcher
	2	Ashley Clarkson
	3	Paul Parker
Fire Control Officer		Murray Butcher

Officer's Comment:

The Bushfire Advisory Committee generally consists of the same Officers that were nominated as office bearers. It is therefore recommended that Council appoint these individuals to the Committee in accordance with the *Local Government Act 1995*.

The Bushfire Advisory Committee reviews Officers' appointments at their AGM and makes recommendations to Council to appoint the nominated individuals in accordance with the *Bushfires Act 1954* (refer Statutory Environment) and advertise those appointments accordingly.

However, notwithstanding the Bushfire Advisory Committee's recommendations, it is suggested that the Shire's Director Planning and Infrastructure be appointed subject to the completion of the relevant training course and, as the CEO will be on annual leave over the summer, it is considered appropriate that he not be appointed at this time.

Financial Implications:

Nil

Statutory Environment:

Section 38 of the *Bushfires Act 1954* reads:

38. Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2) (a) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.

Local Government Act 1995: Subdivision 2, Committees and their meetings; Sections 5.8 – 5.18 and particularly Section 5.10 (1) which states:

5.10. Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or
- (5).

* Absolute majority required.

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 3.8.3 Continue to partner with relevant agencies in relation to emergency services management.

Prior to consideration of Item PI04 – 11/13, Cr West disclosed a Financial Interest, as he is employed by the proponent. Accordingly, he left the meeting at 4:15pm and did not participate in the discussion or vote on the matter.

PLANNING AND INFRASTRUCTURE

PI04 – 11/13

Subject: Extension Hill Magnetite Project – Road Access Proposal
Reporting Officer: Director Planning and Infrastructure
Date of Report: 19 November 2013
File Reference: RD.AG
Voting Requirements: Simple Majority

Report Purpose:

To consider granting conditional approval to MGM Pipelines Pty Ltd to use part of an unmade road reserve for the Extension Hill Magnetite Project.

OFFICERS RECOMMENDATION AND COUNCIL DECISION 091113:

MOVED: Cr Hepworth

SECONDED: Cr Leonard

That Council:

1. **Grant conditional approval to MGM Pipelines Pty Ltd to place their proposed pipelines under the unmade road reserve running north off the east end of Pinchers Road, as per attached map, subject to:**
 - a) **Appropriate legal advice being sought regarding the draft Deed of Agreement;**
 - b) **Terms and conditions being formally agreed to by both parties which addresses both Council's and MGM Pty Ltd interests and concerns; and**
 - c) **A copy of the botanist's survey report being provided to the Shire prior to the execution of the Deed of Agreement.**

2. **Authorise the Chief Executive Officer to negotiate the relative terms and conditions with MGM Pipelines Pty Ltd and to execute the Deed of Agreement.**

VOTING DETAILS:

CARRIED 7/0

Background:

The Shire of Irwin (the Shire) received a request from MGM Pipelines Pty Ltd (MGMP) to use part of an unmade road reserve running north of the eastern end of Pinchers Road for the Extension Hill Magnetite Project (EHMP). EHMP is a greenfields magnetite iron ore development project in the Mid-West Region.

MGMP will be constructing slurry and water return pipes that will be used to transport magnetite concentrate in a slurry form from its mine site located 280 kilometres south east of Geraldton to the Geraldton Port and, in return, water from the dewatered slurry from the Geraldton Port back to the mine.

MGMP is currently in the process of securing pipeline corridors over land in the region, including entering into legal agreements with all parties involved. A legal agreement with the City of Greater Geraldton is already in place and a reformatted version has been proposed for the Shire's of Irwin, Mingenew, Perenjori and Three Springs. The Shire of Perenjori has initiated a legal review of the agreement on behalf of the four shires, the outcome of which is unknown at this stage.

The necessary approvals from various government agencies are already in place or in an advanced stage.

Officer's Comment:

Magnetite is a highly magnetic, naturally occurring, dark grey to black odourless iron oxide mineral that is not soluble in water. At the Extension Hill mine site, ore containing magnetite and other minerals will be processed to a magnetite concentrate that consists predominantly of fine magnetite particles with traces of associated silicate minerals. Magnetite concentrate is stable under normal conditions and is not radioactive, flammable or explosive. It is non toxic and is not classified as a human carcinogen. It will be in the form of slurry when transported through the pipelines. The slurry will consist of fine magnetite concentrate particles suspended in water. In the unlikely event of a spillage occurring, a dry magnetite concentrate powder could form as the slurry dries.

As presented by MGMP at the Councillor Forum held on 8 October 2013, the pipeline tunnel will contain two pipes (500mm), one for the slurry and the other transporting water, with the top of the pipe being 750mm underground. The land over the pipeline site may still be used for its intended purposes. It is estimated that it will take 12 months to install the pipeline.

Once the pipe laying is completed the road will be reinstated to a standard acceptable to the Shire. The Shire will have first right of refusal to reinstate any roads. Any existing sealed roads will be bored under and any future works will be considered so as to ensure there are no unnecessary disruptions to road construction or repair. In future, it would be necessary for the Shire to maintain contact with MGMP regarding road works in the areas around the proposed pipeline site.

The best part of the road reserve has already been cleared by nearby landowners and a flora survey has been conducted by a botanist. It is recommended that the botanist report be made available to the Shire prior to the legal agreement being executed.

Financial Implications:

Nil

Statutory Environment:

Under section 5.43(ha) of the Local Government Act 1995, the signing of legal agreements cannot be delegated to the Chief Executive Officer. Therefore, Council have to authorise the Chief Executive Officer to enter into negotiations and execute the Deed of Agreement on its behalf, subject to the receipt of appropriate legal advice on the draft Deed of Agreement.

Policy Implications:

Nil

Strategic Implications:

SCP Outcome 1.1	Supports existing industries, facilitates new development and promotes economic growth
SCP Outcome 1.5	Maximise opportunities presented by industry
SCP Outcome 2.6	Physical assets are maintained efficiently and effectively

Prior to consideration of Item CEO01-11/13, Cr West returned to the meeting at 4:16pm.

OFFICE OF THE CEO

CEO01 – 11/13

Subject: Portable Toilet – Grannies Beach
Reporting Officer: Research and Projects Officer
Date of Report: 20 November 2013
File Reference: PK.US.1
Voting Requirements: Simple Majority
Disclosure of Interest: The report author is the daughter of the owner of a local business that provides the service of hiring portable toilets

Report Purpose:

To consider hiring two portable toilets to be located at Grannies Beach (Reserve 46561) for the period of Friday, 20 December 2013 to Monday, 3 February 2014.

OFFICERS RECOMMENDATION AND COUNCIL DECISION 101113:

MOVED: Cr Porteus

SECONDED: Cr Scott

That Council support the hire of two portable toilets to be located at Grannies Beach (Reserve 46561) for the period of Friday, 20 December 2013 to Monday, 3 February 2014.

VOTING DETAILS:

CARRIED 8/0

Background:

From numerous customer requests and findings from feedback received via the community engagement process carried out as part of the creation of the Foreshore Master Plan (FMP) has outlined a desire to have ablution facilities located within close distance to 'Grannies Beach'.

Public toilets currently utilised by beach users are located adjacent to the Geraldton Fisherman Co-op building, this being the case, pedestrians are required to interact with various vehicular pathways in order to access the toilet facilities made available.

Officer's Comment:

With feedback received from the community during the creation of the FMP and the increase in popularity of Grannies Beach as a local swimming area for small children, families and tourists the requirement for further ablution facilities needs consideration. By providing portable toilets, the Shire will be able to recognise usage levels and seek a solution of a more permanent nature if it is identified that the infrastructure is required.

Although temporary, it is suggested that Council formally endorses the hire and placement of two portable toilets at Grannies Beach over the school holiday period. If approved, efforts will be made to ensure the toilets are as aesthetically pleasing and secure as possible for the period they are located at Grannies Beach.

Financial Implications:

A hire fee of approximately \$1,500 for the period of 20 December 2013 to 3 February 2014 which includes estimated cleaning costs.

Statutory Environment:

Local Government Act 1995.

Policy Implications:

Provision of temporary facilities may lead to a community expectation of a more permanent facility being installed. Alternatively, usage levels may prove a community need.

Strategic Implications:

SCP Outcome 3.1.1 –Continue to monitor community infrastructure needs and infrastructure utilisation.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil

13. MATTERS BEHIND CLOSED DOORS

Nil

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 4:19pm.

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

Signed:
Presiding Elected Member

Date:.....